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OFFICIAL REPORT

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AND NORTHERN IRELAND
THIRTY-NINTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

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ANNUNCIATOR SUPERINTENDENT—G. Carpenter

REFRESHMENT DEPARTMENT

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DEPUTY GENERAL MANAGER—E. J. Nash, MCFA

PERSONNEL ADMINISTRATOR—Mrs. S. M. Nicholls, FHCIMA, MIPM

PERSONAL ASSISTANT TO GENERAL MANAGER—Mrs. A. G. Lunn

BANQUETING MANAGER—C. J. Griffiths

CATERING ACCOUNTANT—D. R. W. Wood, FCA

ASSISTANT CATERING ACCOUNTANT—Mrs. B. A. Langley

EXECUTIVE CHEF—I. Gabay

HEAD CELLARMAN—D. Balcombe

HEAD STOREMAN—A. E. Edmond

SHORTHAND WRITER TO THE HOUSE—Mrs. E. M. C. Holland

PARLIAMENTARY WORKS OFFICER (PSA)—B. C. Sewell

HEAD OF SECURITY—Chief Superintendent A. J. Coxon

COMMUNICATIONS MANAGER—A. Blake

POSTMASTER—J. Arnold

TRANSPORT MANAGER—R. H. Hyde

THE PARLIAMENTARY DEBATES

OFFICIAL REPORT

IN THE THIRD SESSION OF THE FIFTIETH PARLIAMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
[WHICH OPENED 25 JUNE 1987]

THIRTY-NINTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SIXTH SERIES **VOLUME 171**

TENTH VOLUME OF SESSION 1989-90

House of Commons

Monday 23 April 1990

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Mr. Devlin: On a point of order, Mr. Speaker. When I entered the Members' Post Office this morning at 9 am, 50 per cent. of its floor space was taken up with cardboard boxes about the size of a large shoe box. Every hon. Member has today been mailed a plastic model of a foetus. Those grotesque models have been opened on behalf of hon. Members by our secretaries and research assistants, most of whom are female and some of whom have recently suffered miscarriages and other problems related to child bearing.

The packages have been a grossly offensive and distasteful demonstration. I hope that you will deprecate it, Mr. Speaker, and also give instructions to the Members' Post Office that, should it happen again, all such disgusting models should be sent back.

Mr. Cormack: Further to that point of order, Mr. Speaker.

Mr. Alton: Further to that point of order, Mr. Speaker.

Mr. Speaker: Order. Let me deal with the matter.

Several Hon. Members *rose*——

Mr. Speaker: Order. Please allow me to say something first.

I have received numerous complaints about that matter. I have also received a letter from the Assistant Serjeant at Arms informing me that a large number of parcels were delivered, but they were all stamped, so they had to be taken in. Some of them were accepted by hon. Members and some were not and those will be sent back to the sender. Perhaps it would be appropriate for the Leader of the House, as Chairman of the Services Committee, to look into the matter and consider what action may be necessary in future if this sort of thing happens again.

Mr. Alton: Further to that point of order, Mr. Speaker. Surely it is the legitimate right of citizens of this country to lobby their Members of Parliament, and their rights must be upheld as well. In comparison with what actually happens to the unborn child, the medical model——

Mr. Speaker: Order. That is a point of order concerned with the merits of the matter, which can be debated later. What I have said is a fact. I have received a great many complaints from hon. Members and from their secretaries.

PRIVATE BUSINESS

GREATER MANCHESTER (LIGHT RAPID TRANSIT SYSTEM) (NO. 3) BILL *[Lords]*

HAPPISBURGH LIGHTHOUSE BILL *[Lords]*
Considered; to be read the Third time.

Oral Answers to Questions

TRANSPORT

Avonmouth Relief Road

1. **Mr. Stern:** To ask the Secretary of State for Transport when he expects to announce the conclusions of the public consultation exercise over the Avonmouth relief road.

The Minister for Roads and Traffic (Mr. Robert Atkins): I hope to be in a position to announce the preferred scheme in the late spring or early summer of this year.

Mr. Stern: I am grateful to my hon. Friend for his reply, which shows the speed of action and consideration that

Ministers are giving to that much needed project in my constituency. When my hon. Friend announces the preferred scheme, will he take the opportunity to announce also that the much disliked flyover that was attached to the original scheme has now been finally dropped?

Mr. Atkins: I must reiterate how strongly we feel about the pressure that has been put on us by my hon. Friend, who does not cease to push the case for that relief road in his constituency. I cannot give him an absolute assurance at this stage, but certainly his views will weigh heavily with me and my inclination at the moment is that the flyover will not be necessary at the controversial place about which my hon. Friend is so concerned.

Mr. Sayeed: My hon. Friend will be aware that many planning and investment proposals await his decision. Is he further aware that many of my constituents will be pleased to hear that his Department is dealing with the matter with considerable speed?

Mr. Atkins: I am grateful to my hon. Friend for his concern. He, like my hon. Friend the Member for Bristol, North-West (Mr. Stern), has pressed us on many occasions. He and his constituents will be pleased that we are pressing ahead as fast as we can.

Motorway Lighting

2. **Mr. Cran:** To ask the Secretary of State for Transport what representations he has received regarding the provision of lighting for the whole of Britain's motorway network.

The Secretary of State for Transport (Mr. Cecil Parkinson): We receive representations from time to time on lighting the motorway network. These have included the National Chamber of Trade, a small number of police authorities and Members of Parliament on behalf of their constituents. Some have come direct from members of the public. We also receive representations against the further lighting of the motorway network from other interested parties.

Mr. Cran: Does my right hon. Friend agree that, as it is widely accepted that the lighting of motorways reduces accidents, the capital cost of extending lighting to the whole of the motorway system, which is about £170 million, and the annual running costs of more than £12 million, are cheap at the price considering the cost to the National Health Service of treating accident victims? If my right hon. Friend cannot come forward with a comprehensive plan, will he propose a priority plan based on the worst motorway accident areas?

Mr Parkinson: My hon. Friend touches on an important point. At the moment we are targeting lighting on areas where major accidents occur. At present, about a quarter of the system is lit. We examine very carefully whether we should install lighting, for instance, on the M25 where there was a bad accident. The objectors are environmentalists who claim that in certain areas motorway lighting is intrusive and destroys the environment.

Mr. Fearn: Does the Secretary of State agree that the M6 has the worst black holes in terms of lighting? Does he further agree that lighting the whole motorway system is a priority and that the M1 lighting, which is white, should be changed to sodium lighting?

Mr. Parkinson: I do not agree with the hon. Gentleman's second point. If he will let me know about particular sections of the M6 that are dangerous and that do not appear to receive the right priority, I shall certainly consider them.

Mr. Waller: Before rushing into the wholesale lighting of motorways, which are among the safest roads in the country, will my right hon. Friend consider whether the not inconsiderable sum involved might be better spent on local traffic management schemes, which have been shown to have a good effect in reducing casualties?

Mr. Parkinson: It is precisely that balance that we are trying to strike, of using the money to the best possible advantage, so that we deal with the problem areas on motorways. However, not all the problem areas are on the motorways.

Highway Code

3. **Mr. Andrew MacKay:** To ask the Secretary of State for Transport if he has any plans to revise the highway code; and if he will make a statement.

Mr. Atkins: Aspects of the highway code are dated and need improvement. I am considering at present how that may be done.

Mr. MacKay: When my right hon. Friend revises the highway code, will he carefully consider whether motorway driving could be improved if it is emphasised to drivers that they should drive in the inside lane and that the middle and outside lanes are purely overtaking lanes, and that rear fog lights are supposed to be on when there is fog and not at other times, when they cause great danger and pile-ups?

Mr. Atkins: My hon. Friend, with his usual percipience, has addressed the two problems that cause most concern. I join him in urging people to stop using fog lights wrongly. The points that he raised about other matters are being given considerable attention. I should be interested to hear from anyone who believes that aspects of the highway code are outdated. We shall endeavour to take such advice into consideration when we carry out the review.

Mr. Tony Banks: When the highway code is revised, will the Minister consider inserting a section that advises motorists of the things that they should not do inside their cars? There are many things, of course, but I was thinking specifically of the ludicrous grinning cats that are stuck to car side windows and the dice and football boots that hang down over rear-view mirrors and must obstruct a driver's view, thus making driving much more dangerous.

Mr. Corbyn: And car phones.

Mr. Banks: And car phones, as my hon. Friend says.

Mr. Atkins: I share with the hon. Gentleman an obsessive hatred of dingle-dangles in the back windows of cars as they are distracting and, more important, they are unsafe.

Mr. Higgins: May I applaud my hon. Friend's statement and suggest that in revising the highway code, he should clarify the position with regard to priority on roundabouts, making it clear that those already on roundabouts have priority over other traffic not on the roundabout even when it is approaching from the right of the car on the roundabout?

Mr. Atkins: My right hon. Friend is right to draw attention to that as it is one of many aspects that I believe to be outdated; and clearly we shall have to look at it closely.

Mr. Corbyn: When the Minister is revising the highway code, will he look into the serious problem of drivers with car phones who drive while using the phone, as that causes danger to other road users? It is dangerously distracting and causes accidents, yet the police do not seem keen on chasing and prosecuting such offenders. Will the Minister introduce regulations to prevent that dangerous practice?

Mr. Atkins: It is already an offence to drive a car while using the phone. It is a matter for the police to enforce. I take the opportunity provided by the hon Gentleman's supplementary question to remind people that it is wrong to use the phone while driving, particularly when devices can be fitted into cars so that the driver can have a conversation while keeping both hands on the wheel. It is an offence and I want it stopped, but it is up to the police to enforce the law.

London City Airport

4. **Mr. Colvin:** To ask the Secretary of State for Transport what was the traffic in terms of movements and passengers carried through London City airport in the last year for which figures are available.

The Minister for Aviation and Shipping (Mr. Patrick McLoughlin): The Civil Aviation Authority tells me that in 1989 there were 11,789 air transport movements, and 216,000 terminal passengers at London City airport.

Mr. Colvin: Has my hon. Friend seen that London City Airways, Brymon Airways and Air France have all recently announced additional services from London City airport to the continent? Does he share their confidence in the future of London City airport as an airport capable of handling up to 1·5 million passengers a year, taking a great deal of pressure off the south-east, securing the jobs of 500 workers in Newham and producing a shop window for the world's most environmentally friendly airliner, the BAe 146? Will he give us a hint on whether he is in favour of London City airport?

Mr. McLoughlin: London City airport is an exciting private initiative funded totally by the private sector. It could play an important role in providing services for passengers and business people, particularly in the light of 1992 and all the opportunities that the single market will provide.

Mr. Spearing: Will the Minister look into some of the statistics that were mentioned by the hon. Member for Romsey and Waterside (Mr. Colvin)? Is he aware that, in respect of the hon. Gentleman's claim that there is scope for 500 employees from the London borough of Newham, unfortunately a number of people have been made redundant at the airport recently, and the rosy picture that the hon. Gentleman paints awaits a public inquiry, so we should await the results of that inquiry before reaching a conclusion?

Mr. McLoughlin: As the hon. Gentleman rightly points out, there is a public inquiry. However, most areas are pleased when airports are built because of the considerable employment that they bring. Everywhere where there are airports there are considerable developments and opportunities for local people and the travelling public.

Mr. Mans: Does my hon. Friend agree that in order to deal with increased traffic movements in the south-east, a decision needs to be taken soon about a fifth terminal at Heathrow?

Mr. McLoughlin: I note my hon. Friend's comments.

Mr. Snape: Does the Minister agree that London City airport would have been better planned as part of Britain's transport infrastructure rather than being left to the private sector?

Mr. McLoughlin: No.

Mr. Snape: Good. I am glad that the Minister does not confirm that. Will he then confirm that the taxpayer will be expected to pick up the bill for the much needed infrastructure that should have been there in the first place?

Mr. McLoughlin: We know that if ever the Opposition were in government, the taxpayer would constantly pick up the bill because the Opposition would seek vengeance on the private sector.

A13, Essex

5. **Mrs. Gorman:** To ask the Secretary of State for Transport what immediate plans he has to improve the A13 in Essex.

Mr. Atkins: To the east of the M25, the trunk road section was improved in 1981 and is being further improved to accommodate the new Lakeside shopping centre. To the west of the M25, draft orders were published last month for a new dual three-lane road to Wennington.

Mr. Speaker: Is this right? The question refers to the A13 in Essex.

Mr. Atkins: Yes.

Mrs. Gorman: On behalf of my constituents I thank my hon. Friend for that extremely good news. May I persuade him in his busy schedule to take a ride down that road with me—*[Interruption.]* and some of my colleagues one evening. We could show him that, although improvements have been made, at some of the busiest areas the traffic mostly stands still because the worst congestion is at either end of those improvements, particularly where the Blackwall tunnel crosses the A13. At night a journey from this building of under five miles can take three hours because of the congestion. Will he give an assurance that work on the two ends of the road will also begin in the near future?

Hon. Members: Be careful what you do in cars.

Mr. Atkins: I have, indeed, travelled that road on numerous occasions. I am fully aware of the anxieties that my hon. Friend has expressed. I am always happy to visit

her constituency and those of my hon. Friends to see the problems for myself. But, as the hon. Member for Newham, North-West (Mr. Banks) and others said earlier, I must be careful what I do in cars with anyone.

Mr. Squire: In welcoming the draft orders published by my hon. Friend recently, may I congratulate him on moving the line of the A13 further south, in response to representations made to his Department? Does he agree that with or without the construction of Universal city in my constituency, the need for construction of the A13 relief road is immediate? It cannot come too quickly for people in my constituency or for those who use the road every day.

Mr. Atkins: My hon. Friend presses his case persuasively. I am aware of anxieties about the new development there. I shall continue to react as favourably as possible to his anxieties and those of his constituents.

British Rail

7. **Mr. Nicholas Bennett:** To ask the Secretary of State for Transport when he next expects to meet the chairman of British Rail; and what matters he proposes to discuss.

12. **Mr. Foulkes:** To ask the Secretary of State for Transport when he next intends to meet the chairman of British Rail; and what matters he proposes to discuss.

Mr. Parkinson: I plan to meet the chairman of British Rail on Wednesday 25 April when we will discuss a variety of railway issues.

Mr. Bennett: I thank my right hon. Friend for his reply. When he meets the chairman of British Rail, will he make it clear that BR's proposals to continue as a monopoly after privatisation are unacceptable to many Conservative Members? We seek a system whereby there would be some form of competition from a track authority so that others besides British Rail had an opportunity to provide a vital service to the public.

Mr. Parkinson: As my hon. Friend knows, the structure of a possibly privatised British Rail is under consideration. I shall take into account what he says.

Sir Peter Emery: When my right hon. Friend meets the chairman of British Rail, will he discuss with him the improvements necessary on a number of lines, particularly that from the southern railway down to Exeter, and the need for electrification of that line? If the whole of the track cannot be doubled, at least there should be more passing places in the area between Salisbury and Exeter.

Mr. Parkinson: As my hon. Friend knows, there will be a great deal of investment in British Rail over the next three years. It is part of a programme of capital investment that has been building up. I shall draw my hon. Friend's remarks to the attention of the chairman.

Mr. Strang: Will the Secretary of State discuss with the chairman the sense of shame felt by many people throughout Britain at the contrast between this Government's handling of the channel tunnel and that of the French Government? When will the Government recognise that the channel tunnel is a strategic national project and that we want the fastest possible link between the continent and the north of Scotland with the minimum of damage to the amenities of residents near the route? Is he aware that that can be done within the Government sector, funded and controlled by the Government?

Mr. Parkinson: The Government learnt a lesson from publicly funded civil engineering projects when the Thames flood barrier was built. It was meant to cost £40 million and to be built in four years. It cost £435 million and was built in eight and a half years. The contract had to be renegotiated three times. We are about taxpayers' money, which is why we will not listen to the nonsense that the hon. Gentleman is talking.

Mr. Gregory: When my right hon. Friend next meets the chairman of British Rail, will he impress on him the fact that the Government are supporting British Rail to the greatest amount in real terms in a quarter of a century and that employees in many railway cities, particularly York, are frustrated that they cannot participate in the success of that great industry, although their colleagues in British Rail Engineering and Sealink have already had the benefit of privatisation?

Mr. Parkinson: I thank my hon. Friend for so typically speaking in support of British Rail while all we get from the Opposition is grossly ill-informed criticism. We have a huge investment programme and are backing British Rail to an extent that no previous Labour Government did. The problem is that we have a couple of innumerate Opposition Front-Bench Members who do not understand the figures.

Mr. Prescott: Is the Secretary of State aware that the annual report of Eurotunnel, published today, which I hope he will discuss with the chairman of British Rail, has shown that costs have almost doubled in three to four years and that the requirement that it should be privately financed and organised has meant that it has inadequate management and finance? Will he assure the chairman of British Rail that the Eurorail link will not face the same restrictions of that ideological requirement, that is, private control and private finance?

Mr. Parkinson: My earlier point, which the hon. Gentleman once again did not understand, is that if huge projects are carried out in the public sector, it is a recipe for gigantic cost overruns. If this was in the public sector we should be talking about costs, not doubling, but trebling or quadrupling. The sooner he realises that public sector——

Mr. Prescott: Costs have doubled in three years.

Mr. Parkinson: I pointed out that the cost of the Thames barrier multiplied 10 times in eight years.

Mr. Gerald Bowden: When my right hon. Friend meets the chairman of British Rail on Wednesday 25 April, will he impress on him the importance of a channel tunnel rail link that serves the whole United Kingdom, not one that terminates at King's Cross and serves only the development of the King's Cross site?

Mr. Parkinson: I am afraid that my hon. Friend will not find a great deal of support for that proposal from the whole Opposition. We get many representations from northern Members who say that if the terminus were transferred to Stratford, it would be unattractive to those from the north and that King's Cross is the chosen site. That is partially, indeed only slightly, to do with the

redevelopment of King's Cross and massively to do with connecting the whole United Kingdom to the channel tunnel.

Mr. Foulkes: On a point of order, Mr. Speaker. Can you take my question separately as the Department of Transport informed me only two minutes before I came into the Chamber that it was to be taken together with question No. 7?

Mr. Speaker: I am afraid that I cannot do that.

Mr. Foulkes: Why not?

Mr. Speaker: Because the hon. Gentleman had a letter from the Department. I have no idea when it was posted, but I would expect any hon. Member who has a question on the Order Paper to be present for Question time from the beginning.

ScotRail

9. **Mr. Dalyell:** To ask the Secretary of State for Transport what discussions he has had with Mr. Cyril Bleasdale, of ScotRail, about the electrification of the Glasgow-Falkirk-Linlithgow-Edinburgh line and the southern routes involving Mid-Calder, Carstairs, Fauldhouse and Shotts.

The Minister for Public Transport (Mr. Michael Portillo): I discussed the various proposals for electrification of lines between Edinburgh and Glasgow with the director of ScotRail during my visit to those cities on 14 March.

Mr. Dalyell: As I have an all-too-clear understanding of the finances involved and particularly of the difficulties of the Queen Street tunnel, may I ask whether there can at least be a preliminary discussion on the electrification of the Edinburgh-Glasgow line and the various merits of the routes when the Secretary of State meets the chairman of British Rail on 25 April? May we have that undertaking for Wednesday's meeting?

Mr. Portillo: As I said in my substantive reply, I discussed the matter on 14 March and I expect to discuss it again when I visit Scotland in May. The hon. Gentleman will know that the electrification of the line between Glasgow and Edinburgh via Carstairs is already approved and a £12·5 million project is under way. The hon. Gentleman will also know that there will be a new service with class 158 vehicles from Glasgow Queen Street via Falkirk and Linlithgow to Edinburgh. I believe that British Rail may be considering whether the remaining sections on the Shotts line should be electrified—whether that would present a case for investment. No doubt I shall discuss those matters in May.

Oil Discharges

11. **Mr. Brazier:** To ask the Secretary of State for Transport what plans he has to increase monitoring of oil discharges into United Kingdom seas.

Mr. McLoughlin: A second remote sensing aircraft has been added to the marine pollution control unit's resources, and the regular airborne surveillance patrols of United Kingdom waters to deter ships making illegal discharges of oil are being increased by more than 60 per cent. with effect from the beginning of this month.

Mr. Brazier: That is welcome news and another example of the Government taking concrete action. Will my hon. Friend confirm that that monitoring will not go the way of the Control of Pollution Act 1974, whose water provisions were introduced by the previous Labour Government but never implemented?

Mr. McLoughlin: I am grateful for that information. The marine pollution control unit is one of many means by which the Government monitor discharges into the sea. The objectives of the Department of Transport are supplemented by the Ministry of Agriculture, Fisheries and Food, and the surveillance of our coastal waters amounts to 6,100 hours a year. We also rely on pilots and people using the seas to report any discharges that they come across.

Dr. Godman: Will the Minister give the latest estimate for the incidence of oil-related traffic passing through the Minch? Will he inform us of the number of spillages in that waterway and the surrounding seas? I remind him that it is an extremely important area for west coast fishermen. Is his Department drawing up a plan for designated safe anchorages for stricken tankers?

Mr. McLoughlin: The consistent reduction in the amount of oil spillages around our coastline is due mainly to the determined attitude of the Department to make ship owners and masters aware that we shall not tolerate such discharges. In 1979 there were 530 incidents, but the latest figures—for 1988—show a total of 280.

Mr. Prescott: Has the Minister heard about the loss in the Solent of a Greek vessel which is discharging oil and dead Greek seamen? Is the Department assisting in the removal of that wreck and perhaps in the recovery of the bodies?

Mr. McLoughlin: Any accident that has been reported and any slicks that occur warrant action by the marine pollution control unit. I shall certainly investigate the accident to which the hon. Gentleman has drawn my attention.

A6(M) Bypass

14. **Mr. Favell:** To ask the Secretary of State for Transport whether a starting date for the A6(M) bypass has been fixed.

Mr. Atkins: Time will be needed for design work, supplementary orders and compulsory purchase orders. A second public inquiry is likely and then construction could start by the end of 1992.

Mr. Favell: Can it be true that there will be yet another public inquiry on this much-needed road to relieve probably the greatest traffic congestion in the north-west? Why do we spend so long taking evidence from people objecting to a motorway rather than simply getting on with it? The people in Stockport will go bananas at this news.

Mr. Atkins: I have considerable sympathy with my hon. Friend's views. I know that he has consistently pressed for the road to be built as a matter of urgency and I understand his worry. As long as there are objections,

statutory procedures require a public inquiry. But I understand my hon. Friend's concern and I shall convey it to those who are in a position to do something about it.

Mr. Andrew F. Bennett: Does the Minister accept that it is absolutely crazy to have another public inquiry now, as the Department has already constructed a massive interchange in my constituency to link up with the proposed road? How can an inquiry consider the objective case for a different route when the Department has already built the interchange?

Mr. Atkins: There have been several amendments to the original plans which have produced objections. As long as there are objections, a public inquiry is required. As I said, I have considerable sympathy with the views, represented by hon. Members on both sides of the House, on the time it takes to have an inquiry and build a road. However, we are where we are, and I must obey the letter of the law.

Dame Elaine Kellett-Bowman: Does my hon. Friend accept that the constituents of Stockport are not the only ones who will go bananas if there is no assistance in relation to the M6? Is he aware that the prosperity of the north-west has grown so substantially that road congestion is extremely serious, not least in Lancashire and Morecambe, and that because of the dilatoriness of the county council, which refuses to make the M6 link a priority, matters are becoming worse? Will he ensure that that essential link is provided as early as possible, despite Lancashire county council?

Mr. Atkins: I always listen carefully to what my Member of Parliament has to say about the M6, particularly as I know the road well. I am cautious about making comments about motorway junctions that affect my constituency, because I am in a slightly difficult position as Minister for Roads and Traffic. My hon. Friend's general points about the M6 are well taken and I shall do all that I can to ensure that we are not delayed by the unnecessary tardiness of Lancashire county council.

Severn Crossing

17. **Mr. Roy Hughes:** To ask the Secretary of State for Transport if he has had recent discussions with county councils in south Wales concerning the second Severn crossing.

Mr. Portillo: The Government's recent announcement of a second Severn bridge has been widely welcomed by people on both sides of the Severn, and officials of this Department and at the Welsh Office are in regular contact with the county councils involved.

Mr. Hughes: Does the Minister appreciate that the county councils will require some clarification of the respective bids? On the information supplied to me about tolling, finance and the concession period, there seems to be confusion, not only among the tenderers but in the Department. Why should this difficulty have arisen? Can the Minister throw any light on it?

Mr. Portillo: The decision was clear cut; there was clear daylight between the bids received. Perhaps the hon. Gentleman is thinking about the proposal by the Trafalgar House consortium for a £1 car toll. That also involved a £4 toll for heavy goods vehicles, which the hon. Gentleman would not have welcomed, and a 50-year concession period—well over double the period expected by the winning bid. It was a non-conforming bid which we did not accept. The bid that we accepted was superior.

Channel Tunnel

18. **Mr. Gerald Bowden:** To ask the Secretary of State for Transport what discussions he has had with British Rail regarding the funding of the channel tunnel high-speed rail link.

26. **Mr. Cyril D. Townsend:** To ask the Secretary of State for Transport what discussions he has had with British Rail about the funding of the channel tunnel rail link.

Mr. Parkinson: Since November last year British Rail has been discussing the proposed channel tunnel high-speed rail link with Eurorail Ltd., with a view to forming a joint venture. The parties have kept me in touch with progress and I am now considering their detailed proposals.

Mr. Bowden: I thank my right hon. Friend for that answer. Will he take this opportunity to dispel the well-founded rumours in the press that the Government intend to change course and provide public money for the channel tunnel rail link? Will he deny that?

Mr. Parkinson: It would be illegal for the Government to provide money for the Channel tunnel rail link. That is expressly forbidden by section 42 of the Channel Tunnel Act 1987.

Mr. Townsend: Will my right hon. Friend reconsider his position? I take a different line from my colleague. Is not this a great national project which will bring enormous benefit to the north and north-west? Should not it be managed and financed by a partnership involving Government, business and British Rail? Would not that be in the country's long-term interest?

Mr. Parkinson: The proposed project would be a collaboration between British Rail and the private sector, which have been working together on the finances and have put a detailed proposal to us. We had a meeting with them last Thursday at which we fleshed out their proposals, which we are now carefully considering. I cannot say more than that.

Mr. Leighton: If the private sector falls down on the job and the Secretary of State has to inject about £1 billion of taxpayers' money, will he ensure that it is not just a straight subsidy but that taxpayers get a share of the equity and, subsequently, a share of the profits?

Mr. Parkinson: I prefer not to say any more than I already have. The proposals that have been put to us have been worked up over a period of months; they deserve careful consideration and that is what they are getting.

Ms. Ruddock: Will not the Secretary of State admit, however, that there is no way in which the private sector can fund the environmental projects that will be required for such a rail link in the south-east and in the London area? Will he admit that he will have to find some method —probably through Network SouthEast subsidies—to ensure that the rail link is financed?

Mr. Parkinson: The position is perfectly clear: under the Channel Tunnel Act we are not allowed to build a subsidised rail line, because the ferries and airlines with which the tunnel will compete are not subsidised. That was the decision of Parliament. We are looking at a proposal that has been put to us, but we must bear the law in mind, even if Opposition Members do not want to.

DUCHY OF LANCASTER

Official Duties

57. **Mr. Winnick:** To ask the Chancellor of the Duchy of Lancaster how many days in the last month he has spent on his official duties.

The Chancellor of the Duchy of Lancaster (Mr. Kenneth Baker): I spend up to a quarter of my time carrying out my duties as Chancellor of the Duchy of Lancaster and as a member of the Government.

Mr. Winnick: That is most interesting. Why have the fortunes of the Government declined so dramatically since the right hon. Gentleman has held his current position? Could he arrange with the Prime Minister to keep him where he is at least until the next election when, as he admitted on Saturday, the Tories will face their toughest test yet?

Mr. Baker: The hon. Gentleman asked almost exactly the same question of my predecessor in 1986. He will know that we were behind in the polls then and we won the subsequent general election. We are behind in the polls now and we shall win the next general election.

Mr. Hind: My right hon. Friend will be aware that many of the tenants of the Duchy of Lancaster with whom he deals and on whom he spends a quarter of his time are constituents of mine. Recently I have visited quite a lot of them, and they have the same problem as I do in discovering what the Opposition intend to do about the community charge. Will my right hon. Friend, on behalf of the tenants, write to the Leader of the Opposition asking him what he has in mind?

Mr. Baker: I have tried, but the Opposition will not reply. The Opposition's campaign for the local government elections is wholly cynical and dishonest. They will not spell out their alternative—their spokesman refused to do so on radio this morning. The hon. Member for Copeland (Dr. Cunningham), who invented the roof tax, knows what the figures are, so why does not he come to the House and tell the country what they would be?

Local Government Finance

58. **Mr. Dalyell:** To ask the Chancellor of the Duchy of Lancaster what representations he has had on the poll tax from tenants of the Duchy.

Mr. Kenneth Baker: I have had no representations from Duchy tenants either for or against the community charge.

Mr. Dalyell: Do Duchy tenants realise that year one of the poll tax is as nothing compared with the complications and difficulties of year two? Do they realise that 400,000 people in Strathclyde have not paid, and that £101 million is owning? Do they realise that that represents 23 per cent. of the total, and that my own, serious authority has had to provide money for self-defence courses in karate and other disciplines for officials who have to deal with the poll tax? Is the Chancellor of the Duchy doing anything to prepare people in the Duchy by providing lessons in karate, kwando or anything else?

Mr. Baker: That is a matter for my right hon. and learned Friend the Secretary of State for Scotland. I understand that self-defence lessons have been offered to all council employees, but are aimed primarily at benefiting social workers.

Duchy tenants will pay the community charge themselves as they did the rates previously. In 1990-91, the community charge for employees who have been occupying accommodation free of rent and rates will be met by the Duchy. This arrangement will be reviewed next year.

Mr. Robert B. Jones: If my right hon. Friend receives any representations from Duchy tenants will he tell them that they have to pay for the staff employed by Labour-controlled Lancashire county council? Lancashire has a lower population than the county of Hampshire, but it has 11,000 more staff.

Mr. Baker: My hon. Friend is right. The excessive expenditure by Lancashire county council this year is about £123 million. Such excessive expenditure is bound to lead to higher rates or community charges. The level of the community charge in Lancashire is due to the high-spending Labour authorities. The only way in which voters will get a lower community charge is by voting Conservative on 3 May.

Dr. Cunningham: Why does the Chancellor of the Duchy continue to try to con people in Lancashire and elsewhere? Why does not he look at the report on the study of the poll tax, carried out by the Institute for Fiscal Studies and the Rating and Valuation Association which shows that it is not overspending by councils that is the root cause of the problem, but the unrealistically low targets set by the Department of the Environment? The study also shows that in Lancashire, as elsewhere, losers outnumber gainers by more than 3:1 except among the 8 per cent. of the population who have the highest incomes, where the gainers outnumber the losers. It shows that families in the third percentage band of income have had increases in their local tax bills of more than £200. The right hon. Gentleman should recognise that he will get the answer to his fluster and bluster on 3 May, when people across the country will reject the poll tax, as they should.

Mr. Baker: Instead of the hon. Gentleman doing calculations which no one in the House is following, why does not he publish his proposals on the roof tax as it would affect his constituency? We have calculated what it would be there. According to the Halifax building society national house price survey, the average cost of a property in Egremont is £54,000. The roof tax on that would be £697, which means that single occupants would be £7·13 a week worse off. Why not publish the figures?

PUBLIC ACCOUNTS COMMISSION

Meetings

67. **Mr. Allen:** To ask the Chairman of the Public Accounts Commission when the Public Accounts Commission last met; and what was discussed.

Sir Peter Hordern: The Commission last met on 6 March 1990, when among the subjects discussed were the annual report of the National Audit Office and the report of the Commission to the House.

Mr. Allen: The hon. Gentleman answering for the Commission knows better than anyone that he and his Commission have the power to report to the House. Will he confide in the House by telling us whether the Commission has discussed its next report to the House and, if so, what subject it covers?

Sir Peter Hordern: I cannot anticipate the contents of a report that has not yet been considered by the Commission, but we shall report to the House before the summer recess. Among other things, the report is likely to consider the pay of the staff of the National Audit Office and the appointment of auditors to the office so that we can ensure that its operations are conducted efficiently.

Mr. Gow: How onerous are the duties that fall upon members of the Public Accounts Commission? Is there a vacancy on the Commission? If so, would not my hon. Friend the Member for Crawley (Mr. Soames) be a most excellent member?

Sir Peter Hordern: I give way to no one in my admiration of my hon. Friend the Member for Crawley (Mr. Soames). There is strong competition for membership of the Commission and I regret to have to inform the House that there are no vacancies at present.

Mr. Skinner: Will the hon. Gentleman look into the question of how much the members of the Tory Cabinet have benefited from pushing through the poll tax legislation? Will he confirm that the Cabinet benefits to the tune of more than £20,000?

Sir Peter Hordern: That is an interesting question, but it has nothing to do with the Public Accounts Commission, nor even the Public Accounts Committee, so it is not for me to answer.

Mr. Conway: If my hon. Friend is examining how public moneys are disbursed, will he consider the allocation of funds to Her Majesty's Opposition to see whether they need extra resources to work out the cost of their roof tax proposals for my constituents?

Sir Peter Hordern: That is another interesting question, but, again, one which is not a matter for the Public Accounts Commission. However, the Public Accounts Committee may wish to consider it.

Mr. Dickens: When my hon. Friend meets the Chairman of the Public Accounts Committee, will he do what he can to ensure that the Committee discusses in great depth the morality of using public funds to underwrite stupid decisions such as allowing the Strangeways prison riot to continue into a fourth week?

Sir Peter Hordern: I am sure that the right hon. Member for Ashton-under-Lyne (Mr. Sheldon), who is in his place, will have heard that question. Whether it is one that he will wish to consider is a matter for him.

HOUSE OF COMMONS

Closed Circuit Television

68. **Mr. Allen:** To ask the Lord President of the Council if he will bring forward proposals to allow hon. Members to have a closed circuit television link to the Chamber.

The Lord President of the Council and Leader of the House of Commons (Sir Geoffrey Howe): I have nothing to add to my reply to the hon. Member for Leicester, East (Mr. Vaz) on 21 February, when I said that the Select Committee on Televising of Proceedings of the House had not so far been persuaded of the case for allowing individual hon. Members to receive in their offices a clean television feed from the Chamber. The Select Committee will, during the next few weeks, be undertaking a full review of the televising experiment and no doubt this is one matter which will be considered.

Mr. Allen: Is not it nonsense that hon. Members do not have the choice of either a sound link or a televised link from the Chamber—a choice exercised freely in many other countries without detriment either to attendance on the Floor of the House or to understanding of the Chamber by hon. Members?

Sir Geoffrey Howe: I hesitate, even for the sake of the hon. Member, to describe as nonsense a proposition that has been rejected unanimously by the Select Committee on Televising of Proceedings of the House, and a proposition for which there has been limited demand, for understandable reasons. For example, the provision of a television feed in many places round the Palace would be distracting. Secondly, some hon. Members think that it would discourage enthusiasm for attendance in the Chamber. Thirdly, it would be expensive. The Select Committee will be looking at the matter during the next few weeks and hon. Members have been invited to represent their views to the Committee between now and then.

Mr. Latham: Does my right hon. and learned Friend agree that if an hon. Member wants to know what is going on in the Chamber, all that he has to do is to walk through the door—[HON. MEMBERS: "Hear, hear."]—and that if he wants to take part in the discussion, all that has to do is stand up and catch Mr. Speaker's eye? [HON. MEMBERS: "Oh!"]

Sir Geoffrey Howe: The popular reaction shows that it is easier for me to answer yes to the first part of the question than to the second.

Mr. Grocott: Is not technology overtaking us? It is only a matter of time before cable or satellite will provide a direct feed to anyone who has a television set. Sooner of later, we might as well catch up with the technology and provide a feed to every hon. Member.

Sir Geoffrey Howe: The hon. Gentleman is well placed, as a member of the Select Committee, to advance that argument when we consider it in the weeks ahead. We shall see how he gets on.

Refreshment Tent

Mr. Harry Greenway: To ask the Lord President of the Council how much it cost to re-erect the refreshment tent on the Terrace of the House; how long he expects it to remain there before it is struck once more; and if he will make a statement.

Sir Geoffrey Howe: As I advised my hon. Friend on 5 February, the total cost of dismantling and re-erecting the marquee, including storage charges, will be about £13,500. The marquee will be used until Christmas.

Mr. Greenway: Will my right hon. and learned Friend keep the marquee on the Terrace permanently, so that £13,500 is not wasted every year? When it is there permanently, will he ensure that on St. George's day, today and in the future, the rose of England is on sale to hon. Members, so that more can wear the rose of England on the feast of St. George, as they should?

Sir Geoffrey Howe: I am not sure whether the latter part of my hon. Friend's supplementary question arises from the main question. On St. David's day there were many daffodils in the House because Welshmen were well able to provide them for themselves.

The relevant Committees have considered the marquee and have concluded that it does not make sense to leave it in place throughout the year.

Mr. Tony Banks: As a drink or a cup of tea on the Terrace is a most desirable occupation, it might deflect hon. Members from taking their places in the Chamber. Will the Leader of the House consider making access to the Terrace easier for members of the public so that they, too, can enjoy the facilities that are available to Members? *[Interruption.]*

Sir Geoffrey Howe: I get the impression that the hon. Gentleman's enthusiasm for broadening access is not widely shared by hon. Members.

Mr. Favell: Does the tent go up and come down to circumvent planning regulations? Is it entirely desirable that the House should be doing that?

Sir Geoffrey Howe: No. My hon. Friend has quite the wrong suspicion. It is being erected and then brought down to comply with planning regulations.

Mrs. Dunwoody: As this operation costs such an inordinate amount of money, would not it be possible to leave the marquee in place and to spend the money that would thereby be saved on decent accommodation for the Refreshment Department staff, who are still far too lowly paid and who work in conditions that would not be acceptable elsewhere?

Sir Geoffrey Howe: I have to tell the hon. Lady, as I have told the House on many occasions, that the pay and conditions of service of Refreshment Department staff, as of others, are intended to be kept in line with those that apply in the rest of the labour market. The issue is to be considered again by the Commission very shortly. We must bear it in mind that the cost of taking down the marquee and re-erecting it would have to be set against the cost of maintaining and repairing it while in situ. It would be difficult to choose between the two bills.

Banking Services

71. **Mr. Butler:** To ask the Lord President of the Council what consideration he has given to the provision of banking services within the Palace of Westminister.

Sir Geoffrey Howe: Longer-term planning for the phase 2 parliamentary building includes consideration of the establishment of banking facilities either in the Palace itself, in the new buildings, or as part of the retail units planned for the area. In the short term, the Accommodation and Administration Sub-Committee is considering a proposal to establish cash-dispensing machines into the House.

Mr. Butler: Does my right hon. and learned Friend accept that this would be a most convenient facility for hon. Members? Although the Post Office provides a cheque-cashing facility, once in a rare while hon. Members wish to bank money as well.

Sir Geoffrey Howe: I take my hon. Friend's point. That is why the wider facility is being considered. It is important to press ahead with the provision of cash-dispensing machines in the building at as early a stage as possible, as we hope to do.

Mr. Skinner: Has the former Chancellor of the Exchequer, the right hon. Member for Blaby (Mr. Lawson), put in a bid for Barclays bank to help pay for the £250,000 that he gets for working two days a week for it?

Sir Geoffrey Howe: My right hon. Friend the former Chancellor of the Exchequer is fortunate in not being the responsibility of this former Chancellor of the Exchequer. He is well able to speak for himself and justify the services that he gives to his present employers.

Mr. Jacques Arnold: In view of recent developments in electronic banking and the like, will my right hon. and learned Friend give some thought to inviting the major banks and building societies to install automatic telling machines in the House?

Sir Geoffrey Howe: That raises rather wider questions that might have some application in certain circumstances. I am not prepared to go further than that at this stage.

Mr. Nicholas Bennett: Is my right hon. and learned Friend aware that it is not only banking services that Members need in this place? There is a dearth of good shops anywhere in the area for buying simple groceries. We should be concerned about the difficulties faced by the staff and all those who work in this place, apart from the 650 Members. They are a long way from any shops where they can get the necessities of life—*[Interruption.]* It would be extremely helpful for the staff and Members if some form of simple grocery shop were provided.

Sir Geoffrey Howe: Contrary apparently to the view of hon. Members, I have a great deal of sympathy with my hon. Friend's point. I think that there is a strong case to be made for extending the facilities of that sort that are available in or near the Palace of Westminster. That is one matter which I have already placed on and shall keep upon the agenda.

DUCHY OF LANCASTER

North-east Lancashire

59. **Mr. Pike:** To ask the Chancellor of the Duchy of Lancaster whether he has any plans to visit north-east Lancashire.

The Chancellor of the Duchy of Lancaster (Mr. Kenneth Baker): I visited eight towns in Lancashire and Cheshire last Wednesday. I have no immediate plans to visit north-east Lancashire.

Mr. Pike: As one of the architects of the poll tax, were the right hon. Gentleman to visit north-east Lancashire he would find that 80 per cent. of the people are losers. Does he accept that many thousands of people in north-east Lancashire cannot afford to pay the poll tax? Does he further accept that the two Lancashire Tory Members of Parliament who are not Ministers are opposed to the poll tax?

Mr. Baker: The community charge in Burnley is high because of the high-spending activities of Lancashire county council. The hon. Gentleman might like to ask the hon. Member for Copeland (Dr. Cunningham) about the cost of Labour's proposed roof tax in Burnley. If he does not receive a reply, I should be happy to tell him that for a house in Burnley valued at £52,350—which, according to the Halifax building society, is the average for the hon. Gentleman's constituency—a single occupant would be £6·02 a week worse off.

[4]Mr. Paul Ashwell

Mr. Speaker: I have granted a private notice question to the hon. Member for Northampton, South (Mr. Morris) because it concerns his constituent. It is not in order to raise the wider issue of the sale of prohibited goods to Iraq or anywhere else.

3.31 pm

Mr. Michael Morris (Northampton, South) *(by private notice)*: To ask the Secretary of State for Foreign and Commonwealth Affairs what help the Foreign Office is giving to Mr. Paul Ashwell to release him from the Greek gaol and to assist him to return to the United Kingdom.

The Minister of State, Foreign and Commonwealth Office (Mr. William Waldegrave): Mr. Ashwell has been regularly visited by the British honorary vice-consul in Patras. She has helped him to find legal representation and has provided him with additional food and bedding. She has also arranged for him to make telephone calls to his family. A member of the consular staff of the embassy at Athens will attempt to see him at Patras today.

Naturally, we hope that Mr. Ashwell's case can be dealt with quickly, and we have made that point to the Greek Foreign Ministry. Our embassy in Athens has sought an appointment to discuss Mr. Ashwell's case with the Ministry of Justice. Once Mr. Ashwell is released, our vice-consulate in Patras will help him to make arrangements for his return to the United Kingdom.

Mr. Morris: I thank my right hon. Friend for that answer in so far as it goes, but it leaves a few questions unanswered. First, why was Mr. Ashwell's bail application, which was made on Sunday or possibly Saturday, refused? Secondly, what evidence was given by United Kingdom representatives, in particular our diplomatic representative and the Customs and Excise representative, to emphasise the innocence of that trucker?

Thirdly, when Mr. Ashwell returned to the United Kingdom over Easter, having secured his load in the harbour in Greece, it appears that he was given clearance by Customs and Excise to return to Greece. Given the furore surrounding the case, why could not the load have been taken over by Customs and Excise in Greece, rather than my poor constituent having to return to Greece—apparently being used as a scapegoat for the whole of this exercise? Finally, why was my constituent told that any arrest that might take place would be a mere technicality?

Mr. Ashwell is a young, innocent trucker with a young family. He was doing a normal commercial job. If EC matters mean anything to this House, the two Governments should make it very clear that such an innocent party should be returned to the United Kingdom immediately.

Hon. Members: Hear, hear.

Mr. Waldegrave: The House has shown today that it sympathises with my hon. Friend, as I do. My information is that my hon. Friend's constituent was advised by his lawyer not to apply for bail at this time, not that bail was refused. I will have that information checked, but my understanding is that Mr. Ashwell was advised by his lawyer not to go for bail yet, but that he should do so when he has the best chance of being granted it.

As to Mr. Ashwell's innocence, Mr. Dunn of the Customs and Excise investigation service went to Patras and told the magistrate that, in his view, the driver did not knowingly commit any offence. I associate myself with his remarks.

There is no question of Mr. Ashwell having been encouraged to return to Greece. It is just bad luck that he was there when the load was stopped.

As for a technicality, we must respect Greek law. Greece is a law-abiding country and a fellow member of the European Community. It is an offence there to import armaments illegally, and the Greeks must answer to their own courts as to whether or not Mr. Ashwell committed an offence. Our own Customs and Excise investigators do not believe that he did so knowingly.

Sir David Steel (Tweeddale, Ettrick and Lauderdale): Does not the matter go further? It is not just a question of respecting Greek law. Does the Minister not agree that, if Mr. Ashwell had asked the British Government if it was all right to return to Greece, he would have been told, "Yes"? That was the answer given throughout. In view of that, do not the British Government have a particular responsibility—more so than usual—to act directly with the Greek Government to help Mr. Ashwell to obtain his freedom as soon as possible—even if it means sending the Secretary of State for Trade and Industry to Greece to act as proxy for him?

Mr. Waldegrave: I hope that the consular service would exercise its full energies on behalf of any British citizen finding himself in a similar position. The service is certainly working as hard as it can on Mr. Ashwell's behalf. I reiterate that our own Customs and Excise has told the Greek authorities that it does not believe that Mr. Ashwell is guilty of any offence. Nevertheless, the Greeks have a legal procedure, as we do, and they must observe it.

Mr. Kenneth Warren (Hastings and Rye): Will my right hon. Friend the Minister make it clear to the Greek Government that no charges of any kind have been preferred against anyone in this country in respect of the gun in question? Furthermore, the House has not been presented with any proof that the transported items are in any way connected with armaments.

Mr. Waldegrave: On my hon. Friend's latter point, there is little doubt that the load that Mr. Ashwell was unknowingly carrying was part of an armament. Whether or not Mr. Ashwell committed an offence in Greece is a matter for the Greeks courts. As I reminded the right hon. Member for Tweeddale, Ettrick and Lauderdale (Sir D. Steel), British Customs and Excise informed the Greek authorities that its view is that Mr. Ashwell did not knowingly commit any offence.

Mr. David Winnick (Walsall, North): Why is it not apparent to the Greek authorities that Mr. Ashwell is the most innocent part in this whole murky affair? He certainly cannot be held responsible for all the lies, deceit and evasion that has come from Whitehall Departments over the past 10 days. The Greek authorities should immediately release Mr. Ashwell.

Mr. Waldegrave: The hon. Gentleman is wrong in his latter remarks. If he will specify which lies he is talking about, he would then have to answer for his accusations.

[Mr. Waldegrave]

As I said, Mr. Stephen Dunn of Customs and Excise made it clear that that authority believes that Mr. Ashwell is innocent of any offence. However, the Greeks have laws about the importation of armaments. So far, the Greeks have handled the whole matter expeditiously and with sensitivity, and I have no doubt that they will continue to do so.

Mr. Andrew Rowe (Mid-Kent): Is it not a lamentable feature of the law, in whichever country it operates, that it tends to take a long time to go about its business? Is not that unfortunate lorry driver a notable example of the tiny handful of people who, in the course of any one year, find themselves caught up in the legal procedures of other European states? Can my right hon. Friend give a reassurance that, in discussions in the European Community, attempts will be made to devise a procedure whereby the Government or some other body stand bail for people abroad who are manifestly caught up in the toils of the law unnecessarily, so that they can be brought home?

Mr. Waldegrave: I sympathise with my hon. Friend's remarks, but so far the Greeks have acted quickly and fairly—and I pay tribute to them for doing so.

Mr. Michael Foot (Blaenau Gwent): Does the right hon. Gentleman recall that quite a long time ago, when we had a decent Government in this country—*[Laughter.]*—and when Lord Palmerston was in charge, he stated the principle, "Civis Romanus sum"—*[Interruption.]* When someone was arrested in Greece he got him out very quickly. Why does the right hon. Gentleman not act in a similar way?

Mr. Waldegrave: The right hon. Member will not expect me to disagree that this country was best governed by the Whigs. He and I may agree on that. On the latter point my right hon. Friend the Foreign Secretary has somewhat fewer battleships to deploy than Lord Palmerston did, and if we were to deploy them I do not think it would be against a free Greece. One of the right hon. Gentleman's greatest heroes helped to achieve freedom in that country and it is not a country that we now regard as one against which we are likely to deploy battleships.

Mr. Anthony Beaumont-Dark (Birmingham, Selly Oak): Does my right hon. Friend agree that we have a situation in which the most innocent people are likely to be and now are involved? Has the time not come for a full inquiry to be held so that it can be made crystal clear that, whoever else is at fault, at least one of the companies and the lorry driver in particular are not involved——

Mr. Speaker: Order. That is rather wide of the question.

Mr. Beamont-Dark: It was not very wide.

Mr. Speaker: I am sorry, but I have to judge that.

Mr. Beaumont-Dark: While respecting your judgment, Mr. Speaker, many people in this country think that one person who should not be a scapegoat is the lorry driver, who is expected to know what he is carrying when no one else, including the Department of Trade and Industry, knew what they were handling.

Mr. Waldegrave: I think that I have made our position clear. The hon. Member should have some understanding for the position of the Greek authorities. They have a law which says that it is illegal to import firearms without a permit, and it appears to them that that may have happened. We are explaining to them, through Mr. Dunn, who is on the spot, the the lorry driver is unlikely to have any guilt at all, and that is the best way to approach the matter.

Mr. George Foulkes (Carrick, Cumnock and Doon Valley): Can the Minister, however, assure us that the British embassy in Athens will be putting pressure on the Greek authorities to recognise Paul Ashwell's unwitting role and his innocence and to release him immediately? In view of the information that we all now have, thanks to the hon. Member for Bromsgrove (Sir H. Miller) and others, should not some Government Department have been able to alert the company concerned in advance to ensure that Mr. Ashwell did not get into this invidious position in the first place? While we welcome this limited statement, when will we get a full statement on all aspects of that sorry saga, with some Minister accepting responsibility instead of trying to pass the buck to the companies concerned and allowing innocent lorry drivers to carry the can?

Mr. Waldegrave: The substance of the hon. Member's question has been answered and the rhetoric needs no answer.

Points of Order

3.43 pm

Several Hon. Members: On a point of order, Mr. Speaker.

Mr. Speaker: Order. We have an important debate today, which is timetabled. However, I shall take the points of order.

Mr. Alan Williams (Swansea, West): On a point of order, Mr. Speaker. This relates to the tabling of questions on the Iraqi gun episode. We have just seen how interdepartmental relationships are inexorably involved in that problem. On Thursday, I tried to table questions, one of which was to ask the Secretary of State for Trade and Industry when he first informed the Ministry of Defence that there might be——

Mr. Speaker: Order. The right hon. Member knows that he has been in communication with me about that matter, and that I have given him a ruling on it, and he cannot mention it in the Chamber.

Mr. Williams: I understood that that was exactly what I could do.

Mr. Speaker: No.

Mr. Williams: Disgraceful.

Mr. Michael Latham (Rutland and Melton): On a point of order, Mr. Speaker. May I draw to your attention, in the interests of the rights of Back Benchers, the inherently ridiculous situation that took place today when two spokesmen were timetabled to answer questions at the same time—3.10 pm? Hon. Members had correctly tabled questions to my right hon. Friend the Chancellor of the Duchy of Lancaster and to my right hon. Friend the Member for Selby (Mr. Alison). Questions to the Church Commissioners are important to many people in this country. It is absolutely absurd that questions to two spokesmen should be tabled at the same time. If it is not in your power to deal with the matter, Mr. Speaker, will you ensure that it is referred to the Procedure Committee?

Mr. Speaker: If the hon. Gentleman will look at the order of questions, he will see that it is made plain that, on Monday 21 May, questions to the Chancellor of the Duchy of Lancaster have precedence over those to the right hon. Member answering for the Church Commissioners. However, I accept that that does not look clear on today's Order Paper, and I will endeavour to ensure that it is made plainer to hon. Members when the Order Paper is next printed.

Mr. Max Madden (Bradford, West): On a point of order, Mr. Speaker. I wish to raise with you an important matter, and I want your advice as to how we should proceed. It is in connection with the reported decision of the Secretary of State for Education and Science to accept that a child could be transferred, at the parent's wish and on racial grounds, to another school.

As you well know, Mr. Speaker, that decision has plunged local education authorities into great uncertainty and it seems to fly in the face of assurances by the former Secretary of State for Education and Science that the Government abhor racial discrimination. If the Secretary of State for Education and Science shows no sign tomorrow that he wants to make a statement on that important matter, will you, despite the time discrepancy, be prepared to consider another application for a private notice question?

Several Hon. Members *rose*——

Mr. Speaker: Order. May I deal with one hon. Member at a time?

Unless the situation has changed, I do not know whether it would be possible for me to do that. The matter was first brought to the attention of the Commission for Racial Equality on 2 April and the Secretary of State for Education and Science replied last week. It is a continuing matter.

Mr. Richard Holt (Langbaurgh): On the same point of order, Mr. Speaker. If there is to be a statement, will you ensure that it is a full statement including, the fact that at the same time as Mrs. Kearney was asking for her child to be moved a Muslim, Mr. Bosnena, asked for his two children to be removed—

Mr. Speaker: Order. If and when the Secretary of State for Education and Science makes a statement, I will certainly consider calling the hon. Gentleman.

Mr. Jack Straw (Blackburn): Further to the important point of order raised by my hon. Friend the Member for Bradford, West (Mr. Madden), Mr. Speaker. As the Secretary of State for Education and Science has already made a number of statements outside the House through his press spokespersons about his alleged position in respect of the matter, will you make it clear to the Secretary of State that it is an affront to the House for such statements to be made outside the House and not inside? We need to have the Secretary of State here to clear up the matter.

Mr. Speaker: The Leader of the House will certainly have heard what has been said, and the House knows my strong feeling on the matter. If statements are made on important matters that touch the interests of hon. Members, they should always be made here first.

Mr. Ian Gow (Eastbourne): Further to the point of order raised by my hon. Friend the Member for Rutland and Melton (Mr. Latham), Mr. Speaker. Is not the Order Paper clearly defective in stating that questions to my right hon. Friend the Member for Selby (Mr. Alison) will start not later than 3.10 pm, when in fact there were no questions to him at all? May I also submit, Mr. Speaker, that your answer to my hon. Friend the Member for Rutland and Melton is not satisfactory because you said in response to him that, week after week, there might be no opportunity to put questions to my right hon. Friend the Member for Selby. Surely that is not satisfactory. My right hon. Friend the Member for Selby answered no questions today, and from the ruling that you have just given, Mr. Speaker, it appears that that could easily happen in future as well.

Mr. Speaker: There are some Mondays on which questions to the right hon. Member answering for the Church Commissioners take precedence, but I cannot accept that the Order Paper today is defective. However it is misleading, and I shall ensure that in future it is made much plainer.

Mr. Martin Flannery (Sheffield, Hillsborough): Further to the point of order, Mr. Speaker, which was raised by my hon. Friends the Members for Bradford, West (Mr. Madden) and for Blackburn (Mr. Straw). The press is full of the issue. The Minister has made a major point, which tends towards racialism and has been construed as such, and it is vital that he now clears the air and tells us something about the issue as soon as possible.

Mr. Speaker: That is as may be. I repeat that I do not deny that it is a matter of considerable controversy in the press. I am sure that what has been said has been heard on the Government Front Bench.

Mr. Tam Dalyell (Linlithgow): May I raise a point of order, Mr. Speaker, of which I gave your office and also the hon. Member for Brigg and Cleethorpes (Mr. Brown) notice, relating to what occurred in the House on Friday? In the debate on the Licensing (Low Alcohol Drinks Bill) the hon. Member for Brigg and Cleethorpes spoke for 93 minutes. His was one of a number of long speeches. It appears that, unlike some hon. Members, the hon. Member for Brigg and Cleethorpes did not give notice to the answering Minister that he would not be present for the answer to his pretty lengthy speech.

This sort of behaviour does no credit to the House of Commons. That was assented to by the Chairman of the Procedure Committee, whose business it was. I must admit that, at 11 o'clock last Friday, I interrupted business to try to raise legitimate questions on the Defence Export Services Organisation secretariat in relation to the Iraqi Government. I took up about three minutes. Nevertheless, the fact remains that there was an attempt to speak for that length of time with the object of not having other business heard. I admit that I was No. 3 on the list, but ten-minute Bills are surely qualitatively as good as those that are drawn by ballot. There really should be no difference. I think that you assent to that Mr. Speaker. In the circumstances, besides the Procedure Committee looking at the matter, could you and the Leader of the House consider what is an absolute abuse of private procedures in the House?

Mr. Edward Leigh (Gainsborough and Horncastle): Further to that point of order, Mr. Speaker.

Mr. Speaker: Well, I will hear it.

Mr. Leigh: If I may say so, my hon. Friend the Member for Brigg and Cleethorpes (Mr. Brown) is not only an hon. Friend but a personal friend. For greater accuracy, I have obtained a copy of Friday's *Hansard*, and I see that everything that my hon. Friend said was perfectly in order and was most interesting. He dealt in some detail with a report from—it is not a household name—Professor Li Wan Po——

Mr. Speaker: Order. I do not think that we need go into it all over again. On the general position, of course it is not possible for the Chair to put a 10-minute limit on speeches on Report stages of Bills. I confirm that the hon. Member for Brigg and Cleethorpes (Mr. Brown) was mostly in order. I have looked carefully at *Hansard*, and I see that on one or two occasions the Chair intervened, but the hon. Member was in order. As for being present for winding-up speeches, I hope that the whole House will stick to the long convention that hon. Members remain for winding-up speeches and hear replies to arguments that they and others have made in the House.

Mr. Michael Brown (Brigg and Cleethorpes): Further to that point of order, Mr. Speaker. Of course I apologise to the hon. Member for Linlithgow (Mr. Dalyell), who was courteous enough to give me notice that he would raise this point of order. Indeed, I was not present for the intervention by the Parliamentary Under-Secretary of State for the Home Department, but I had indicated to him, via the assistant Whip who was on the Treasury Bench, that I would be unable to hear his response.

You will recall, Mr. Speaker, that I have been in charge of some business that is currently before the House. I have been on the receiving end of some fairly long speeches—longer speeches than the one that I made on Friday. I have never made any complaint about any speech of whatever length, even when it has been to the detriment of the Bill with which I have been concerned. I simply urge you to bear in mind the fact that I do not believe that Mr. Deputy Speaker upbraided me for being out of order at any stage. I have listened to speeches on a certain piece of legislation for which I am responsible and the same Mr. Deputy Speaker was required to bring hon. Members to order on many occasions.

Mr. Speaker: Honour is now satisfied.

HUMAN FERTILISATION AND EMBRYOLOGY BILL (ALLOCATION OF TIME)

Ordered,

That the Report [19 April] from the Business Committee be now considered.—*[Sir Geoffrey Howe.]*

Report considered accordingly.

Question, That this House doth agree with the Committee in their resolution, *put forthwith, pursuant to Standing Order No. 80 [Business Committee]:*

The House divided: Ayes 226, Noes 84.

Division No. 165] **[3.55 pm**

AYES

Alexander, Richard	Burt, Alistair
Alison, Rt Hon Michael	Butler, Chris
Alton, David	Butterfill, John
Amess, David	Carlisle, Kenneth *(Lincoln)*
Amos, Alan	Carrington, Matthew
Arnold, Jacques *(Gravesham)*	Chapman, Sydney
Atkins, Robert	Chope, Christopher
Baker, Rt Hon K. *(Mole Valley)*	Clark, Dr Michael *(Rochford)*
Baker, Nicholas *(Dorset N)*	Clark, Sir W. *(Croydon S)*
Barnes, Mrs Rosie *(Greenwich)*	Clarke, Rt Hon K. *(Rushcliffe)*
Beaumont-Dark, Anthony	Colvin, Michael
Beith, A. J.	Conway, Derek
Bendall, Vivian	Coombs, Simon *(Swindon)*
Bennett, Nicholas *(Pembroke)*	Cormack, Patrick
Bevan, David Gilroy	Couchman, James
Biffen, Rt Hon John	Cran, James
Bonsor, Sir Nicholas	Critchley, Julian
Boscawen, Hon Robert	Currie, Mrs Edwina
Boswell, Tim	Davies, Q. *(Stamf'd & Spald'g)*
Bottomley, Mrs Virginia	Davis, David *(Boothferry)*
Bowden, A *(Brighton K'pto'n)*	Day, Stephen
Bowden, Gerald *(Dulwich)*	Devlin, Tim
Bowis, John	Dickens, Geoffrey
Braine, Rt Hon Sir Bernard	Dicks, Terry
Brandon-Bravo, Martin	Dorrell, Stephen
Brazier, Julian	Duffy, A. E. P.
Brown, Michael *(Brigg & Cl't's)*	Dunn, Bob
Buck, Sir Antony	Durant, Tony
Buckley, George J.	Dykes, Hugh
Budgen, Nicholas	Eggar, Tim
Burns, Simon	Emery, Sir Peter

Fallon, Michael
Favell, Tony
Fearn, Ronald
Gardiner, George
Garel-Jones, Tristan
Glyn, Dr Sir Alan
Goodlad, Alastair
Gorman, Mrs Teresa
Gow, Ian
Gregory, Conal
Grist, Ian
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Haselhurst, Alan
Hawkins, Christopher
Hayes, Jerry
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Higgins, Rt Hon Terence L.
Hill, James
Hind, Kenneth
Holt, Richard
Hordern, Sir Peter
Howe, Rt Hon Sir Geoffrey
Hughes, Robert G. *(Harrow W)*
Irvine, Michael
Jack, Michael
Janman, Tim
Johnston, Sir Russell
Jones, Ieuan *(Ynys Môn)*
Jones, Robert B *(Herts W)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Kennedy, Charles
Key, Robert
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knox, David
Latham, Michael
Lawrence, Ivan
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lester, Jim *(Broxtowe)*
Lilley, Peter
Lloyd, Sir Ian *(Havant)*
Lloyd, Peter *(Fareham)*
Lofthouse, Geoffrey
Lord, Michael
Luce, Rt Hon Richard
Macfarlane, Sir Neil
MacGregor, Rt Hon John
MacKay, Andrew *(E Berkshire)*
Maclean, David
McNair-Wilson, Sir Michael
McNair-Wilson, Sir Patrick
McNamara, Kevin
Malins, Humfrey
Mallon, Seamus
Mans, Keith
Maples, John
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Maude, Hon Francis
Maxwell-Hyslop, Robin
Meyer, Sir Anthony
Michie, Mrs Ray *(Arg'l & Bute)*
Miller, Sir Hal
Mills, Iain
Mitchell, Andrew *(Gedling)*
Molyneaux, Rt Hon James
Monro, Sir Hector
Montgomery, Sir Fergus
Moore, Rt Hon John
Morris, M *(N'hampton S)*
Moss, Malcolm
Moynihan, Hon Colin
Mudd, David
Neale, Gerrard
Nelson, Anthony
Neubert, Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, Emma *(Devon West)*
Norris, Steve
O'Brien, William
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Paice, James
Patnick, Irvine
Pattie, Rt Hon Sir Geoffrey
Porter, David *(Waveney)*
Price, Sir David
Raison, Rt Hon Timothy
Redwood, John
Reid, Dr John
Renton, Rt Hon Tim
Riddick, Graham
Ridley, Rt Hon Nicholas
Roe, Mrs Marion
Rossi, Sir Hugh
Rost, Peter
Rowe, Andrew
Rumbold, Mrs Angela
Ryder, Richard
Sackville, Hon Tom
Sayeed, Jonathan
Shaw, Sir Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shelton, Sir William
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Richard *(Aldridge)*
Sims, Roger
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Steel, Rt Hon Sir David
Stern, Michael
Stewart, Andy *(Sherwood)*
Stewart, Rt Hon Ian *(Herts N)*
Stradling Thomas, Sir John
Summerson, Hugo
Taylor, Ian *(Esher)*
Taylor, Teddy *(S'end E)*
Thompson, D. *(Calder Valley)*
Thornton, Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Tredinnick, David
Trippier, David
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waldegrave, Rt Hon William
Waller, Gary
Wardle, Charles *(Bexhill)*
Warren, Kenneth
Watts, John
Wells, Bowen
Wheeler, Sir John
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Wigley, Dafydd
Wilshire, David
Wood, Timothy
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Ayes:
Mr. David Lightbown and
Mr. John M. Taylor.

NOES

Allen, Graham
Armstrong, Hilary
Banks, Tony *(Newham NW)*
Barron, Kevin
Beckett, Margaret
Bennett, A. F. *(D'nt'n & R'dish)*
Bidwell, Sydney
Brown, Gordon *(D'mline E)*
Buchan, Norman
Caborn, Richard
Callaghan, Jim
Clark, Dr David *(S Shields)*
Clwyd, Mrs Ann
Cohen, Harry
Coleman, Donald
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Cunningham, Dr John
Dalyell, Tam
Darling, Alistair
Davies, Ron *(Caerphilly)*
Dobson, Frank
Dunnachie, Jimmy
Eadie, Alexander
Eastham, Ken
Faulds, Andrew
Field, Frank *(Birkenhead)*
Flannery, Martin
Flynn, Paul
Foot, Rt Hon Michael
Foster, Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Godman, Dr Norman A.
Gould, Bryan
Griffiths, Win *(Bridgend)*
Harman, Ms Harriet
Haynes, Frank
Heal, Mrs Sylvia
Heffer, Eric S.
Hogg, N. *(C'nauld & Kilsyth)*
Howells, Dr. Kim (Pontypridd)
Hoyle, Doug
Hughes, Roy *(Newport E)*
Jones, Barry *(Alyn & Deeside)*
Jones, Martyn *(Clwyd S W)*
Kinnock, Rt Hon Neil
Leighton, Ron
Lestor, Joan *(Eccles)*
McCartney, Ian
McFall, John
McKay, Allen *(Barnsley West)*
McLeish, Henry
Madden, Max
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Morris, Rt Hon A. *(W'shawe)*
Mowlam, Marjorie
O'Neill, Martin
Orme, Rt Hon Stanley
Patchett, Terry
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prescott, John
Quin, Ms Joyce
Radice, Giles
Richardson, Jo
Rogers, Allan
Ruddock, Joan
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Spearing, Nigel
Straw, Jack
Walley, Joan
Welsh, Michael *(Doncaster N)*
Williams, Rt Hon Alan
Winnick, David
Wise, Mrs Audrey

Tellers for the Noes:
Mrs. Gwyneth Dunwoody
and Mrs. Alice Mahon.

Question accordingly agreed to.

Following is the report of the Business Committee:

That—

(1) The Order in which proceedings in Committee of the whole House are taken shall be—

(a) Clause No. 11, amendments to paragraph 3 of Schedule No. 2, remaining proceedings on that Schedule,

(b) New Clause 4, other new Clauses, new Schedules.

(2) The allotted days which under the Order [2nd April] are given to the proceedings in Committee of the whole House shall be allotted in the manner shown in the Table set out below and, subject to the provisions of that Order, each part of the proceedings shall be brought to a conclusion at the time specified in the third column of that Table.

TABLE

Allotted day	*Proceedings*	*Time for conclusion of proceedings*
First day	Clause No. 11 and Schedule No. 2	11 p.m.
Second day	Proceedings on new Clauses and new Schedules	11 p.m.

Orders of the Day

Human Fertilisation and Embryology Bill

[FIRST ALLOTTED DAY]

Considered in Committee

[MR. HAROLD WALKER *in the Chair*]

The Chairman of Ways and Means (Mr. Harold Walker): Before I call the Leader of the House to move amendment No. 1, I remind the House that our debate must terminate at 11 pm. Many right hon. and hon. Members wish to take part, so I appeal at the outset for brief speeches.

Clause 11

LICENCES FOR TREATMENT, STORAGE AND RESEARCH

Amendment proposed: No. 1, in page 5, line 33, leave out from 'embryos' to end of line 35.—*[Sir Geoffrey Howe.]*

The Chairman: With this it will be convenient for the Committee to consider the following amendments: No. 3, in schedule 2, page 29, line 32, leave out paragraph 3.

No. 2, in schedule 2, page 29, line 24, leave out 'or 3'.

No. 4, in schedule 2, page 30, leave out lines 25 to 27.

4.8 pm

The Secretary of State for Health (Mr. Kenneth Clarke): Right hon. and hon. Members will be aware that this is an extremely important debate and one of great moment to our society outside the House. The issue which we must decide is whether or not to allow the kind of research being done now on human embryos to continue. It is an issue which requires us to deal with fundamental questions and beliefs about right and wrong. It challenges the House to examine the meaning of terms, such as "human life" and "embryo", and to determine the respect which the embryo should be accorded at its various stages.

Because these questions deal with such basic moral issues, many people hold strong but widely differing views and emotions about them. I am sure on the strength of our Second Reading debate that the speeches of right hon. and hon. Members on both sides of the House will fully match the importance and difficulty of the subject. It is incumbent on all of us to examine the issues closely, calmly and rigorously before each of us decides individually through which Division Lobby our conscience leads us.

When, on Second Reading, I stated that the present legislative position in this area was unsatisfactory, the hon. Member for Linlithgow (Mr. Dalyell) who is again present, asked precisely what was unsatisfactory about the present law in relation to embryo research. In short, it is the fact that there is no law on the subject. Researchers may legally undertake any research they wish on human embryos for any purpose they wish. For example, they could attempt to create hybrids between humans and animals or attempt to clone individuals legally. That they are not doing so is thanks to the sense of responsibility of scientists and clinicians and their voluntary adherence to the ethical guidelines laid down by the interim licensing authority, which was set up jointly in 1985 by the Royal College of Obstetricians and Gynaecologists and the Medical Research Council.

The present position therefore is that embryo research in this country is lawful. The intention of the legislation before us today is to apply new legal constraints to embryo research, either by prohibiting it altogether, or by permitting it in certain closely specified circumstances under a statutory system of licensing and control. This is in addition to the Bill's proposals for control of certain infertility treatments and the storage of gametes and embryos, all of which involve sensitive questions concerning either using or keeping embryos outside the body or the status of any resulting child.

In the White Paper "Human Fertilisation and Embryology: A Framework for Legislation" the Government clearly indicated their intention of allowing a free vote on the question of whether or not embryo research should be allowed to continue in this country. When the Bill was introduced in the other place, it contained the significant drafting innovation in that clause 11 contained two mutually exclusive provisions about what would, in future, be lawful. One allowed the Human Fertilisation and Embryology Authority to issue licences for research, as well as for treatment services and the storage of gametes and embryos. The other allowed the authority to issue licences for research and storage purposes only. In the event, their Lordships supported the option in favour of embryo research, and the Bill now before us therefore contains provisions allowing the authority to grant licences for research on human embryos up to 14 days, after the date of conception.

As the Bill comes to us from another place, schedule 2 provides that a licence can authorise the creation of embryos or keeping or using them for research, but only for the research project which is specified in the licence. It also specifies that a licence for research can be issued for an activity only if it appears to the authority to be necessary or desirable for certain purposes. I shall return to those in a moment.

So that hon. and right hon. Members in this House may have the same opportunity of debating and voting freely on this important issue as their Lordships had, my right hon. and learned Friend the Leader of the House has tabled a number of amendments which, if passed, would have the effect of reversing the decision made in the other place. If the amendments were passed, the Bill would provide that the authority could issue licences for treatment services and for the storage of gametes and embryos but not for research. Human embryo research in this country would become unlawful.

Mr. Patrick Cormack (Staffordshire South): If this House should reverse that decision and if the House of Lords should then adhere to its original decision, would the Government take a line?

Mr. Clarke: I am sure that my hon. Friend would predict that my answer is that we shall cross that bridge if and when we come to it, but today it is important that we know the opinion of this House of Parliament. If there is a conflict between the Houses when both have taken their first vote, there are well-established procedures through which we would attempt to ensure that the matter is resolved.

Mr. Bowen Wells (Hertford and Stortford): Will my right hon. and learned Friend make clear what effect the amendments would have? I thought I heard him say that, if we pass the amendments put down by the Leader of the House, human embryology research would have to cease. Is that right?

4.15 pm

Mr. Clarke: The research on the human embryo of the kind presently carried out with the approval of the licensing authority would cease. I hope to keep my speech brief, but I may touch on the arguments on the difference between so-called destructive research and therapeutic research. Certainly, research of the sort carried out at present, within the guidelines of the interim authority, would be rendered unlawful if the amendments were passed.

As I made clear on Second Reading, the Government take no collective stance on the rights and wrongs of embryo research. The sole purpose of my right hon. and learned Friend in putting down the amendments is to ensure that the House has the best opportunity to debate the matter fully and a clear and free choice on the important issue of human embryo research.

Mr. Tam Dalyell (Linlithgow) *rose——*

Mr. Clarke: I shall give way, but I shall not do so frequently, because if I did I would make a long opening speech. It would not be appropriate to have a long opening Government speech on this debate.

Mr. Dalyell: I appreciate that the Government do not take a collective stance, but is not the House of Commons entitled to hear the professional opinion of the chief medical officer?

Mr. Clarke: The House is entitled to be reminded of some of the key arguments, including those of professional bodies, and I will do so later. The Government's chief medical officer is an adviser to the Government and does not have a policy of his own on these matters. I shall briefly cover the scientific and medical arguments in a balanced way, because, as I said, the Government have no collective stance on the matter.

The first argument, which is not, in itself, particularly medical or scientific, but is central to the debate, is the status which each individual Member will decide, according to his or her own conscience, should rightly be accorded to the embryo. Central to this is the question of when a human comes into existence.

There is a strongly held belief that the egg, at the moment it is penetrated by the sperm, represents the start of human life and should, from that point, be afforded the same status as a child or an adult. For those who hold to that view, the egg in the process of fertilisation and the resulting embryo represent an unborn child, and its existence as a human should be respected from the start of its development at the very start of conception. Those who hold that view argue that an embryo should not be the subject of research any more than a child or adult should.

Others take the view that the moment of penetration of the egg by the sperm does not have this special significance. Even after cell division has started, some 30 hours later, the cells are undifferentiated, so that it is impossible to say which will eventually form the foetus and which will form the placenta and other structures which are discarded at birth. Those who hold that view believe that status as an individual can begin only at, or after, the stage where cells differentiate in such a way that those which will become the foetus, or sometimes more than one foetus, can be clearly discerned. Those who take that view consider that research should be permitted until that stage, which coincides with the appearance of the so-called "primitive streak" at 14 days after penetration of the egg.

My own opinion is that that, which I have briefly described, is the critical point of the debate. Is the embryo before the emergence of the primitive streak sufficient of a human personality to be protected by the law against the risk of perishing as part of a research programme? There are important further issues about the merits and purpose of research that might be contemplated. However, to those who believe that the embryo is a human when the sperm penetrates the egg, that must be the end of the matter. However worthwhile the research might be claimed to be, it must be wrong to research in the way that people are doing at present.

This debate will canvass issues of philosophy, and medical and scientific opinions, but it is essentially an ethical matter, about which we must all make our own judgment. To a certain extent, I am influenced by the fact that my background is that of a lawyer. We are talking about the structure of law that will, or will not, give protection to particular citizens and personalities.

I cannot accept that the early embryo is a human personality with which I can identify as a person and to whom the criminal law must give protection. That is essentially a layman's judgment, as it will be for most hon. Members on both sides of the argument.

I am influenced by the tiny size of the embryo that we are talking about and by the fact that on rare occasions it could develop into more than one person if it developed at all. I am also advised that a high proportion of embryos perish naturally at this stage in any event. I cannot see that this is a very important stage of human development to which we should give the absolute protection as a citizen, although some clearly feel that it should have that protection.

Mr. David Alton (Liverpool, Mossley Hill): Will the Minister clarify for the benefit of the House whether he believes that, after two weeks' gestation, there is personhood and that from that point on the developing human being is entitled to the full support of the law? As a lawyer, is he saying that for all purposes after two weeks gestation the developing child must be protected?

Mr. Clarke: No, I am certainly not. I shall turn to that subject in a moment. The evolution of a human being and citizen from the potential that arises when sperm and egg are first united is a steady and continuous process, and it is difficult to say at what stage a citizen and human being appears. At various stages, fresh rights are acquired. Inheritance and property rights and so on come much later. However, the 14-day stage—the primitive streak stage—is a logical point beyond which it would be unwise to engage in research. Before that, I do not recognise the unborn child as a citizen that is entitled to absolute protection—

Dame Elaine Kellett-Bowman (Lancaster): My right hon. and learned Friend has referred twice to the perishing of an embryo, but what the Bill is about is the destruction of embryos, not their natural perishing.

Mr. Clarke: I do not mind using the word "destruction", although in practice the embryo is sometimes allowed to perish, just as a high proportion of embryos perish naturally at this stage. I accept that the result is that the embryo does not go on to develop into a human being.

For the reasons I have given, I am prepared to move on to the next step in the argument, which we must all consider in any event. Is the research worth while in medical and scientific terms? Whatever our views, all hon. Members will agree that the human embryo at this stage must be treated with respect as a potential human being, not just as any other piece of human tissue.

So I turn now to the more detailed arguments for and against research. Most of us have already given a great deal of thought to this, but it is a question of such importance that it is worth looking once more at the central arguments to see whether we have missed anything along the way. I shall endeavour to set them out clearly, drawing on the advice available to me, incuding that of the chief medical officer, to whom the hon. Member for Linlithgow (Mr. Dalyell) referred. I hope to do so in a reasonably balanced way, so as to do the arguments roughly equal justice.

It is necessary for the House to examine the purposes for which reaserch may be carried out and to decide whether they are of sufficient weight to justify the destruction of the embryo. If we approve the purposes, we should all ask ourselves not only whether the research is well intentioned but whether there is a reasonable livelihood that it can achieve its aims; otherwise, we might find ourselves supporting a vain use of human embryos.

The arguments in favour of embryo research are therefore often practical ones in the case of each project or subject area. Could the benefits accruing from the particular research work that a team has in mind justify the consequential destruction of the embryos? If human embryo research can in principle sometimes be justified for one purpose, that does not and should not mean that we have crossed some sort of rubicon. Those in favour of research accept that we would need an authority to license each team for its research, if permitted. In each case it would decide whether there was a sufficiently important purpose to justify the use of the human embryo in that case.

Those who maintain that research on human embryos can in some circumstances be justified base their contention on the benefits to humanity that such research could be expected to bring. Here, the arguments in favour of research enjoy such distinguished scientific support as is afforded by, for example, the Royal College of Obstetricians and Gynaecologists, the Royal Society and a wide range of scientific and medical opinion. Such bodies claim that research would provide information to deal with five key areas.

First, research could promote advances in the treatment of infertility. Secondly, it could increase knowledge about the causes of congenital disease. Thirdly, it could increase knowledge about the causes of miscarriages. Fourthly, it could develop more effective techniques of contraception. Finally, it could develop more effective methods for detecting the presence of gene or chromosome abnormalities in embryos before implantation. They are all different, and it is important to consider them briefly one by one.

The first is infertility. All hon. Members will, like me, have received over the years pleas from people whose hopes for the alleviation of infertility are pinned on a vote in favour of continuing embryo research. The hon. Member for Peckham (Ms. Harman) said on Second Reading that the interim licensing authority has estimated —correctly, as far as I can judge—that one couple in eight in this country suffers from infertility. Some of them feel that they have to endure a social stigma in admitting their inability to have a child. They often undergo the indignity and undoubted discomfort of infertility treatments, only to have their hopes dashed time after time, when the woman fails to conceive after treatment or has a miscarriage after treatment.

Those of us who have not been in that position sometimes find it hard fully to appreciate the misery and the real strain and stress that it causes for such couples. For some, the only hope lies in assisted reproduction methods such as in vitro fertilisation. While the success rate of these techniques has improved considerably since the birth of Louise Brown in 1978, it is still disappointingly low.

As I have said, many people suffer the discomfort and disappointment of failed treatment. Many doctors and scientists working in this field believe that further research could improve the success rates—for example, by improving the culture medium or by obtaining a better understanding of the viability of embryos before they are transferred to the uterus.

Those who support embryo research also argue that it will increase our knowledge about the causes of congenital diseases, particularly chromosomal diseases. As a species, we members of homo sapiens suffer the particular misfortune of being especially subject to chromosomal disorders. Some of the abnormalities of this type are thought to develop during the egg's maturation process, and some during the process of fertilisation itself. I am advised that, as yet, there is little information about which occur at which stage.

Scientists and doctors working in this field say that it is necessary to understand something about how and when these abnormalities occur to help them in their work towards further advances in prevention or therapy. This leads them to argue that carefully controlled experiments involving hyman embryos could provide them with the knowledge that might ultimately lead to the prevention of some of these congenital diseases.

Mr. Alistair Burt (Bury, North): My right hon. and learned Friend describes the process by which the law decides whether to allow a particular form of experiment based on the ends to which it is directed. Can he say how much account is taken of the availability of alternative research that would not involve the destruction of the embryo but would fulfil exactly the same ends?

Mr. Clarke: The interim licensing authority would take heed of that and would be expected to do so. However, there is a division of opinion about the extent to which any success could be achieved without the kind of experiment on human embryos that some people find immoral and offensive. I shall return to that matter. The bodies that I have quoted—the Royal College of Obstetricians and Gynaecologists and the Royal Society—and those working in the field are convinced that similar advances

could not be made without research into the human embryo. I shall come back to that. As I have said, there is a division of opinion, even scientific opinion.

Sir Bernard Braine (Castle Point): There have been such advances.

Mr. Clarke: I am sure that my right hon. Friend will argue that case, as he did on Second Reading.

On another aspect of research, it is also tragic that more than one in five pregnancies in the United Kingdom end in miscarriage. There are about 100,000 miscarriages a year in this country. We all know that miscarriage may cause haemorrhage or infection and that the sufferers may require hospital treatment. Quite apart from that is the distress suffered by the women involved, many of whom suffer repeated miscarriages as they try to have a family.

Some miscarriages seem to occur because the foetus is malformed or defective. However, in many other cases the cause is simply not obvious to those engaged in medical science. Scientists claim that research on embryos has already identified that chromosone abnormalities may also play a part, and I am advised that much more work is needed before all these causes can be identified. The researchers believe that the continuation of controlled embryo research will help to make it possible to understand hitherto unexplained miscarriages and to reduce the possibility of their occurrence.

4.30 pm

The proponents of embryo research argue that it could lead to improved methods of contraception—for example, through the development of a birth control vaccine. Here, we all appreciate that we are entering an area of controversy, because destruction of embryos is inevitable in such research. A birth control vaccine would have to undergo rigorous clinical trials before being approved for use. Because contraceptive failure could possibly result in pregnancy in some cases, even after successful trials, it is considered essential that such vaccines are tested on embryos in vitro.

Those who support a contraceptive vaccine—they include myself—argue that it would generally increase choice and lead to safer methods of contraception. Also, in the developing world, the arrival of a birth control vaccine would have even greater benefits because it should be simpler to administer and longer lasting compared with current methods. The World Health Organisation shares and advocates this view. A simpler birth control vaccine which could be administered through family planning programmes could have significant benefits for developing countries in particular, where the rate of population growth is particularly rapid and brings in its train severe economic and social difficulties.

Not all new reproductive technologies are aimed at helping infertile couples to have children. Some are designed to help people to have healthy normal children by allowing a range of congenital diseases and handicaps to be detected prenatally by pre-implantation diagnosis. The possibility of preventing genetic disease is one of the reasons most frequently cited in support of embryo research.

Mrs. Ann Winterton (Congleton): Does my right hon. and learned Friend recall that I wrote to him last week about claims made in the press by Dr. Robert Winston that, if passed, these amendments would prevent clinical pre-implantation of the embryo in the womb? Can my right hon. and learned Friend confirm that schedule 2, paragraph (1)(d) would allow such pre-implantation screening for genetic handicaps to continue even if today we voted for a ban on destructive embryo research?

Mr. Clarke: It is not for me to argue for Dr. Winston. My understanding is that he would argue that he could not have got where he is now if he had not been permitted to carry out research of the kind that he wishes to continue carrying out. As I understand it, in these cases, embryos are screened for their sex so that the female embryos can be re-implanted to avoid the disease suffered only by the male. That treatment, now that it is being developed, could be continued if the amendments were agreed to.

However, there is a second area of argument, which may well be canvassed in the debate. Do those who favour such treatment accept that, when the embryos have been sexed, only females should be re-implanted, and the males allowed to perish? In my opinion, and that of those in favour of research and treatment, the answer is yes, but some take the view that in no case should any embryo be dealt with clinically for any purpose unless it is re-implanted.

Sir David Steel (Tweeddale, Ettrick and Lauderdale): Will the Secretary of State confirm that, if the amendment were passed, the point made to me in a letter this morning by the mother of a child with Duchenne muscular dystrophy is well founded—that, even if the destruction of embryos were disallowed under the Bill, the option of abortion would continue, which would result in the irony that we would allow parents the chance of an abortion later in pregnancy, which is less desirable than allowing interference with the embryo?

Mr. Clarke: That is strongly argued. I appeal to hon. Members on both sides of the House to seek the opportunity to pursue the arguments later, rather than using my speech as a vehicle for them. I feel that the arguments have been neatly balanced on the issue.

Certain genetic abnormalities, as the right hon. Gentleman says, can be detected between about eight and 16 weeks' gestation and the affected foetuses aborted if the women so wishes and if the doctors concerned are satisfied that the conditions laid down in the Abortion Act 1967 are met. The ability to diagnose genetic disease within a few days of fertilisation would, researchers argue, alter that by enabling only healthy embryos to be transferred to the uterus.

Rapid progress is now being made with the development of these techniques. We have seen recent attention drawn to it by Professor Robert Winston and his colleagues at Hammersmith hospital. The technique that they have developed may now become more widely available as part of IVF treatment. Scientists working in this area argue that further research will open up new possibilities for enabling couples who are known to be carriers of a genetic disease to have an unaffected child of either sex by IVF.

Without the availability of pre-implantation diagnosis, couples are left with three difficult choices, one of which has just been touched upon. If it is not possible to diagnose at the pre-implantation stage, the choice is to accept the substantial risk of having a child with a genetic disease or

[Mr. Clarke]

to have ante-natal screening with the possibility of an abortion if the tests show that the foetus is affected. The third option is to remain childless.

Much embryo research, including that related to in vitro fertilisation, is carried out on animals; that was adverted to a few moments ago. Most researchers believe, however, that it is not possible safely to extrapolate the results of studies in animals to the human context. For example, they have shown that human embryos react differently from other mammalian embryos under various conditions. They argue from this that all except the most trivial changes in procedure therefore require research on human embryos to ensure that the standard of safety which must be secured before embryos which have been subject to special procedures are inserted into a women to achieve a pregnancy. Researchers argue that real progress in this area depends on improved understanding of fundamental aspects of human embryology and that such understanding can come safely and ethically only from research involving human embryos.

That leads researchers on to an ethical argument that will certainly be raised during the debate. I agree strongly with those who say that there must be limits to the total non-interventionist approach.

There are those who argue that there can be non-destructive research. I have heard it argued that such research might be permitted, so long as every embryo used is implanted into the womb to restore its prospects of life. I find that difficult to accept, and I cannot conceive that many medical or scientific people would knowingly implant into the womb an embryo that they believed was probably carrying some genetic disorder. I think that the argument cannot be carried to that extent.

Mrs. Ann Winterton: Will my right hon. and learned Friend give way?

Mr. Clarke: No, I shall not give way. I await speeches that will improve my understanding of the argument of those who favour what they call therapeutic rather than destructive research. The case will have to be made with considerable care if it is being said that to allow the embryo to perish in all circumstances is somehow always ethically wrong.

I think that the researchers all say that it would be irresponsible for doctors to replace in the womb fertilised human eggs that had been subjected to novel procedures or tests, for these might themselves lead to abnormality. They say that to use the mother as part of the research, and then to put in an embryo which has been subjected to research and might have been made abnormal by the research, would be unacceptable. They therefore argue that the subsequent development of the embryos should be studied in vitro for several days. If the development of an embryo in vitro is studied for several days after the experiment, that takes one to a time when transfer to a women would no longer be a possibility.

Finally, the supporters of research say that, in the course of nature, many embryos that are created fail to implant in the uterus and perish anyway. They draw an analogy between what happens in nature and embryos that have no prospect of being placed in a uterus and so are bound to perish. As those embryos would not become children—for example, spare embryos produced as a result of fertility treatments—they conclude that it is ethically acceptable to carry out carefully controlled research on them.

I shall now, in fairness, remind the House of the arguments against embryo research—although I shall do so briefly, as others, inspired by deep conviction, will put the arguments more eloquently than I can.

Those opposed to research involving human embryos argue that, although such research might serve to prevent genetic disease or to help infertile couples, in doing so it leads to the destruction of the embryo that is used for research purposes. I accept that opponents of research fully share my sympathy for those affected by genetic disorders and other conditions and that they generally support the value of medical research towards finding effective treatments, but they cannot condone the use of embryos for such purposes. They do not believe that the end can justify the means. They do not accept that the destruction of the embryo justifies the knowledge that might be obtained through its destruction.

For many people the human embryo is a living human being; to use the term used in correspondence to all Members of Parliament, it is an "unborn child". They argue that the same ethical considerations should apply as apply to research on adult human beings. They do not accept that, even if a significant proportion of embryos fail naturally, that in any way justifies carrying out research on any embryo which, in their view, has the potential for development. They draw an analogy with infant mortality, which has been high throughout most of human history, saying that no one would use that as an argument to attempt to justify similar experimentation on new-born babies.

Mr. A. E. P. Duffy (Sheffield, Attercliffe): The essential test that some hon. Members and I would apply to the Secretary of State's argument is that nothing should be done to an embryo except for its own good.

Mr. Clarke: I understand that that is the argument—that the only treatment or technique that should be applied to an embryo is one that is for the benefit of that embryo. In my opinion, it is difficult to apply that test, especially to those spare embryos that are sometimes produced through infertility treatment and that have no prospect of ever being implanted and therefore no prespect of life. It is my view that the perishing of an embryo that has no prospect of life in the cause of beneficial research is worth while. That is what we shall discuss throughout the day. I was trying, briefly, to do justice to the hon. Gentleman's feelings that all research into embryos is an affront to human life and should not be countenanced in any circumstances, however beneficial they might be.

If accepted, that argument is a complete case in itself, but some opponents go on to areas of great scientific and medical controversy and try to cast doubts, in any event, on the potential value of research that allows the embryo to perish. Opponents of human embryo research, including some scientists and doctors, maintain that improvements in all the areas of medicine mentioned can be achieved without research on human embryos. They assert that many scientific and medical breakthroughs have been achieved which have enhanced our knowledge of some genetic diseases without recourse to embryo research.

They quote examples like the discovery of the gene that causes cystic fibrosis and argue that there is no reason to believe that progress of that sort will not continue. They also point to the advances that were made in developing kidney transplant surgery in the 1960s, when doctors carried out their research on patients to try to save their lives. They hold the view—which the hon. Member for Sheffield, Attercliffe (Mr. Duffy) expounded—that that approach, which follows more closely the ethical framework in which other medical research is conducted, should also apply to embryo research. Furthermore, they argue that embryo research will not lead to a cure for genetic diseases but only to the prevention of such diseases. That is because any embryo that was found to carry the defective gene would not be transferred but left to perish. For them, it is more acceptable to concentrate on curing genetic disease by, for example, gene therapy.

I accept the strength of those arguments and realise that those who put them forward acknowledge the misery that infertility brings to some people, but they argue that, instead of investing so much in what so often turns out to be unsuccessful treatment to overcome the effects of infertility, it would be more constructive within society to investigate, treat and prevent the underlying causes.

Frequently, the strongest opposition to embryo research is directed against the use of embryos to develop new contraceptive methods. Those who share that opinion do not accept that it is necessary or acceptable to add to methods which are already available, and they find it particularly abhorrent that embryos should be used to test the efficiency of their own destruction.

4.45 pm

Many of those who argue against embryo research are also concerned about the so-called "slippery slope" arguments. For example, if research were permitted for the first 14 days, they fear that it would not be long before pressure would begin to mount for research on embryos beyond 14 days because it would produce allegedly beneficial results; or if pre-implantation diagnosis can be developed to detect sex-linked genetic diseases, it might be used not for medical reasons but merely to ensure that a couple could choose to have a child of a particular sex, or who knows what other allegedly desirable genetic features. Those are only some of the deeply held arguments advanced, by those, from many walks of life, who have reached the conclusion that research on human embryos must, on ethical or religious grounds, be opposed. Some of the dangers that they perceive would be feared by every hon. Member, even if research were permitted. A strong licensing authority and a framework of law are plainly desirable so that our worst fears could never be realised.

I hope that I have fairly presented the basis of the arguments on both sides of the debate, reminded hon. Members of the issues—with some of which we are all familiar—and clarified them. However, I do not think that I should take the arguments very much further. I think that there is a gulf that cannot be bridged between those who cannot, in all conscience, countenance the idea of research on human embryos, and those who believe that, with proper controls and for good purposes, it can be justified. However, there is one small but essential area of common ground—that there is something special about the human embryo. Sadly, that is where the common ground ends. At least it ends in an argument that gives rise to a system of licensing control, even if the House decides to allow research.

I have never made any secret of my views on this subject, either to my constituents or to the House. The emergence of a human being from the cells that carry a potential life is a continuous process. It begins with sperm and egg, which fuse to become an embryo, which implants in the mother's womb, and so on through a steady and continuous process until a baby is delivered conscious into the world. For me, there is no single moment at which I could easily say that a human life—the life of an individual human being—actually begins. I certainly do not enter into the world of theology, and I confess that I do not have an opinion on when the soul actually enters the emerging human personality.

Perhaps I am somewhat influenced by my background as a lawyer. The law should begin to give full protection of rights to life and limb and so eventually on to family law, property, inheritance and so on at a very much later stage than the emergence of the primitive streak. That stage seems a logical stage at which to give a potential human being protection against being the subject of research. I believe that, as long as embryo research is done openly and within the framework of strict statutory controls such as are laid down in the Bill, the benefits that are held in promise by that research should not be withheld from those who wish to take advantage of them.

In this House we all share a moral duty to respect and protect the sanctity of human life. We also all share a moral duty to alleviate suffering and to fight against disease. In my opinion, a vote in favour of properly regulated research for sound medical reasons is compatible with both those moral duties. I shall therefore vote against the amendments. However, I am genuinely interested in hearing more views on this profound matter during the debate, and I shall respect the final judgment of the House when it makes it tonight.

Ms. Jo Richardson (Barking): The Secretary of State has a difficult task, and I appreciate his attempts to set out fairly the pros and cons of the arguments that we shall debate today.

The House has a serious responsibility in reaching a decision on whether embryo research should be allowed to continue under strictly controlled conditions, overseen by a statutory licensing authority. We are not scientists or doctors and must rely on informed opinions. I am grateful, as I am sure all right hon. and hon. Members are, for the information that has landed in enormous quantities on our desks. It has come from the Royal Society of Medicine, the royal colleges and the interim licensing authority—which has done a fine job of regulating research so far. Information has also come from people involved in the research itself. We are all better informed than we were even two weeks ago, and certainly more informed than we were one or two years ago.

No right hon. or hon. Member could fail to be impressed by the representations made by the large number of genetic interest groups individually and under the umbrella of the Genetic Interest Group, which comprises 36 organisations—all of which have a direct concern in the outcome of tonight's vote. Representations have also been made—at least to me—by women's organisations. I was pleased to find on my desk only this morning a letter from the Townswomen's Guild.

[Ms. Jo Richardson]

I am grateful for the representations that I have received from people, including doctors and scientists, who know of my strong position in favour of embryo research. From reading all that material, it is clear that a number of myths have been created—the Secretary of State referred to some of them. They need refuting, and later I shall do so.

First, I want to discuss the chronology of human development. The right hon. and learned Gentleman gave his views on that aspect, and I shall do so in the context of the outline provided by the Medical Research Council. There has been much discussion in past weeks, months and years on the terminology used to describe the development of the embryo. Some argue that it is wrong to talk about pre-embryos. Now that we have had an opportunity to study the subject more deeply, it is important to differentiate between the stages of embryo development.

There are three in all. The first, pre-embryo, stage covers the 14 days before the primitive streak emerges, and beyond which time no further research will be allowed. At 14 days, the pre-embryo measures about 1 mm. The primitive streak marks the beginning of individual development, as the Secretary of State said. Dr. Ann MacLaren, in her paper for the April 1990 issue of the journal of the Royal Society of Medicine, states that it is the point at which development is "literally undividable." It marks the formation of the individual embryo that will develop into a foetus and then into a baby. No research will be allowed beyond that 14-day stage.

One is talking of a cluster of cells that may not develop into an embryo. If all goes well, the primitive streak will develop. However, in a large number of cases it does not and no embryo forms. If a pre-embryo is implanted, it coincides with the time that a women would have started her next period. I make the division between pre-embryo and embryo, and between embryo and foetus, because it is important to be clear. The embryo develops from 15 days to eight weeks, when it is 30 mm in size, and into a foetus at nine weeks. It becomes a baby at 40 weeks.

Many people claim that the 14-day limit is arbitrary, but it is not. It marks a well-known chronological event, which is why the Warnock committee chose it. It did not pluck that limit out of the air, saying, "We must pick a number—14 days will do." It represents a particular stage in the chronology of the development of a human being.

Mr. Alton: Does the hon. Member for Barking (Ms. Richardson) acknowledge that the Warnock committee never once used the phrase "pre-embryo", but that it has been invented since? The hon. Lady states that babies are born at 40 weeks, but does she accept that babies have been born at only 23 weeks in this country and have survived? Does she also accept that at a much earlier stage than birth—if she charts birth as occurring at 40 weeks —rights should be given to the unborn child? Does she agree that a point should be reached between fertilisation and birth at which the child has rights?

Ms. Richardson: I thought for a moment that the hon. Member for Liverpool, Mossley Hill (Mr. Alton) was going to make his full speech now. I acknowledge that Warnock did not use the phrase pre-embryo, but I use it because I need to clarify in my own mind the various stages of development. The arguments as to the point at which the foetus is capable of independent life will be dealt with in tomorrow's debate. I do not want to introduce now —and never have done—issues relating to abortion in debating embryo research.

Over the past 20 years, scientists have limited their research to embryos no more than 14 days old. Up to that point, a woman who had conceived naturally might not know of her pregnancy if she had not missed her period. It is only when a woman misses her period that she suspects that she might be pregnant. Research that may assist infertile couples or women who frequently miscarry, or which may identify hereditary genetic defects, is undertaken during the period when the fertilised egg may or may not become an embryo, then a foetus, and finally a baby.

Opponents to research on the pre-embryo or embryo before 14 days argue that everything that needs to be known can be learned from research on animals—but that is not true. There is ample evidence that there are vast differences in the physiological make-up of human and animal pre-embryos. Recently, *New Scientist* reported that a technique to identify the genetic defect that causes the Lesch-Nyham syndrome in the mouse embryo was completely unsuccessful when applied to a human pre-embryo. Lesch-Nyham affects only boys, who rarely reach adolescence. It is a particularly painful and distressing condition for their parents too, as those suffering from it practice self-mutilation by biting their lips and arms. We must hope that at some time in the future a way will be found of helping sufferers from that disorder.

Let us be clear what pre-embryo research could achieve. Opponents say that we claim that it will produce a cure for genetic disorders. No scientist has ever claimed that. It will not produce a cure. It is not on offer as a method of screening for general genetic disorders. The objective is to identify and offer help to people who are at risk of passing on a genetic disorder. Normally such people are identified only after they have had a child with a genetic disease or if there is a family history of that disease. We allow the amniocentesis test at 16 weeks of pregnancy and the chorionic villus test at 10 weeks and we give women under the present law the option of an abortion if they are found to be carrying an affected foetus.

It is difficult to understand why we should now seek to stop research projects which could detect affected genes before pregnancy is established by taking a single cell from the developing conceptus after fertilisation in vitro before replacing the pre-embryo in the mother. Only pre-embryos which were free from genetic disease would be replaced so that the woman could start her pregnancy knowing that her baby would not be affected, thus avoiding the painful and difficult decision at a later stage—10, 11 or 12 weeks or between 17 and 20 weeks—of whether to have an abortion.

5 pm

Mrs. Ann Winterton: Perhaps the hon. Lady will recall the point that I made to my right hon. and learned Friend the Secretary of State for Health. There is provision in the Bill to ensure that pre-implantation techniques such as she has described can be carried on in the best interests of the baby and of the mother. I do not think that any Conservative Member would wish to stop those techniques. I hope that the hon. Lady will not spend too much time chasing a rabbit that will not run.

Ms. Richardson: The hon. Lady should consider her own research. I am aware of what she is trying to tell me, but if we stopped the research that is now being carried out, and which we are seeking to enshrine in law, we should not be able to carry out the techniques that I am describing which seek to help people.

Frankly, I do not understand people who suggest that research at that stage stops a human life beginning. It is all about helping to create a healthy pregnancy and healthy children.

Another claim that is frequently made is that pre-embryos could be screened by observation. I am sure that we would all be pleased if that was the case. As many as one third of developing pre-embryos can be genetically disordered and will fail to implant. Visual inspection is a highly unreliable method of assessing the normality of the pre-embryo.

During my contribution to the Second Reading debate, I dealt with another myth—that cross-fertilisation leads to the creation of human-animal hybrids. The Bill allows the use of the hamster test under strictly controlled conditions. It is a useful test, but hamster eggs are not viable and cannot possibly be used for hybridisation, as they are not genetically compatible and never can be. Please do not let us have that myth hanging about, raising emotional feelings in people outside the House who do not have the advantage of knowing the facts.

Other myths are bandied about to hide the beneficial effects and the importance of research. Another myth is that each IVF baby costs £25,000 to produce. There is no evidence for that. In 1989, Hammersmith hospital spent £392,054 on all IVF treatments including salaries, materials and drugs. During that period, the Hammersmith programme produced 247 on-going or delivered pregnancies. Each successful pregnancy therefore cost £1,587. That comparatively low figure may be reduced if research is allowed to continue and if IVF success rates, which are low at present, improve. I am surprised that people who call themselves pro-life should seek to put a price on a baby's head. For some parents almost any price would be worth while. Of course we know that resources are limited, but to prevent parents from having the chance of a baby by suggesting that it is too expensive to give them help seems to be callous in the extreme.

Another mischievous and slanderous statement is that to support the development of pre-implantation research implies a lack of respect and regard for people with disabilities and for the parents who look after them. Members of the Genetic Interest Group—I hope that hon. Members have read the list because they are a prestigious group including the Dyslexia Institute, the British Tay Sachs Foundation, the Research Trust for Metabolic Diseases in Childhood, Support after Termination for Abnormalities, SENSE, the Tuberous Sclerosis Association and the UK Thalassaemia Society as well as members of Progress, of which I am a member—are deeply involved with meeting the needs of disabled people. They do not simply exist to discuss research. They participate to help disabled people now. Some of their members have disabilities themselves or are parents of disabled children.

Parents do not positively opt to have a disabled child. Their love for such children is possibly greater than that of parents of children with no handicap and they go to extraordinary lengths to make their children happy.

Sometimes people point to the wonderful example that handicapped people are to the rest of us. Indeed they are, but those with severe disabilities—often life-threatening—did not ask to be born with a handicap. Life had dealt them a cruel blow, which they and their carers try to cope with as successfully as possible. Let us not suggest that such people chose to be dealt that nasty blow.

If a youngster suffers an accident after a healthy beginning and is left severely disabled—to make a simple analogy—he or she and the family would not have chosen to have that accident. Many families with severely disabled children sometimes see them die a painful death and would dearly love the chance to have another child free from pain and suffering. Most parents want to avoid the possibility of passing on a hereditary gene which would mean that they had another handicapped child, with all the pain and distress that that causes.

Please let us not continue the nasty and divisive suggestion that people who support research lack respect and care for those with disabilities. There should be choice, and pre-embryo research offers that prospect to particular groups of parents. No one is forcing anyone to participate. The choice, quite rightly, is entirely theirs.

Three women carriers of severe genetic disorders have been in the news recently. They are proud and happy because research has meant that they can have a baby free from handicap. As the House will be aware, that was announced in *Nature* last week and the research was carried out at Hammersmith hospital. Two of those families already have handicapped sons whom they love very dearly, as we saw in the press. However, they are now delighted to learn that they will be able to have girls who will be free of the genetic disorder that affects boys. That is a breakthrough by Hammersmith hospital. It is a world first and we should be proud of that achievement.

If our crucial vote tonight had taken place last year and research had been banned, those happy mothers and their husbands would have been denied that chance. So much again for the so-called pro-life stance. It is restrictive and, I believe, the antithesis to life.

The market research conducted by National Opinion Polls shows clearly that public opinion is in favour of research continuing.

Mr. A. E. P. Duffy (Sheffield, Attercliffe): That was carried out for the hon. Lady's association.

Ms. Richardson: I would like to refer to the results of that poll, but I cannot find them among my papers. However, I have distributed the details to many hon. Members and they show how positively public opinion is in favour of research continuing.

Mr. Duffy: Will my hon. Friend confirm that that NOP survey was commissioned by Progress which she identified a few moments ago? That poll makes an interesting contrast with the Gallup poll carried out only last December which yielded entirely different results. However, as always, the questions were different.

Ms. Richardson: I believe that opinion has been changing even since last December. More information has become available as we have approached Second Reading and this debate. More and more members of the public are looking closely at what has been happening and are deciding for themselves. Far from the NOP survey being of my creation——

Mr. Duffy: I did not say that.

Ms. Richardson: Well, something that seemed to belong to me. I believe that the results of that poll should be of great interest to the House and something of which we should take note.

Mr. Peter Thurnham (Bolton, North-East): I shall help the hon. Lady with some of the figures for public opinion. Every opinion poll has shown that the public are in favour of research that would help to reduce the incidence of congenital handicap. Even the report commissioned by the Society for the Protection of Unborn Children, which tried to conceal that figure, revealed that 58 per cent. were in favour of research. The latest opinion poll by NOP shows that 71 per cent. of the public are in favour of embryo research for that purpose.

Ms. Richardson: Although I am not often grateful to a Conservative Member, I am grateful to the hon. Member for Bolton, North-East (Mr. Thurnham) for finding the piece of paper that I had misplaced. It is rather curious that I have now found that piece of paper as well.

Mr. Burt: Will the hon. Lady give way?

Ms. Richardson: No, I have been speaking for too long already.

Our responsibility tonight is very heavy. Their Lordships have shown the way by voting 3:1 in favour of research continuing under strictly controlled and accountable conditions. They clearly saw, as the public now see, that research can be beneficial to humankind and that it can be creative rather than destructive. Some of that research will not bear fruit for many years, perhaps not until after we in this House have retired or passed on. Therefore, we are legislating for the future and for the future of later generations.

I hope that those generations will not have to say in years to come that on the night of 23 April 1990 the House of Commons turned its back on them by banning research and progress for better lives for people with problems. I hope that the House will vote decisively—as decisively as, or even more so than, the House of Lords did—for research to continue.

5.15 pm

Sir Bernard Braine: May I first thank the Government for arranging our business in such a way that we can discuss the momentous issue of embryo research on the Floor of the House rather than in Standing Committee? In doing that, the Government have rightly recognised the sincerely and deeply held views on both sides of the House, and for that we are all—and particularly the pro-life movement—truly grateful.

On Second Reading I made clear the position of the all-party pro-life group on this issue but I hope that hon. Members will forgive me if I reiterate two basic points. First, I said that the subject of our debate is the embryonic human, a living dynamic being having its origin in the meeting of human sperm with the human egg. At the point of fertilisation an irreversible process of human development begins. It is here that our clock starts. Before that point a new life is a possibility; thereafter, it is an actuality.

Human life begins then at conception. That is not a philosophical point, as my right hon. and learned Friend the Secretary of State for Health seemed to suggest. A well-known embryology textbook entitled "The Developing Human", which was published as recently as 1988, states:

> "Human development is a continuous process that begins when an ovum from a female is fertilised by a sperm from a male. Cell division, growth and differentiation transform the fertilised ovum, into a multicellular adult human being."

That is the technical explanation and the point at which we should start this debate. In short, we are not talking about a cluster of cells. We are talking about human life and it should be treated as such.

Secondly, I established on Second Reading just what we are opposing and what we are not opposing. I said that we are not against all scientific research. We oppose destructive or non-therapeutic research on human embryos of a type that does not help the individual embryo to live and grow. We object to experimentation which kills the patient. We hold that that is the only moral and responsible position to take.

The practice or provision of in vitro fertilisation as treatment for infertility is not at stake. We are considering here whether we should allow destructive or non-therapeutic research to continue. In vitro fertilisation as such will continue and will not be stopped. That is not the issue we should be discussing. It is important also to recognise that, repugnant though it is for some, the method of detecting defective embryos will continue to be allowed.

Schedule 2(1) states that licences may be granted for a course of treatment containing

> "practices designed to secure that embryos are in a suitable condition to be placed in a woman or to determine whether embryos are suitable for that purpose".

So hon. Members who are concerned that embryos bearing certain defective genes are unlikely to be detected before insertion into a woman's uterus, need not be worried about voting for a ban on research. That practice would not be stopped even if we voted for a ban. The Bill clearly sets this out. Infertile couples can still be helped through IVF.

Mr. Kenneth Clarke: I have a couple of genuine questions for my right hon. Friend. I am not sure of his position. For example, what would be his position if the sex of embroys has been established and there is a genetic disorder that can be suffered by male children and not by female children? Does he accept that the female embryo should be re-implanted and the male embryos allowed to perish, or does he say that all the embryos, including those that may carry a genetic disorder, should be re-implanted?

Sir Bernard Braine: I shall not be drawn on that. *[Interruption.]* We are dealing here with questions of life and death—*[Interruption.]* Therefore, I have an open mind on that subject. I think that we need to go into it in detail. The general proposition that I have made is either accepted by the House and by my right hon. and learned Friend, or it is not: that IVF can continue even if there is a ban on research. I shall deal with that in a larger sense later, because there was an absence from my right hon. and learned Friend's speech—I shall refer to him in a moment—which suggested that the matter has still not been thought through.

Dame Elaine Kellett-Bowman: There is a difference between allowing an embryo to perish and deliberately killing it.

Sir Bernard Braine: Certainly. Perhaps when the laughter has subsided, some of our hon. Friends will regret having made the interventions that they did. The point I am making is that we are constantly told that, if research were to be banned, then in effect IVF would cease because further research would be outlawed. That is simply not true.

Mrs. Edwina Currie (Derbyshire, South): I am grateful to my right hon. Friend the Father of the House, for whom I have the utmost respect. How can he possibly will the results so that IVF should continue and not will the research that produced IVF in the first place?

Sir Bernard Braine: If my hon. Friend and the House will permit me to develop my argument, they will see that, although I say that IVF may continue, I do not put my faith about finding a solution to the larger problem of infertility in IVF alone. If I may be allowed to develop my argument, it will be seen that there has been a gap in the provision of information on other methods. Then perhaps we can see the matter in perspective. It would be better if I were allowed to develop my argument.

Mr. Alton: Before the right hon. Gentleman develops his argument, does he accept that it is one of the cruel paradoxes that in this country today one in five pregnancies now end in abortion? Some 184,000 children are aborted each year, and sadly only 10 per cent. of couples will ever be helped by IVF. For the other 90 per cent., if only those children were available for adoption, that would be one way in which many families could provide loving homes for many wanted children.

Sir Bernard Braine: I agree. That is one of the moral conundrums we face. Since the passage of the Abortion Act 1967, 2 to 3 million children, most of whom, if allowed to be born, would have been perfectly fit and healthy, have been destroyed. There are alternatives, such as finding happy homes with loving adopted parents. However, we shall discuss the scandal of late abortions tomorrow.

I now come straight to the point that I wanted to make. I have had a letter from a husband and wife who state:

"As an infertile couple we are anxious to correct the seriously misleading impression that human embryo experimentation is necessary to help people like us. This is not only completely false—it is also giving cruelly false hope to infertile people throughout the country.

The truth is that even the Warnock Report admitted that test-tube technique (IVF) is suitable for only about 5 per cent. of infertile couples. Furthermore, in countries where embryo experimentation is banned, it is totally wrong to claim that the IVF success rate will not be improved. In fact, in the State of South Australia where embryo research is against the law, the success rate is reported to be higher than in Britain."

I did not leave my reading of that moving statement there. I checked with my parliamentary medical scientific advisers. Dr. John McLean, senior lecturer in embryology and anatomy at the university of Manchester, tells me:

"The fact is that since legislation outlawing embryo research was passed the development of IVF in both Victoria and South Australia continues on a par with anywhere else in the world and the results as measured by livebirths in South Australia are the best in the world by about 1 per cent.-2 per cent. The livebirth rate from IVF, judged from the egg pick-up stage achieved by Professor Colin Matthews at the Queen Elizabeth Hospital, Woodville, South Australia, at 17 per cent.-18 per cent. per treatment cycle is considerably better than the figures for Britain given in the Fourth Report of the Interim Licensing Authority."

That is why hope for the future lies in this direction. I am not saying that there should not be experimentation here which has the effect of helping infertile couples, but for God's sake we must surely look at the world situation as a whole and see what is being done elsewere. I should hope that the chief medical officer is able to ascertain for my right hon. and learned Friend the Secretary of State what is happening in Australia, where there have been considerable advances.

Mr. Thurnham: Will my right hon. Friend give way?

Sir Bernard Braine: I shall not give way to my hon. Friend because of the misleading information that he gave the House in his earlier intervention.

Indeed, the 1989 report of the interim licensing authority states:

"There have been substantial improvements in the efficiency of IVF mainly through better methods for regulating the development of eggs in the ovaries and simple procedures for collecting eggs."

I am advised that further research could be carried out on the sperm and the egg, which we certainly would not oppose, rather than killing and disposing of human embryos. One of my advisers, an embryologist, has written to me to make the following point—this is not my view but that of a practising embryologist—

"In vitro fertilisation as a technique has probably reached its acme as far as the in vitro part of the procedure is concerned. The low success rate of the procedures measured by the birth of a live healthy baby lies primarily with the failure of the embryos produced by fertilisation in vitro to implant successfully in the uterus."

Even Professor Robert Winston, an active and respected figure, told us in 1982 in the medical journal *Hospital Doctor* that tubal surgery was much more successful than IVF. In that year, he would have offered microsurgery rather than IVF as a treatment for infertility.

My right hon. and learned Friend said that no other method of treatment showed the same result. Not so. I have given two examples of where other treatment is available, and it is showing good results. We are also led by numerous newspaper articles and by television to believe that IVF is a tried and tested procedure and that it can guarantee parents who may be at risk that they will have a normal child. That is a cruel deceit. Hon. Members may consider it to be unreasonable of me to say this—I allow that there are sharp differences of opinion across the Committee—but I do so in full knowledge of the facts.

The pro-experimentation lobby is not able to name a single genetic disease, the treatment of which has been helped by human embryo research. Note also that, with them, new discoveries are always around the corner, just about to emerge. The pro-experimentation lobby claims that it may soon be possible to perform pre-implantation diagnosis, examining cells from an embryo to discover whether a specific disorder is present and then destroying the affected embryo. But researchers have been saying for years that that technique is imminent. In 1985 it was just around the corner; in 1987 it could be introduced within months if embryo research were allowed to continue. I remember, when the Warnock report was published, Lady Warnock saying in subsequent discussion that 14 days would do for a beginning. What we are being led to legislate for is the beginning since no great success is likely to be achieved in the first 14 days. After that, perhaps, but then we would be in a different ball game.

A six-year study of normal IVF published in Australia in 1988 found that the incidence of spina bifida was five times higher than normal; that of congenital heart disease

[Sir Bernard Braine]

was six times higher than normal and perinatal mortality was four times higher than normal. How can pro-experimenters say that couples can guarantee that any pregnancy achieved by that method would be unaffected?

A paper published in *The Lancet*—a respected journal—last October warned:

"The public health position requires that efficacy and risks be known before the procedure becomes standard. We should heed the lessons of the Dalkon Shield and thalidomide".

We should take that warning seriously.

5.30 pm

If so much can be achieved without using human embryos for the treatment of infertility, why is there such pressure for us to sanction it? Will research using the human embryo up to 14 days—which the Bill provides—reveal the answer? Is embryo research vital to find cures for genetic disease? The plain answer to these two questions is no. It has certainly not been necessary to make vital discoveries for the treatment of cystic fibrosis and muscular dystrophy, to name but two. My advisers have told me that to pursue research into any of those conditions it is logically obvious to examine cells from adults who have given their consent and who are known to have the disorder, or cells obtained for legitimate reasons from children with the disorder. Such methods would not be fatal and we on the pro-life side—which stretches across all parties—welcome such research. That would be true therapy.

Mr. David Tredinnick (Bosworth): I am following my right hon. Friend's argument with interest, but I find it mystifying that the Royal College of Surgeons and the Royal Society should support such research. Can my right hon. Friend explain to the House how it is that his views and theirs are diametrically opposed?

Sir Bernard Braine: If I had more time, I would give my right hon. Friend and the Committee a list of the distinguished advisers whom we have attracted from every branch of medicine. Most of them are professors emeritus. They include Professor Hubert Campbell, emeritus professor of medical statistics at the Welsh National School of Medicine, Dr. McLean, to whom I have already referred, Professor Sir John Dewhurst, emeritus professor of obstetrics and gynaecology at Queen Charlotte's hospital, Dr. Jarmulowicz, lecturer in histopathology, at the Royal Free hospital school in London and Professor John Marshall, emeritus professor of clinical neurology at the university of London who signed a minority report.

We should remember that the Warnock committee was not unanimous—it was split—and Professor Marshall, a distinguished neurologist, one of the most famous in the world, took a contrary view, coming out against experimentation. I cannot answer why it is possible for the pro-life movement to attract some of the most distinguished, internationally known and respected figures while the royal colleges and other bodies take a different view, although I could hazard a guess.

Ms. Richardson: I have been listening with great care to the right hon. Gentleman, but with respect to the eminent people whom he was quoting, are they carrying out research now or is it not a fact that most of them have retired?

Sir Bernard Braine: That is a very unworthy remark. Most of them are still active and are highly respected in the world of research. The hon. Lady might care to write to them and find out. I have not quoted the distinguished figures in France, the United States and Australia who also advise us. Just as the Committee is divided, so may be the medical and scientific professions, and that greatly disturbs me. I remember when the German medical profession was sharply divided on certain issues. But for us the buck stops here. It rests not with those learned bodies, but here in this House, and we have to make up our minds.

Mr. Tredinnick: Will my right hon. Friend give way?

Sir Bernard Braine: No. I shall not give way again, because other hon. Members wish to express their views.

I have reached some conclusions and I should like to put them to the House. Let me return to my original question. If so much can be achieved without using human embryos in research, why are so many eager to conduct such research? I have a suspicion that I should mention in the House. For the big drug companies, for example, embryo experimentation could unlock the door to unlimited riches and provide the means of finding the perfect contraceptive. Even the Warnock committee concluded that there might be a case for allowing human embryos to be used for drug testing—subject, of course, to scrutiny by a licensing body. However, that committee was not unanimous. Professor John Marshall and two other members of the Warnock committee made it quite clear in their minority report that human embryos should not be subjected to such experiments.

Where will the experimenters get sufficient eggs to fertilise for their research? Tens of thousands will be needed to provide sufficient for research projects. Of necessity, that would require the use of super-ovulatory drugs, to be given to women to produce more eggs than the one that is part of their normal cycle. IVF practitioners have already expressed concern that fertility drug regimes led to the production of immature or abnormal ova and caused disturbance of the inner wall of the womb, which would make it difficult for the embryo to implant.

I am making a serious charge, and I should like to hear someone responsible in Government address the matter. I am advised that the use of such drugs can cause serious problems for women. It is no more than treating women, as well as the human embryos used in the research, as guinea pigs. Will women waiting for IVF treatment or sterilisation be encouraged to donate their eggs and use such drugs with promises of being moved up the waiting list if they agree? Let us be given an answer to that by the scientists and let the Minister tell the House just what the Government have in mind.

Let it not be said that talk of egg and embryo banks is futuristic and hysterical, as was the suggestion behind some of the interventions by my hon. Friends. It emerged at the European Society of Human Reproduction and Embryology conference in 1987 that large numbers of frozen human embryos were stockpiled at IVF centres in Britain, France and Australia, and at least one delegate predicted that embryos would be marketed.

The Bill is so phrased in clause 14(1)(b) that it would allow the trading of gametes or human embryos between licensed persons, even if they were not needed for treatment services. What does that mean? Let Ministers explain that horrendous inclusion in the Bill, if they can.

Those of us in the pro-life movement are often accused of certainty about the beginning of life and its value whereas others are not quite so sure. We have heard an example of that from my right hon. and learned Friend the Secretary of State this afternoon. While I do not believe that such certainty is mistaken, what approach should the House take? I believe that the safest, most reasonable and most moral course to take is to say no to destructive experimentation. Why do I say that? Because, surely, if there is any reasonable doubt about the status of the human embryo, we should give it the benefit of the doubt. The human embryo has an overwhelming call upon our conscience and duty.

We have heard a great deal recently about the views of the Archbishop of York, but he does not speak for the majority of Christians. [HON. MEMBERS: "Shame."] He does not. The Anglican Bishop of Peterborough does not support the Archbishop of York. I should like to quote him and I should like the House to weigh his words carefully. He said:

"I have always taken the view that when in doubt it is safer to say no. Those who would seek change must discharge the full burden of proof and that they have not done."

Those who favour experimentation have not proved beyond reasonable doubt that the human embryo is not a human being. They have tried to cloak the fact that it is a human being by calling it a pre-embryo. We had an example of that this afternoon. Perhaps the hon. Member for Barking (Ms. Richardson) will tell the House in which dictionary she found that term. Words such as pre-embryo and conceptus——

Mrs. Teresa Gorman (Billericay): Will my right hon. Friend give way?

Sir Bernard Braine: Although I do not wish to give way in the middle of a sentence, I shall give way.

Mrs. Gorman: On a point of information, the term pre-embryo was coined by the voluntary authority in order to establish the presence of a cell mass before it begins to differentiate. That is why the term was established.

Sir Bernard Braine: That body has no real status. The Secretary of State told us so this afternoon. It invented the term precisely in order to confuse, as the hon. Member should know. There is no such thing as a pre-embryo in medical terms. After this debate it may begin to find its way into medical dictionaries, but it is not there now. These are changes in nomenclature, not in fact.

Finally, we have been regaled with promises of what embryo experimentation might achieve in terms of advances in the treatment of genetic diseases and infertility treatment but nowhere, and at no time, has the experimentation lobby proved beyond reasonable doubt that the subject is not a human being. Indeed, it would not want the embryo if it were not human and did not have the innate capacity to develop as a human being. It would be of no use. It concedes its own case by referring to human embryos to distinguish them from animal embryos. The case for experimentation is no more than a cruel deception with false hopes constantly being paraded to encourage supporters to its side.

One must have some humility in trying to resolve this question. The overwhelming number of scientists in this country and elsewhere are highly motivated in an honourable quest for improvement in the human condition. Several have said to me—it is right to speak frankly and openly—"Surely we should have learnt something from the descent of Nazi medicine into awfulness, when some doctors claimed that it did not matter how they acquired knowledge because the end justified the means." I mention that not in order to excite passions but deliberately. With that awful example before it, it is not surprising that the German Parliament has just banned such research. Perhaps awareness of what was done by perverted science remains stronger there than here.

What then is the only responsible course of action open to this Committee and this House? It is surely to give the human embryo the benefit of the doubt and to vote for a ban on research.

Mr. Duffy: The vital decisions that we reach tonight on human fertilisation and embryology and tomorrow on pregnancy termination must affect how we regard the status of each individual, his or her human rights, the treatment of the handicapped and the fate of the senile and terminally ill. Therefore, we must proceed with the greatest care.

Embryo research is complex and involves a spectrum of medical, scientific, ethical and moral issues. It also abounds in myths and partial truths, as I said on Second Reading. For example, like the Father of the House, I invited hon. Members present then who were in favour of human embryo research to give the House one example of what has been discovered in research into genetic diseases that could not have been discovered in any other way. I now invite hon. Members present who believe that scientists need human embryos for worthwhile research to explain why the practice has been forbidden in Denmark, Ireland, Norway and Portugal, as well as parts of Australia, as the Father of the House reminded us. It is also soon to be forbidden in West Germany. They should also tell us why the European Council of Ministers has recommended the same course of action.

5.45 pm

Mr. Robert Key (Salisbury): In answer to the hon. Gentleman's question, that says more about the politicians in those countries than about the scientists. It speaks volumes about the ignorance and timidity of the politicians. It does not stop the scientists from benefiting from the research done in this country and all round the world.

Mr. Duffy: That intervention will be judged by hon. Members present on its merits. The hon. Member for Salisbury (Mr. Key), for whom I have the greatest respect and whose important speech on Second Reading I remember, will regret those remarks on reflection.

The only response that I received at the end of my speech on Second Reading was from my hon. Friend the Member for Linlithgow (Mr. Dalyell). I gave him notice that I would raise this matter. He began his speech—with a little relieved support from some of my hon. Friends —by saying:

"My hon. Friend the Member for Sheffield, Attercliffe (Mr. Duffy) will understand that some of us were pained and distressed by his speech."—[*Official Report*, 2 April 1990; Vol. 170, c. 976.]

I pressed him later to explain what parts of my speech had distressed him, as did some of my hon. Friends, and I have written to him, but so far I have received no response.

[Mr. Duffy]

Even though the score of pro-research versus anti-research speeches from the Back Benches on Second Reading was 11 each, my distinct impression was that those against research had the better of the argument. That is remarkable. Those of us who have tried to follow the topic closely as it has developed over the winter since it was debated in another place were struck by the deluge of one-sided publicity, not only this weekend in quality Sunday newspapers or on behalf of one programme in one hospital or one individual. Despite that one-sided treatment in the media, it must be clear to anyone who reads the *Official Report* of 2 April that hon. Members who spoke in favour of research were put on the defensive.

I shall illustrate that by recalling that debate briefly. I shall touch on some of the highlights, and if two have already been touched on by the Father of the House, I hope that hon. Members will forgive me. The Secretary of State claimed then, as he did this afternoon, that an embryo was not a human being. Yet, if the embryo were not human or alive and did not have the built-in capacity to grow and develop to birth, why should the experimenters want it?

It was also claimed then, and again this afternoon by my hon. Friend the Member for Barking (Ms. Richardson), that it is not an embryo until 14 days after conception and that until then it is a pre-embryo. Yet, as the Father of the House reminded us, the term "pre-embryo" cannot be found in any reputable source of reference or medical dictionary. Furthermore, we are entitled to ask those who still attach significance to 14 days, "Fourteen days into what?" If it is not 14 days into life, what is it 14 days into?

On Second Reading, it was claimed that embryo research was needed to improve the success of IVF, and the low take-home baby rate was quoted. Several centres are climbing the learning curve and achieving substantially greater success rates. One such is the Sheffield fertility centre. I shall quote a public reference to a report so that hon. Members can consult it, but they will expect me to have been at pains to consult privately. On 6 February, *The Daily Telegraph* stated of the centre:

> "Here the emphasis is on IVF the natural way, using the one egg normally produced. Drugs are used only in rare cases, when women do not ovulate."

The latest results

> "show that one in four women who finally receive an embryo become pregnant, although not all run to term. There is no risk of multiple births, overstimulated ovaries, or spare embryos. With no drugs, the cost is considerably lower."

I understand that the university of Sheffield's infertility clinic at the Jessop hospital for women runs a natural cycle programme with emphasis on developing a follicle without excessive stimulation, so there is only one follicle and only one embryo. That does away with many of the ethical problems about spare embryos.

I have discussed the programme with its head, Professor I. D. Cooke, and without associating him even remotely with any responsibility for my remarks, I wish to put on record my appreciation of his dedication and motivation, and of the quality and direction of his work. Contrary to the impression that we could not fail to have during the speech of my hon. Friend the Member for Barking, work in this field is not confined to Hammersmith.

It is important to make a clear distinction between non-invasive research on embryos which are to be implanted, which is ethically acceptable, and destructive research, in which the embryo is destroyed. This takes us to the heart of the debate. That is the issue. As I reminded the Secretary of State earlier this evening, where the major obstacles to IVF have been overcome, is it not logical that the most valuable data would come from non-invasive research? Yet, on Second Reading, several hon. Members claimed, first, that a ban on embryo research would stop all IVF, secondly that IVF success rates could not improve without research, and thirdly, that halting embryo experiments would leave infertile couples untreated.

In all countries which have outlawed embryo research, IVF programmes continue unhindered. The Father of the House told us that the results in Victoria and South Australia are on a par with, if not better than, those anywhere in the world. As the hon. Member for Canterbury (Mr. Brazier)—I note that he is no longer in his place, but he will not mind my mentioning him—pointed out to my hon. Friend the Member for Peckham (Ms. Harman) on Second Reading, IVF success rates depend more on the experience of the clinicians and the number of treatment cycles than on the benefits of research. There are alternatives to IVF, notably microsurgery, which has a far higher success rate. The Secretary of State stressed the growing value of gene therapy.

On Second Reading we heard the oft-repeated claim that embryo research is needed to treat and eliminate congenital and inherited diseases. That is not even claimed by Progress and its campaign newspaper. True prevention means avoiding conception of a child with a disorder, and one way of achieving that is to test eggs before fertilisation. I am advised that, recently, human eggs have been successfully tested for genetic disease. Indeed, the only research projects in which scientists are seeking genuine cures for genetic diseases are being done without the use of human embryos. I understand that they are making realistic advances.

During the past few years, great advances have been made in the treatment of genetic and chromosomal diseases, without the use of human embryos. Even since the Bill started its passage through Parliament, articles have appeared in medical journals almost weekly, reporting advances in molecular biology without the use of human embryos and realistic claims of true treatment of genetic disease. In many important respects, the Warnock report is now out of date. It would be interesting to see the outcome if the Committee were to sit now.

Both my hon. Friends the Members for Barking and Peckham suggested that, if embryo research were banned, the testing of embryos for genetic defects would stop. That is not true. Even if embryo research is banned, schedule 2(1)(d) will allow the screening of embryos for genetic defects before implantation, whether or not one agrees with the practice. It is also untrue for newspapers to claim that the sex selection technique which was announced late last week will be stopped by a vote against embryo experimentation. Under the same schedule, screening is permitted. It is also untrue to claim that only the use of human embryos allows such a development. There are several ways in which such a technique could be developed far more effectively.

I stress that we are not discussing whether research per se is good or bad. We all plainly favour scientific research,

without which there would be no progress for the benefit of mankind. Tonight we are deciding whether to permit destructive research on embryos for the first 14 days or to insist the nothing shall be done to an embryo, except for its own good. We must also decide on the production of spare embryos, the donation of eggs, sperm and/or embryos by persons outside the marital relationship of the proposed child's parents, the storage—for example, the freezing—of embryos as well as adequate monitoring, even within a statutory framework.

My hon. Friend the Member for Peckham has argued that the 14-day limit represents such a significant break point in human development that it will act as an anchor and prevent any drift beyond the agreed limit. How many hon. Members share such optimism? It is not the view of those working in the field. To take just one example, Professor Bob Edwards, the world's pioneer of the IVF technique, is on record as saying recently:

"rules like that cannot be made about embryology, which is a gradual process of steady change."

I suspect that some hon. Members would support research if they could be sure that it would be strictly controlled.

Mr. Seamus Mallon (Newry and Armagh): I raised this point on Second Reading and raise it again because it constantly worries me. If we accept the thesis that research is valuable to the human condition, as I do, and that it cannot be finite and stopped, for example, on a Monday, Tuesday, Wednesday or Thursday or on the ninth, 10th, 11th or 14th day, by what standards and at what stage will we decide how that research will develop? I firmly believe that sooner or later we shall have a Bill to amend the 14-day limit. That is the weakness. Otherwise, the argument in favour of research is defeated, because it is to say that research is finite and can stop on a certain day.

6 pm

Mr. Duffy: I entirely share the fears and reservations expressed by my hon. Friend. The activity will be notoriously difficult to monitor.

It is interesting that the German Government should be taking such a strong line on embryonic research. Yet the German Bill has been criticised by the German SPD, the Social Democratic party—for the benefit of some of my hon. Friends they are our socialist colleagues in Germany—on the grounds that it does not go far enough in protecting the embryo or in controlling the enthusiasm of doctors and researchers.

The Germans know how easily a compassionate impulse can be translated into a holocaust. That is well illustrated by Frederick Wertham in his deeply disturbing book, "A Sign for Cain", by the manner in which the acceptance in the Weimar republic of euthanasia as an enlightened and estimable practice provided the original justification in the Third Reich for some of the horrors that were to follow.

On Second Reading, I described how some mothers have found a special joy in caring for their disabled children. None of us can have visited such children and their parents without feeling happy and uplifted. Nevertheless, in terms of the quality of life, there would seem to be little reason for allowing the birth of such children, but the same reasoning applies to the infirm and the senile old. Nowadays, society as a whole is not well disposed towards the protection of the weak and the vulnerable, or the responsibility of the individual.

In terms of the sanctity of life, the situation is quite different. There are things that one must not do to humans, simply because they are human. Conception lies at the root of morality and it is the only possible answer to those who think that the end can always justify the means. When one poses questions about such basic principles to the medical establishment, one generally receives nothing but the slipperiest or replies. One is invited to distinguish the embryo from the pre-embryo, or told that life does not really begin until the third week. On what basis, then, do we decide that a person should not be allowed to be born or that another person should not be allowed to go on living? On what basis does one decide that a disabled child has no right to be born or to live?

Contrary to the closing remarks of the Secretary of State, I believe that the choice lies between the quality of life and the sanctity of life. Which side are we on? We cannot, no matter how hard we try, be on both sides; the Secretary of State tried, but he did not succeed. Are we on the side that inevitably means keeping down our numbers so that we all get ever more affluent, or are we on the side of the sanctity of life with mankind as a family—not equal, but brothers and sisters whose father is God, in whose image we are all made? I am for the latter, and I am confident of its ultimate triumph.

Mr. Thurnham: The hon. Member for Sheffield, Attercliffe (Mr. Duffy) said that it was difficult to monitor embryo research, and I should like to start by congratulating the voluntary licensing authority, now the interim licensing authority, on monitoring such difficult research and on establishing the confidence that the research carried out in this country satisfies the requirements for which the House is looking.

Research work is being done in many centres—38 have been approved and another 12 are subject to approval. There are thus about 50 centres for clinical and research work, and 64 different projects have been authorised since 1985. Such work represents a unique British institution, and other Parliaments around the world are watching us to see how we deal with this matter and how we introduce legislation that satisfies all of us, including those few already mentioned who are strongly opposed to research.

Those people are in the minority. The opinion poll recently conducted by National Opinion Polls, which contacted 981 people, showed that only 57 were strongly opposed to research on any grounds. We must remember that we are dealing with a minority, but we want to find legislation that will satisfy them.

We should congratulate Mary Donaldson and the committee of the licensing authority on their work in establishing firm guidelines.

Mr. Alton: I must intervene before the hon. Gentleman's comment about a supposedly true and accurate opinion poll is embedded in *Hansard*. Once again, I must repeat what has already been said—there is probably no one in the House opposed to research. People are opposed to destructive experimentation on the human embryo. A question about such experimentation was not asked in that opinion poll.

Mr. Thurnham: That has already been dealt with. A number of embryos are spare as a result of treatment, but I suppose that the hon. Gentleman would rather that they perish than provide any useful purpose.

[Mr. Thurnham]

I am sure that hon. Members will agree that the licensing authority has worked well, and we must congratulate it on carrying out the major recommendations of the Warnock committee report. When it was published in 1984, we looked forward to the establishment of a licensing authority and to the debate in this House to establish the statutory grounds for that authority. The voluntary licensing authority has laid a firm basis upon which a statutory body can be established to carry out the requirements of the House.

A number of arguments have been advanced against research; I should like to deal with them one by one. The principal argument against such research is that one is dealing with an individual human being from the very moment of fertilisation. In the first few days, however, that is not so: one is dealing with a cluster of undifferentiated cells that do not acquire their individuality until later. Those cells are capable of dividing and coming together again.

It is that very point that has exercised the minds of moral theologians. I am satisfied with the arguments that have been advanced by the Archbishop of York and by Catholic theologians such as Jack Mahoney, Kevin Kelly and Norman Ford. They argue that one cannot talk about individuality until about the 14th day. As to the Christian view, I was pleased to learn from a letter from the Venerable Bill Brison, the Archdeacon of Bolton, that he agrees with such embryo research.

Mr. Alton: The hon. Gentleman has, once again, referred to Norman Ford, but I must refer him to his letter which appeared in *The Tablet* two months ago. Then, he said that, because there were doubts about the beginnings of life, one must always err on the side of that doubt.

Mr. Thurnham: If such doubts exist, why should we send doctors to prison? If there is doubt, those doctors should continue with their good work. They should not have their worked stopped by being sent to prison. Will we improve the health of our nation by sending those doctors to prison?

It has been argued that the limit of 14 days is the slippery slope. I believe that that time limit is a practical one, as that is the stage at which the primitive streak appears and the growing cells start to acquire individuality. It is a natural time limit to choose, as a woman does not know she is pregnant until the embryo has reached its 14th day. We should not forget that those women who use IUD coils and pills lose millions of embryos before the 14th day. Those embryos are not regarded as human beings in the same way as we would regard those that become fully developed persons.

An embryo or pre-embryo can only be kept alive in a test tube for a few days. It is not possible to keep it alive in a test tube beyond the ninth day, and I understand that most of them die within the first six or seven days. The 14-day limit is way beyond any period during which embryos are used for experimentation.

Mr. Mallon *rose*——

Mr. Thurnham: Some people say that they favour IVF babies, but oppose research. I agree with the Archbishop of York that that is an immoral argument. The IVF treatment would not be available if it was not for the good work carried out by Patrick Steptoe and Robert Edwards.

Mr. Kenneth Hind (Lancashire, West): My right hon. Friend has said that hon. Members are opposed to research but in favour of IVF. Let me repeat that many hon. Members who will vote against the research outlined in the Bill are in favour of research provided that an embryo is used for implantation in order to grow into an individual—we are not against research per se.

Mr. Thurnham: That is absolute nonsense. If my hon. Friend spoke to Professor Edwards—unfortunately, Patrick Steptoe is no longer with us—he would tell him that it was necessary for them to carry out more than 300 experiments before the first test-tube baby in the world was born.

Louise Brown would not be with us today as a healthy child if it were not for those 300 experiments. It is absolute bunkum to say that one is in favour of the babies, but not of the research that brought them about. This country leads the world in this work; the excellent work done in Hammersmith hospital and elsewhere is a great tribute to the excellence of British scientists and their common sense in carrying on with this work and not believing that it was wrong and they should not do it. That is supported by public opinion polls. Poll after poll after poll shows that the public support that work. In the latest opinion poll, 85 per cent. of the public were in favour of IVF babies who result from research work.

Another argument is that the process is unnecessary because, if one sits and thinks long enough, one will come up with the answers, and if one does have to do research work, it can be done on animals or gametes. Much work is done on mice. One of the guidelines for the licensing authority is that research should not be allowed unless it cannot be done on animals. Only then can it be done with human embryos. Mice eggs can be used to show that freezing is possible, but so far it has not proved possible to keep human eggs by freezing them. That is one sector in which more research is needed.

It has been shown that some diseases in mice—Lesch-Nyham syndrome, for example—can be cured, but so far it has proved impossible to do such work with humans. That is another example which shows that research must be done with human embryos, not just animal embryos.

The argument about using gametes does not stand up. The Medical Research Council says that that is ethically unacceptable. It shows the need for further work to test fertilisation and develop contraceptives, where it must be possible to test the embryos or to carry out procedures that will give rise to embryos if we are to obtain the answers we need.

Another argument is that we should not trust the doctors, and that they are all divided. Someone said that they were almost equally divided. That is not true: more than 90 per cent. of the doctors in the world, according to Professor Martin Bobrow—a leading geneticist at Guy's hospital—are in favour of research. Only a minority are against it, and I suspect that, if they are Catholics, they have been put in a difficult position by the attitude taken by the Pope and the Vatican. I suspect that that lies behind

the objections of most of the scientists whom I have come across. It is unfortunate that the Catholic Church should have put some scientists in that position.

My right hon. Friend the Member for Castle Point (Sir B. Braine) talked about this being a search-and-destroy mission, and said that there were no cures. The natural process leads to the rejection of embryos if something is wrong. As my right hon. and learned Friend the Secretary of State said, there is a high failure rate and a high rejection rate—as high as 50 per cent.—among humans. This is a natural process, and I do not understand what is wrong in helping where nature may fail to reject those embryos that will not lead to healthy babies. It is totally wrong for a mother to be forced to go through with a pregnancy or face an abortion at a later stage if she could have such treatment.

6.15 pm

Mr. Andrew Rowe (Mid-Kent): A great many hon. Members feel some anxiety about the proposition that one should interfere, but a massive amount of interference has already been entered into, with the result that large numbers of children and foetuses who would never have been able to survive in the past, survive with appalling conditions. Therefore, we are not talking about a level playing field, but a process which, having already been begun, must be counteracted by further work.

Mr. Thurnham: I quite agree with my hon. Friend. At present, about 2,000 abortions are carried out each year on grounds of foetal abnormality, but still 20,000 children are born every year with some sort of congenital handicap. Half the most severe cases—category 10—end up in institutions because their families are unable to look after them. Those people who are so concerned about the dignity and sanctity of life, and oppose this research, should do more to look after such children, rather than turn their backs on them and leave them in institutions.

The argument that this process is a matter of unfair discrimination against the handicapped is one of the cruellest I have heard. To suggest that we should want handicapped people or that a mother would want to give birth to a handicapped child is completely wrong. All mothers would prefer to have a healthy child; it is wrong to suggest that anyone would want to enter this world with a handicap. I am sure that Beethoven or anyone else suffering from a handicap would have preferred to be healthy. We should do all that we can to help to bring about healthy people and not revel in people's handicaps.

Mr. A. J. Beith (Berwick-upon-Tweed): Is the hon. Gentleman saying that to those of my constituents—a number of whom have approached me—who would have much have preferred that their children had been born without handicaps, but strongly believed that they had no right to deprive them of life because they were handicapped?

Mr. Thurnham: Those children who have been born with handicaps deserve all the love and care that we can give them. However, we surely do not want more children to be born with handicaps than we can help, and we should help mothers to have choice. Surely this is a matter of choice and we should allow families to choose, so that where there are serious genetic disorders—I have heard some most distressing cases of families with severe genetic disorders—we should allow choice. Research would allow those people to enjoy marriages in which they can look forward to producing chidren free of such dreadful diseases.

Some people have said that screening would not work, but I point to the examples in Cyprus and Sardinia, where the severe illness Thalassaemia major—a form of anaemia—has been almost eliminated by screening the population. In this country, one in 20 people has the cystic fibrosis gene. It is possible that in future we shall be able to offer screening so that people who want to be free from the risk of carrying the cystic fibrosis gene to future generations can be given a test to discover whether it is likely.

The cost to the National Health Service, in financial terms, let alone human misery, has been estimated by the Royal College of Physicians as £86 million a year for many of the leading genetic diseases. Therefore, on financial grounds alone, there is a strong argument for some element of screening. It is a matter of chance for most of us. On average, we carry some six defective genes out of 100,000 different genes in our bodies. It is a matter of chance whether we meet a partner who has the same gene, so that our children are at risk of a serious genetic disorder.

It has also been said that only a few people would benefit, and hard cases might make bad law. That is appalling. The work of the Genetic Interest Group, which has already been mentioned, should be thoroughly supported and we should not turn our backs on a small minority of people—however small—because of the severity of their difficulties. We should do all we can to help them and produce legislation to allow research to continue.

A good feature of this debate is that we have been able to hear those arguments from the minorities affected. Five years ago, when Enoch Powell, the former right hon. Member for South Down, brought in his Bill which would have banned all research and allowed a couple to have a test-tube baby only with written permission from the Secretary of State, we did not hear such arguments. It is not easy for people suffering from a genetic disease to come forward. They are not likely to parade down the street saying that they want the research to be allowed. If they are one of the one in 10 couples suffering from infertility, are they likely to march to Parliament in huge lobbies? They have come, but it is not easy for such people to do so.

Recently, I was pleased to receive a petition from my constituents, Steven and Beverley Crook, which had a number of signatures in favour of research, because the couple found that they needed it. People are coming forward, but we must recognise that it is not easy to do so. That couple told me that they had not even been able to tell their relatives about the need for their treatment until quite a late stage. It is not easy for couples to discuss it among themselves, let alone make it public.

I am appalled to hear some of the arguments advanced against research. My hon. Friend the Member for Congleton (Mrs. Winterton) said that infertility arose only when people were sexually promiscuous, and therefore there was no need for research.

Mrs. Ann Winterton: I object to that slur. What I said in a debate was that two of the main causes of infertility were due to life style. That is a fact; it does not mean that I consider that all infertile couples have behaved in such a

[Mrs. Ann Winterton]

way. I have friends who are infertile. The hon. Gentleman has sunk to rock bottom to raise something like that in this debate.

Mr. Thurnham: It was my hon. Friend who raised that point. In 85 per cent. of infertility cases, there is no evidence of any infection. Even if there is, we should not deny those people the treatment they deserve as much as anyone else.

It is not true that IVF leads to increased deaths and handicaps. We heard some figures about that from my right hon. Friend the Member for Castlepoint, but the latest figures show that major congenital handicaps between 1979 and 1988 were 2·2 per cent. overall, exactly the same as for the population in general. I understand that the figures for spina bifida are much lower, so although IVF presents difficulties associated with multiple births, the record for single births is extremely good. We should all be glad that Louise Brown was born healthy; had she been unfortunate enough to be handicapped in some way, many people would have said that all the research work should stop.

Sir Bernard Braine: I have been listening with care to my hon. Friend, who I know speaks with great sincerity. He believes in the efficacy of embryo research for IVF and he claimed that we had the best record in the world. Will be address himself to the fact that, in South Australia, where embryo experimentation has been banned, the IVF success rate is higher than here? What is the explanation for that?

Mr. Thurnham: My right hon. Friend should be careful not to mislead himself. Success rates must be carefully examined——

Mrs. Gorman *rose*——

Mr. Thurnham: If success rates relate only to women in their most fertile stages, greater success can obviously be obtained than in places where patients who are desperate and who may have passed the age of 40—when a woman's natural fertility is reduced—are being treated. If many of the hospitals in this country attempt to treat women who are reaching the end of their naturally fertile period, it is less likely that they will enjoy such high success rates. However, if my right hon. Friend compares the latest figures over a proper period, he will find that we are indeed successful in this country. The Australian state in which no research is taking place has nothing to teach us, because the doctors have had to rely on obtaining their information from elsewhere.

Mr. James Couchman (Gillingham): Is it not true, in the context of the much-vaunted success rates in South Australia, that non-destructive research has not been banned, and that the success rates there are in any case no higher than here? Are they not a myth perpetrated by those who want research banned?

Will my hon. Friend consider the fact that the success rates of IVF, which is as yet an imperfect procedure, are still very low, and that, if we ban research, progress will be frozen in aspic and the rates will remain very low?

Mr. Thurnham: Yes, it is important to try to improve success rates. We should remember that other states in Australia have brought in legislation to allow research because they know how important it is. In Victoria and elsewhere, such work is permitted, and no doubt the doctors in South Australia where research has been banned use the benefits of such research. It is immoral to refuse to do research but to take advantage of the benefits of research carried out by other people.

It has been argued that the drug companies are investing millions of pounds in developing contraceptive drugs. There is only one such project in this country—in Scotland—but it is much-needed work which will help people in the Third world, where there is certainly no shortage of people. I would favour developing improved contraceptive methods by this means, subject to the guidelines of the statutory licensing authority.

We have heard much scare talk about hybrids, clones and designer babies, but such talk comes from people who do not understand the limitations of the work, and these ideas are strictly banned by the guidelines which have so far been adhered to voluntarily and which, if the Bill is pased, will have statutory force when the licensing authority is set up. They remain in the science fiction arena.

Hon. Members have criticised the use of the word "pre-embryo". Anyone would think that we were not allowed to invent new words in science. New descriptions are being developed in science all the time, and if the word "pre-embryo" could be used to describe the stage up to 14 days, I would find that helpful. I strongly condemn the use of the words "babies" and "children" by those on the other side of this argument, not to mention stunts such as sending out plastic foetuses, which have caused enormous offence to people in the House. I saw secretaries in the Post Office this morning in considerable distress, surrounded by these things. It was a stunt in the lowest possible taste.

I hope that I have been able to dispel some of the myths advanced by our opponents. It is true that some countries have banned research—that is most unfortunate—but I do not see why we should take lessons in morality from the Germans. I know that many other countries are looking to us to see what sort of legislation they should introduce. We should not forget that the United States, Canada, Italy, Holland, Belgium and France encourage research, and Spain and Sweden have already passed laws that will enable this work to proceed as we should like it to.

I should like to thank you, Sir Paul, for the opportunity to speak in the debate and, I hope, to make a constructive argument in favour of continuing with legislation that will allow research and of rejecting the amendments.

Mrs. Maria Fyfe (Glasgow, Maryhill): I have been reading a great deal of material in preparation for the debate and I wish that I had had time to do more research as far back as 100 years ago, when hon. Gentleman in this House were telling Queen Victoria that they positively knew that God was against the use of painkillers when giving birth—advice that she rightly rejected. But other women at that time could have taken that advice and refused painkillers when giving birth. Such refusal now would be supported by only a tiny minority.

I make this point not in a frivolous spirit but to show that hon. Members are not qualified to advise on ethical and moral questions. Our responsibility is to frame the law in such a way as to make it possible for other adults to make their own decisions. I do not understand how hon.

Members can say, merely because they are convinced that life begins at a particular stage, that they should impose their decision on others.

It should be up to people to make up their own minds about whether to act on the opportunities that this research opens up. If they are against such research, they need not benefit from it. I have heard it argued that childless couples should accept their misfortune—that it is God's will that they be childless, so they must live with that. That is fine if they are convinced that it is God's will, but if they are convinced that God's will is nothing of the sort, and if they see that researchers can provide them with some hope by using their God-given intelligence, they should be able to choose to act on that.

The same goes for the risk of giving birth to children who will suffer appallingly from severe and painful handicaps. It might be said that couples should cope as best they can, or avoid having children. The choice to avoid having children will still be open to those who believe that research at this stage of human development is wrong; but there are others who believe that God gave humans intelligence that can be used to create human happiness or misery. Many of the researchers themselves, far from feeling that they are doing something wicked, can believe only that they are doing positive good when they witness the happiness that they are bringing to the lives of people who suffer from these terrible problems.

It is up to the House to show some understanding. Earlier, the Father of the House said, "The buck stops here." I disagree: it does not stop in Parliament. It stops with men and women who are desperate for children but will not have them unless we allow this research to continue. The buck stops with the parents who may already have severely handicapped children, or whose children may have died after brief, painful lives. They may want the chance to have a child who is well.

We are not talking about perfecting human beings or about some sort of genetic engineering to create a perfect race. We are merely talking about the simple desire on the part of someone who has brought up and cared for a child day after day through severe illness to be given the small human happiness involved in having more children who will not suffer from the same defects.

I shall be brief because I know that many hon. Members wish to take part in the debate. I feel very deeply about the problems that have been described in numerous letters sent to me by parents. I shall outline some cases. One child a week is born with tuberous sclerosis, which affects one in 8,000 of the population. It is caused by a dominant gene defect and its effect varies widely. It produces incomplete differentiation of embryonic tissue and clumps of embryonic cells do not change totally into brain or kidney or skin or any other part of the body, which is what normally takes place. They continue to grow slowly and produce tumours in any organ of the body. They produce epilepsy and other such problems. Some 50 per cent. of the children will be severely mentally handicapped with an IQ of below 35. We are talking not about children who can almost cope with normal life and who just need a little help, but about children who can do nothing for themselves.

Sometimes there is too much easy sentimentality in the House about everyone being in favour of helping the handicapped. That is not real life. I know many people with handicaps that are nothing like as severe as the one that I have described, who feel that they receive very little help from society and from the House when it has the opportunity to spend public money on all sorts of necessities to help handicapped people to live a fuller life. We must recognise that some handicaps are so severe that no quality of life can be gained and the person who is suffering has a limited and extremely painful life that is often extremely short.

6.30 pm

I could describe numerous illnesses that I had not even heard of before the debate came into public view a few years ago. There are more than 200 different diseases with long Latin names that all produce terrible suffering in children. The Bill is designed to create circumstances in which steps can be taken to try to ensure that a defective gene is not implanted, which will give mothers a chance to produce children with normal health. Such research can be used to help childless people to achieve that very simple and highly desirable human aim. Those of us who easily and without problems have had healthy children should attempt to show a bit of understanding and be ready to help those who have problems.

Mr. Michael Alison (Selby): I am grateful to you, Sir Paul, for giving me this opportunity to put on record why I shall vote in favour of amendment No. 1 and against the authorisation of research into human embryos. In spite of the apparent technical complexity of the matter, the fundamental issue is clear-cut and straightforward. I am glad that my right hon. and learned Friend the Secretary of State for Health highlighted that primary consideration.

The simple issue is at what point in the interaction between the ovum and the sperm human life begins. Once human life has begun, leaving aside for a moment when it begins, and even if it is embryonic, can any form of experimentation on the material substance of that human life at any stage be either ethical or acceptable if it is not intended for the well-being, good and survival of that form of human life, however embryonic and elemental it may be?

I do not think that many, if any, hon. Members favour experiments on a guinea-pig basis, compulsorily sacrificing one human life for the benefit of another or more than one human life. Reference has been made to the horrific conclusions to which that road can lead. The issue turns simply on when human life begins in the sperm-ovum interaction. All questions about the merits, benefits or desirability of experiments must in principle be subordinate to that question and cannot be addressed until we have a conclusion on that fundamental issue.

I am profoundly convinced, on the evidence that I have studied, that human life starts at the moment of fertilisation. I know that that is a personal view. To those who differ from that view and who believe that human life starts a bit later, I point out right away the smallness of the time gap that divides us. At the very most, it is only 14 days into the growth of the embryo. After that no one has any doubt that a form of human life has emerged that is inviolable and sacrosanct. It is worth reminding ourselves how remote from our normal idea of human life is that entity to which we grant without question an inviolable or sacrosanct status. It is almost invisible and almost inperceptible. It is difficult to say in respect of that struggling embryonic form of elemental life, which we call human and individual at 14 days, that it is not possible for it to have had an even earlier real existence from day one.

[Mr. Michael Alison]

If there is any doubt at all about the human status of the fertilised ovum by the sperm from day one, the benefit of that doubt should be given to the potential human individual who came into existence in some shape or form at the moment of fertilisation. It is not a rebuttal of that view to say that the fertilised ovum has to undergo further development and differentiation of the sort referred to by my right hon. and learned Friend the Secretary of State when he suggested that human cells continue to develop and divide so that, for example, the placenta differentiates itself from the human individual during the first 14 days. It is not a convincing or even likely thesis to say that that determines the emergence of human life only at the moment of final differentiation before the 14th day. I shall give an illustration, although I know that an analogy is dangerous.

Peeling the skin from an orange does not bring the life of an orange into existence. It brings the life of the orange into evidence or identifiability. The orange was there below the peel. I am convinced that that which is in evidence as a human embryo at day 14 is in existence from the moment of fertilisation. It is not in evidence, not identifiable, but it is there just as the orange is below the peel. I know that that is an arguable proposition and that it has been debated in the House. My overriding point is that if there is any doubt about whether the orange exists below the peel, whether the embryo exists before final differentiation takes place on day 14, the benefit of the doubt must, in principle, be given to the embryonic human individual who has been imperceptible, invisible and not in evidence but essentially, logically and potentially there from the moment of fertilisation. Leaving aside the merit or otherwise of experimentation, because I am convinced that human life begins at fertilisation, I shall be voting against experimentation on that form of human life, however embryonic and imperceptible, that has emerged at the moment of fertilisation.

Therefore, I shall be supporting the amendment and voting against the authorisation of experiments.

Mr. Mallon: This has been one of the most difficult debates for which to prepare for a considerable time. The debate has shown clearly that we all have the same problem. We have all read the same briefing documents, some of which are excellent. We have all read the same statistics, we have all put our own gloss on the statistics and we have all made our value judgments about the opinions of eminent scientists and medical people and those professionals to whom we should all listen. In effect, we are making a value judgment on the value judgments presented to us by other people. We are all trying to assess the arguments for and against something on which many people believe there simply are no arguments.

I am glad to follow the right hon. Member for Selby (Mr. Alison), who crystallised the view of many hon. Members. Those views are held not only by those of a certain religious persuasion. I found jarring the suggestion of the hon. Member for Bolton, North-East (Mr. Thurnham) that Catholics did not pass the cricket test on this issue. He may wish to withdraw that suggestion after he reads *Hansard* tomorrow, because people of various religious persuasions see this problem from many points of view.

I shall be brief. I shall not draw any conclusions from the statistics, nor shall I make a value judgment on whether those doctors or scientists in favour of experimentation have more expertise or are more reliable than those against it, because that is a false argument that will lead to a false conclusion. It would also be a presumptive conclusion for anyone to draw.

Like the right hon. Member for Selby, I believe that, once fertilisation takes place, we are dealing with a human entity and that destructive experimentation on that entity is the destruction of a human being. My views are rooted in that position. If that were not so, I should be faced with a serious problem because I am convinced that research and experimentation are a natural part of the development of the human condition. They are almost an essential part of the development of our lives.

Researchers could be faced with a traumatic problem if we agreed to this provision. I believe that experimentation provides results and that lessons can be learned from it and that, as experimentation progresses, a bank of information would be developed, but at what stage do experimentation and research stop being productive? At what stage does the scientist cease to gain further information from his research? There cannot be an arbitary decision that, on the 14th day, the information is no longer relevant. Therefore, those involved in research will face serious moral and legal dilemmas.

Let us assume that a man who is involved in such research and has results from his experiments firmly believes, as a scientist, that he access to a 16-day embryo, he could produce a result that would end genetic problems for thousands of people. What will he do? How will he answer to his conscience and to the law that we might write for him today? I should not like to have to face that problem, because I do not know what my answer would be, despite my ingrained view about the point at which life begins.

6.45 pm

That person will have either to stop his research immediately because the law does not allow experiments beyond 14 days, or decide to continue to, and to break the law, in the interests of humanity. If he starts to experiment with a 16-day embryo, will he go on to an 18-day embryo or a 20-day embryo? If we frame the law in this way, such a moral, professional and legal dilemma will be inevitable. Other people will have to face it. We shall not, but we may put them in a trap by what we do today.

Mr. Key: Will the hon. Gentleman give way?

Mr. Mallon: I shall not give way. I was shown no great generosity by Conservative Members when I tried to intervene earlier.

Once fertilisation takes place, we are dealing with a human entity and to destroy it is to destroy part of human life. Setting an arbitrary limit of 14 days in the development of a human entity may act as a bar on research and the benefits from it, rather than helping research. For that reason, we could be unfair to further generations who might benefit from such research and to those who carry it out. Because of that, as well as my fundamental views about human life, I shall be voting for the amendment and against the provision.

Mr. David Wilshire (Spelthorne): However we vote tonight, all of us have one shared experience. We have

been bombarded in recent weeks by representations from constituents urging us to vote against the Bill. They have given many reasons for their opposition, but one theme has run through those representations—that research is morally wrong. Despite careful thought and study, I reject this view and I shall be voting for research to continue. although I reject the pleas to vote against, I put it on record that I respect the sincerity and the deeply held views of my constituents, and I hope that they respect mine. I accept that they could be right and in return I hope that they, and those who agree with them, can bring themselves to accept that they could be wrong while others are right.

As others have said, moral absolutes cannot be determined simply by counting the number of letters that we have received for or against. Majority support does not make a right wrong or a wrong right, so the only way that I know to settle this issue for myself is through careful thought and, if one believes in it, through prayer.

As many right hon. and hon. Members wish to participate in the debate, I shall confine myself to one of the many issues about which I feel strongly. I want to say something about the distress that is being caused by those of the Bill's opponents who regularly claim that someone cannot be a proper Christian unless he or she votes against the Bill. That sort of argument is enormously hurtful and flies in the face of the unavoidable necessity of all theological certainties being channelled through fallible human interpretation. There are those of us whose faith compels us to vote in favour rather than against.

In recent months, the Bill's opponents have insisted on imposing on us all their approaches and values. I find that entirely unfair and completely unacceptable. Why, for example, should I accept that research is wrong unless I can prove it right? I find research a perfectly normal and natural thing and I see nothing fundamentally wrong with it.

My approach—I urge it on others for a change—has always been to start from the assumption that research is right and to invite critics to prove it wrong. Those who have contacted me over the past few weeks seem to have deployed three basic groups of argument to try to win the battle. They say that research is unnecessary, that it could lead to unethical activity and that it is theologically evil.

If we believe that research is a good thing, the "unnecessary" argument cuts no ice. If you start from the assumption that it is right but you do not believe that it is necessary, do not do it. If you believe that it is necessary —there are plenty of experts who think just that—you should carry on.

I accept that the concern about unethical research has considerable substance. That is why I support strict controls and clear time limits. That is why I should like to serve on the Standing Committee that will consider the rest of the Bill, because that is where the arguments about controls and limits need to be thrashed out in detail.

That brings me to the third argument—the key argument—against the theological approach. If I as a layman understand the case correctly, it is said that we, because of our humanity, are different from all other life. It is said that our humanity begins at conception, as though at that moment a soul comes fluttering down to enter us. That I simply do not believe. The Bill's opponents, however, are right to ask those of us who speak like that to answer their question, "When does our humanity begin?" They are right to challenge us and to insist that we answer their question.

I believe that we all start as human material and develop into a human person. I know when it has happened and I know when it has not. For example, all of us in the Chamber are human people, but the human eggs, sperm and pre-embryos that I have seen are not. Somewhere between the pre-embryo and the adult our human consciousness emerges and we become different. In my opinion, it is that difficult bit between the two absolutes that the Bill is all about and where we need to be looking.

I answer the Bill's moral critics thus: we start as human material, we develop a mind and at the end only the spirit is left. That is my understanding of what St. Paul taught —we are body, mind and spirit. Surely we were given minds to take care of our bodies. Surely the spirit exists to improve our minds. Our humanity, therefore, is a developing progression. It is not a tap that is turned on and off. Thus I see no moral or theological objection to strictly controlled research. Indeed, I see good moral and theological reasons in favour of it. Research offers help to many, and hope to even more. Handled with care and compassion, research could be yet another gift from God.

Mr. John Fraser (Norwood): I wish to take part in the debate to rehearse the conflicting interests in my constituency. King's College hospital runs an in vitro fertilisation clinic and it has a relatively high sucess rate. I have been privileged to witness almost all aspects of the operation—the harvesting of eggs, the eggs which have been fertilised and so on. I have received a certain amount of lobbying and I have taken an interest in the work of the hospital. I have seen that work, but on the other hand there is extensive lobbying—not exclusively by Roman Catholics—against the Bill's provisions.

Were it not for the moral argument, which has been rehearsed, I think that everyone would agree that the Bill is necessary. No one suggests that there should be uncontrolled research. Once we have disposed of the moral argument, therefore, the necessity for the Bill is there.

How do the opponents advance their arguments to us? At the heart of the central argument is the issue of when life begins and when the soul, as it were, has entered the body. That is a metaphysical matter. A lord of appeal in ordinary said in a case involving a spot-the-ball contest that metaphysics is the art of proving what one believed in the first place by instinct. I am sure that all of us find it difficult to argue a person into or out of what he or she believes on first principles.

It is difficult to say that once the egg has been fertilised there is no form of life there which is capable of becoming a human being. In a way, the 14-day rule is squeamish. It provides an alibi for saying that things can be done before 14 days that may not be done thereafter. I find it difficult to quarrel with the argument advanced by Roman Catholics and other opponents to the Bill that there is life once fertilisation takes place.

Let me say, however, that I support the Bill and experimentation. But when it comes to argument about life, I find it a sophisticated argument to try to distinguish between pre-14 days and post-14 days. I understand the argument about the cells beginning to divide in the placenta to produce what will eventually become a foetus. If we argue about whether life is there or not, it is almost incontrovertible that there is a form of life once fertilisation takes place. That is something about which we

[Mr. John Fraser]

must make our own decision, but I think that the issue was well argued by the hon. Member for Newry and Armagh (Mr. Mallon).

I do not find attractive some of the arguments advanced by the opponents. They say that they will not tolerate destruction, but in reality they do. If there are a number of fertilised eggs, the eggs that are not to be used for implantation will not be capable of having a viable life and will be destroyed. There is no getting away from that. The argument about destruction does not seem to have much merit in that respect.

My hon. Friend the Member for Sheffield, Attercliffe (Mr. Duffy) said that he would not tolerate the destruction of the embryo. Surely even he is willing to contemplate the destruction of an embryo which has 69 chromosomes, for example, as against 46. When I have examined fertilised eggs under the microscope at King's College hospital, it has not been unusual to find an embryo with 69 chromosomes. Such an embryo could be implanted and it might be capable of growing for six or seven months, only to be aborted by nature itself. I do not think that my hon. Friend is saying that there are no circumstances in which the embryo should be destroyed. At the end of the day, it comes back to the question of morality—when or whether life has begun——

Mr. Duffy: It is also whether our approach to and treatment of an embryo is in the interests of that embryo —whether it is in the ultimate good of the embryo.

7 pm

Mr. Fraser: Clearly, if there is to be experimentation, it cannot be to the benefit of that embryo. It is for the benefit of other embryos and other people. We cannot dodge that.

I can find no argument that sustains itself, other than the argument about life. The opponents of research are prepared to compromise on other matters and will tolerate destruction under certain circumstances.

I represent a multiracial constituency. Many people of Caribbean or African origin have sickle cell anaemia children. It is a genetic disease and it requires two people carrying the appropriate genes to produce a sickle cell anaemia child. Many such people would prefer to have the opportunity to choose whether to have a child that might die in crisis, often early in life. They might have a happier life if they could choose to avoid that happening. I think that there is great attraction in experiments that might prevent such problems. I mention that disease because it is the most prevalent in my constituency. I shall not cite the range of genetic diseases referred to by other hon. Members.

I have considered, and I appreciate, the uses to which experimentation can be put. I find one argument extraordinarily convincing. At Christmas I visited King's College hospital and talked to the parents of children born by in vitro fertilisation. I accept that the success rate is not high—about 13 per cent.—and we all wish that it were higher. Any form of legitimate research that could bring that about would have my support and, I believe, the support of most people.

Mr. Roger Stott (Wigan): I was present at the birth of my son, Daniel, last Tuesday morning. Anyone who has been present at his child's birth will know the immense joy that it brings to mothers and fathers. I shall vote for the Bill tonight because I do not want to deny anyone the opportunity to experience the immense joy and pleasure that I experienced last Tuesday.

Mr. Fraser: I agree with my hon. Friend.

I met hundreds of parents at King's College hospital. Of course, the majority would not have had implantation because the failure rate is about 85 per cent. However, there was a sense of intense love, devotion and achievement among the parents. Those are the same sort of people who would have to give their consent to any experiment on an embryo. Some would not give that consent, and they would have every right to withhold it. They are the people who make the choice and who lay down the rules about what will happen to the spare embryos—whether they should simply be destroyed, waste away or perish, whatever word is used, or whether there should be experiments within the ambit of the Bill and under the control of a committee. I am prepared to back their judgment, knowing that nature, of its own accord, experiments and destroys. I am prepared to support the Bill because the decisions come not from scientific madmen who want to experiment for the sake of experimentation, but from people whose decisions are born out of love and compassion.

There is, of course, the first principles argument. I shall end with a quotation from another leading jurist, Chief Justice Warren Burger, who said that the sign of intelligence is the ability to doubt first principles. I am prepared to back both the intelligence and the compassion of those whom I met at King's College hospital.

Sir David Price (Eastleigh): The hon. Member for Norwood (Mr. Fraser), and even more my hon. Friend the Member for Spelthorne (Mr. Wilshire), took me back to the old metaphysical question of animation or ensoulment that has taxed philosophers from the time of Aristotle. To put it more simply, when did I begin—or for that matter, Sir Paul, when did you begin? What we can agree is that I did not spring fully armed from the head of Zeus, like Pallas Athena, and nor did my right hon. and learned Friend the Secretary of State.

The question, "When did I begin?" is not simply an interesting philosophical speculation. Certainly it was recognised by Lady Warnock and her colleagues. I wish to bring the Committee's attention to what was said in the Warnock report. I do not apologise for quoting from paragraph 11.11, which goes to the heart of the matter. It states:

"It is obvious that the central objection to the use of human embryos as research subjects is a fundamental objection, based on moral principles. Put simply, the main argument is that the use of human embryos for research is morally wrong because of the very fact that they are human, and much of the evidence submitted to us strongly supports this. The human embryo is seen as having the same status as a child or an adult, by virtue of its potential for human life. The right to life is held to be the fundamental human right, and the taking of human life on this view is always abhorrent. To take the life of the innocent is an especial moral outrage. The first consequence of this line of argument is that, since an embryo used as a research subject would have no prospect of fulfilling its potential for life, such research should not be permitted."

In paragraph 11.12, the arguments are developed. The report states:

"Since it is unethical to carry out any research, harmful or otherwise, on humans without first obtaining their informed

consent, it must be equally unacceptable to carry out research on a human embryo, which by its very nature, cannot give consent."

That is the fundamental point and it takes us back to the basic question, "When did I begin?"

It is relevant to note that the Greek philosophers based their metaphysical speculations upon the known biology of the time. That was also true of scholastic thought in the middle ages. Indeed, Thomas Aquinas's biology was straight Aristotelian. There was little progress in biology during the intervening 1,600 years. I mention that to emphasise the point that good metaphysics and good science not only need not be in conflict, but should be in harmony. We must therefore consider what the biologists tell us about the origins of life. I shall again quote the Warnock report, and what appear to be the key words:

"At fertilisation the egg and sperm unite to become a single cell. The nucleus of this cell contains the chromosomes derived from both parents. This single cell is totipotential, as from it develop all the different types of tissue and organs that make up the human body, as well as tissues that become the placenta and foetal membranes during intra-uterine development."

That is my answer to the hon. Member for Barking (Ms. Richardson) and her pre-embryos. There is a strong prima facie case in favour of the argument that human life begins at the point of fertilisation, and in that I agree my right hon. Friend the Member for Selby (Mr. Alison).

The Warnock committee as a whole also viewed that argument with considerable sympathy, which is why it recommended that the embryo of the human species should be accorded some protection in law—which, as my right hon. and learned Friend the Secretary of State fairly pointed out, it does not have at present. Nevertheless, for no very obvious biological on philosophical reason, Warnock rejected the now traditional view that human life begins at conception and settled instead for 14 or 15 days after fertilisation and the emergence of the so-called primitive streak.

The Warnock committee was obviously attracted by the research argument, declaring that the measure of respect given to the human embryo "cannot be absolute" and must be weighed against the benefits arising from research. It added that that argument rests in part on the doctrine known to philosophers as double effect—an act that would be wrong if chosen for its own sake may be justified if it occurs as the by-product of some other well-intentioned act. Against that doctrine of double effect, I remind the Committee of two other doctrines well known not only to philosophers but to the ordinary man —including that famous gentleman on the top of a Clapham omnibus. They are: the ends do not justify the means; and the road to hell is paved with good intentions.

My right hon. and learned Friend dwelt mainly on the research arguments, but if the basic argument of origin is correct, the research arguments fall away and need not be examined. I could detain the Committee a considerable time in doing so, but in the interests of other right hon. and hon. Members, I shall not. However, there is an argument to the effect that, at the earliest stage of development, the embryo is only a minute group of living cells, smaller than a full stop in *Hansard*—so what is all the fuss about?

That argument implies that the early embryo is not a human being, and reminds me of the Victorian maid's classic defence of her pregnancy. Right hon. and hon. Members may recall the famous *Punch* cartoon, in which a pregnant maid defends herself before her stern mistress with the immortal words,

"Well, Ma'am—it's only a little one, isn't it?"

That argument does not convince me for one moment, for the simple reason given in the Warnock report—that at the moment of fertilisation, the egg and sperm unite to become a single cell, and that that single cell is "totipotential."

In layman's terms, at the moment of fertilisation the single cell has the complete genetic DIY kit to develop into a healthy human being. Therefore, I find it extremely difficult to accept the Warnock report's majority recommendation that the primitive streak about 15 days after fertilisation marks the beginning of individual identity in the embryo's development. I am driven to the inescapable conclusion that human personality begins at conception and that we must proceed on that basis. In common with the author of the Warnock committee's minority report, I urge right hon. and hon. Members to give that view the benefit of any lingering doubts that they may entertain.

However, I put it to the Committee—and particularly to my right hon. and learned Friend the Secretary of State, as a lawyer—that for the purposes of the law, conception could be defined as occurring at the moment of implantation rather than at fertilisation. My reason for offering the Committee that definition at this stage is not metaphysical or historical—although I could deploy arguments on both grounds—but entirely practical.

To my knowledge, there is no simple, non-intrusive method of knowing whether fertilisation has occurred. One must wait until the process of implantation takes place at about the sixth or seventh day before the normal pregnancy test is effective. That process can be simply described. When the fertilised egg becomes implanted in the uterus, the tissue round the chorion produces a certain hormone, which passes into the mother's bloodstream and is excreted in her urine, where it can be detected. That is the basis of normal pregnancy testing. It is simple and non-obtrusive.

I understand that no such test is available at the stage of ova fertilisation. For that reason, I submit that we should consider conception as having taken place at the point of implantation rather than at fertilisation. I have tabled amendments to clause 1 to achieve that purpose. It would not be in order for me to develop the arguments in favour of them this evening, but I believe that it is proper to refer to them.

The amendments would have the effect of stopping all embryo research after conception. Therefore, it is appropriate to know how conception is to be defined in law. If the amendments fall, obviously the distinction between fertilisation and implantation would be irrelevant. If they succeed, the point that I seek to establish becomes highly relevant. I offer it for the Committee's consideration when determining whether to accept or reject the amendments relating to embryo research.

7.15 pm

Mr. Daffydd Wigley (Caernarfon): I am grateful for the opportunity to participate in the debate. My mind goes back five years, to the time when Enoch Powell introduced his Unborn Children (Protection) Bill, which was accompanied by a period of considerable trauma for my family. Right hon. and hon. Members will know that we lost two boys in late 1984 and early 1985. The hon.

[Mr. Daffydd Wigley]

Member for Wigan (Mr. Stott) spoke of the joy of being present for the birth of his own child last week. I had the honour of being present at the birth of our second boy, but I was also present at his death and that of our eldest boy. Therefore, the debate has considerable meaning for my wife and myself. I believe that our feelings are shared by countless thousands of people who have faced the problems of genetic abnormalities and of dealing with the likelihood of bringing into the world a child who in some cases may not only be handicapped but appallingly handicapped, self-mutilating, or in immense pain, and doomed to an early death.

Mothers who have endured that experience once may find that they cannot face doing so a second time. Unless such mothers can be assured of being assisted to give birth to a non-handicapped child, they may rather not have another child at all. Some may proceed on a hit-or-miss basis, hoping against hope that the handicap concerned will not manifest itself in their second or third child.

Science offers a chance of helping such families. We have heard in the past few days of breakthroughs at Hammersmith hospital and of the work of Professor Winston and others. There is the amazing possibility that it could be feasible at an early stage in pregnancy to detect whether embryos are abnormal, and we must ensure that families wanting to take advantage of those new techniques are able to do so, and are allowed to make the choice of avoiding the risk of perpetuating a handicap into the next generation.

No one is forcing those families to take that course. Anyone who objects to such techniques on conscientious or other grounds is entitled to avoid them. The question is whether Parliament has a right to tell people who could benefit from embryo research, "No, you cannot benefit from it. You must live with the problems that exist within your family."

What is true of genetic handicaps is true also of those who are infertile. I cannot imagine any greater frustration than that which affects one couple in eight in this country —the problem of infertility, and of trying again and again to start a family but being unable to do so. The past 10 or 15 years have seen magnificent breakthroughs, which have enabled 4,000 children to be born as a consequence of IVF research. If no further embryo research is allowed, the knowledge that we already have would perpetuate, and many families would still benefit from it. However, the level of success in IVF is still regrettably low at only 13 per cent.

Countless thousands of people are still not enjoying the benefits of research, and if the kind of restriction being debated tonight had been on the statute book 20 years ago, it would not have been possible for the 4,000 children of whom I spoke to enter the world. Therefore, if we stop research now we are stopping hope for many infertile couples.

I accept that there are many methods of research other than destructive embryo research, which is the main issue that we are discussing. I also accept that those other avenues must be explored. Every stone must be turned to seek a solution. When people such as Professor Edwards at Bourne hall, who has done such sterling work to develop those techniques, tell us that they cannot continue to improve the techniques without the ability to undertake such research, I accept it.

When Professor Winston from Hammersmith hospital tells us that without the right to do embryo research he would not have been able to achieve the successes that he announced last week, I believe what he says. Those medical scientists talk with total integrity and honesty. In humility, we should ask ourselves whether we should be challenging them in this way.

Mr. Ken Hargreaves (Hyndburn): Does the hon. Gentleman accept that Professor Edwards does not want to stop at 14 days?

Mr. Wigley: The Bill draws the line at 14 days, on the basis of the research undertaken by the Warnock commission, and its report.

We have heard some very good speeches tonight, for example, from the hon. Member for Newry and Armagh (Mr. Mallon) and from the right hon. Member for Selby (Mr. Alison), although I think they will be taking opposing views to me into the Lobby tonight. However, I respect their view absolutely, because the basic question is when we perceive that human life begins. The merits of research are a secondary question. If we believe, as some hon. Members do, that the pre-embryo should have full human status, it leads to all sorts of consequences. Many hon. Members do not believe that that is the case.

When the Father of the House spoke a few moments ago about a doctor killing his patient, some of us felt considerable offence that such an accusation—that some hon. Members are in support of murder—should have been made. We consider that the sperm and the egg coming together are only two of three prerequisites for on-going human life. The sperm is human material and so is the egg, and when they come together they have human potential. I acknowledge that potential for human life, but it can be fulfilled only when implantation takes place at between seven and 14 days. It is complete at the 14th day and that is where the line is drawn in the Bill and in the recommendations of Warnock. It is at that stage that the primitive streak appears.

Before the 14th day, the embryo may split to form twins. Therefore, individuality—which means the same as indivisibility—cannot be established before 14 days because of the possibility of splitting. Also the nervous system has not developed by the 14th day. Only from 14 days onwards can we say with some assurance that we may have a single human being developing into a born child. For that reason the line is being drawn at 14 days.

As we have recently heard, there can be tremendous benefits from the research, in overcoming genetic handicaps and infertility. If we decide to abandon that research, we are closing the door on the hopes of countless thousands of infertile couples and families who face the burden of genetic abnormality.

Every hon. Member, when considering how he or she will vote, must think not only of their own consciences but of the impact of the Bill on constituents who have enormous burdens to carry and who have to live with enormous frustration. I hope to goodness that we follow the course taken in another place a few weeks ago, and that we allow research to continue.

Mrs. Currie: It is now 20 years since this type of research started, 12 years since the first IVF baby and eight

years since the Department of Health first asked the Warnock committee to sit. In that time there has probably been the most thorough discussion of any issue that I can recall and it has been extremely valuable.

As a result of such discussion, many issues have been clarified by the passage of time. We now know that it is possible to produce healthy babies by IVF. Around the world there are now thousands of such babies. We cannot unwish them and say that they should not exist. We now have no doubt that if research continues techniques will develop to improve the success rate of IVF. We also know that it is possible to police effectively such research and the establishments where it takes place. That policing has been effective on a voluntary basis. How much better it will be if policing and supervision are carried out on a statutory basis. We now know that it is possible to identify the genes carrying genetic diseases and more of those genes are identified every year. That opens up the spectre of genetic manipulation at some time in the future.

We know, as their Lordships in the debate on 7 December did not, that embryonic biopsy is possible and that the sex of an embryo can be determined three days after conception, so that those families with sex-linked congenital diseases can look forward to bearing a healthy child and some such families in this country are already looking forward to that.

In the chapter in the Warnock report about possible future developments, those developments were still way in the future. However, they are no longer speculation or science fiction and we must legislate.

I have always held the view that we should encourage medical research which can benefit mankind, particularly that which can improve our health and the health of our children.

The hon. Member for Glasgow, Maryhill, (Mrs. Fyfe), who has now left the Chamber, mentioned that many medical advances were originally regarded as unethical —for example, painkillers in childbirth. Debates in the House about whether it was ethical to permit women to avoid Adam's curse and to have their children without pain were symptomatic of that. Many of us feel very thankful that Queen Victoria said, "Rubbish," and clung to the chloroform.

Similarly, that was the case with many debates about contraception. Although many people still have strong feelings on that subject, millions of men and women in this country have taken advantage of scientific advances in contraception and will continue to do so.

Organ transplants are another example. Hon. Members should look at the debates about corneal transplants that took place in the House in the 1950s, and whether they were ethical and part of the will of God. We can see how attitudes have changed. Research on embryos is not dissimilar and the day will come when for most of us it will not be a controversial subject, and its achievements will be taken for granted.

Hon. Members on both sides, from all sorts of political and religious backgrounds, have said that they are opposed not to research but to destructive research. That is like saying that the tree is welcome but the seed is not. How does one justify the thousands of failed experiments that eventually lead to success? How can we prevent and make illegal the thousands more failures to come, which will improve the chances of success? If we accept the successful technique and reject the failure in which the embryo perishes, how can we tell in advance which technique it will be? Science has always been a hit and miss affair. It cannot guarantee success in advance.

The argument that people are not opposed to research, only to destructive research, stems from the belief that the embryo is an unborn child. I do not share that belief. The intellectually consistent position for those who hold such a belief is to vote against research.

I shall try not to cross swords on the ethical and religious issues. People have to make up their own minds as to whether the conceptus—the blob of cells some of which will become membrane, some placenta to be discarded, some brain, hand or eye—is merely a blob of cells or a human child ab initio, with rights and privileges to be protected. For me it is a blob of cells.

As the Royal Society says, it is not a question of size. What is at issue is the degree of cellular organisation of the conceptus. It follows that research on it up to 14 days, as laid down in the legislation and suggested by Warnock, is not an ethical but a practical matter.

I would much rather that research be done in this country under the National Health Service, where it can be controlled and where its benefits are available to people from every kind of financial background, than for it to begin elsewhere, as it no doubt will, and to be carried out by less scrupulous people. Indeed, the one research project that was declined by the interim licensing authority is now being carried out abroad in a country where there is no control, and there are many such countries.

We should also remember the point made by Baroness Warnock in the debate in the other place on 7 December. She explained that the pre-14 day embryo—whatever one calls it—actually has no rights at present. Those who vote in favour of research tonight want to create some rights and protection. We are not in a position in which the embryo has full protection which some wicked people want to erode. The embryo has no protection at all in this country. The Bill seeks to create some protection for the embryo and that is particularly true of the research clause.

7.30 pm

If we accept, as I do, that we are dealing with a blob of cells, that is not the end of the ethical issues. Rather, I believe that that is where the ethical issues start. At that point we must consider the purpose of the research and what might be possible as a result of it. We can help women who are infertile and want to bear a healthy child. That is marvellous, and research in that context has an ethical purpose. Women might be relieved of the misery of miscarriage as a result of research. I have been through a miscarriage and I tell the House that that is a terrible experience. I cannot begin to imagine the misery experienced by women who have to endure miscarriages over and over again. Trying to assist those families is also an ethical purpose.

Families carrying the gene of handicap may have the chance of healthy children as a result of research. How can we deny them that chance? Would it not be a good thing if the haemophilia gene was to vanish and if muscular dystrophy became a thing of the past? Those are ethical issues as well. We do not devalue handicapped people when we say that we want to see an end to handicap. We are not concerned with some kind of search-and-destroy mission.

Of course, most handicapped people would rather have been born than not. That is really the issue for tomorrow's

debate. However, my guess is that most of them would rather have been born without their handicap, and that is the central issue for today's debate. Most parents carrying defective genes would rather not pass on defects to the next generation.

I am not just speaking here of the most obvious diseases or the tragic diseases that have been described so graphically and in such moving terms tonight. I know that I speak for thousands of asthmatics when I say that if and when it is possible to avoid passing on our asthma to our children—we must remember that asthma is a killer disease for many children—we will all give thanks to God and to those who carry out research which may some day make that possible.

Mr. Burt: With regard to the genetic disorders that my hon. Friend has just mentioned and that she hopes will not recur in future, will she admit that embryo research, as such, will have nothing to do with the cure of those diseases? Research may prevent people from being born with those diseases, but it will do nothing to cure those diseases and that has been accepted by those who support embryo research.

Mrs. Currie: I have two responses for my hon. Friend. First, until we carry out the research, we do not know. Secondly, there is a distinction between prevention and cure. Research certainly offers increasingly, day by day, the possibility of prevention. The same ethical issues are raised and I am very worried about genetic manipulation. However, there is no doubt that the research that we take for granted today—that is, that we can produce healthy children in a test tube—was regarded as science fiction 20 years ago. The research to which my hon. Friend the Member for Bury, North (Mr. Burt) refers, which seems science fiction today, will appear run of the mill to our grandchildren.

Mr. Couchman: Does my hon. Friend agree that the causes of some diseases are so mysterious at the moment that we cannot hope to know whether they are genetic? If research is banned as a result of our voting tonight, that may close down the avenue of research into those diseases, the effect of which can be just as terrible as some of those that have already been mentioned.

Mrs. Currie: My hon. Friend has a great point. I am hesitant about fishing expeditions. I believe that research must be clearly thought out and have a clear purpose. It must be clearly demonstrated to the statutory licensing authority that the techniques to be used have some chance of success. That is what will happen if we vote for research tonight.

However, I am as worried as other hon. Members about the ends to which research might be put. All research that leads to good ends could in the wrong hands be turned to evil. That is why I want research in this country. That is why I want to vote for strict controls and for the statutory licensing authority. That is why I regard the research as different. The law must be involved because the research is too important to be left to the doctors. I hope that the controls set out in the Bill will be accepted.

If we accept that good can result from research, we should accept the methods that produce the good results. If we will the ends, we must will the means. However few might be the occasions when the end justifies the means, there are no occasions when we can hope and pray for the ends and not vote for the means. We cannot undo the knowledge that we already have. We have heard biblical metaphors all evening. I will offer one more. We cannot act as if the children about whom we are concerned do not exist. We have eaten of the tree of knowledge and been given free will to decide how to use it. We cannot push Adam and Eve back into the Garden of Eden and tell them, "Don't touch."

I am certain that the research is based on the highest ethical principles. I cannot vote to make those researchers criminals. I cannot vote to put an end to that work. For me, that would be wrong. I can vote to ensure that the research is tightly supervised and put to the highest purposes—that is, the improved health of the people of this country and of the world. That is how I shall vote tonight.

Mrs. Rosie Barnes (Greenwich): It has finally been established in the Chamber, and I hope among the public, that we are talking about experimentation on a minute cluster of identical cells that are totally undifferentiated —one is exactly the same as another. As they reproduce, they do so in identical forms. Some of them will form the embryo, some the membrane and some the placenta.

Some hon. Members may have seen a placenta. It is certainly human tissue and it is certainly very useful. However, there would be considerable debate as to whether it had a human soul. It is not until after the 14-day period that any differentiation of the cells occurs. There is no brain, nervous system or recognisable organ before then. We are talking about human tissue—not, in my opinion, a human being.

I want to reiterate a point that has been mentioned during this debate. One of the commonly used methods of contraception in this country—the coil—causes the demise of embryos at 14 days, and beyond, each month during the woman's menstrual cycle. The coil prevents an embryo from being implanted in the wall of the uterus and developing into a foetus. That is already legal and common practice in this country. We should keep that firmly in perspective when we vote tonight. The potential for a human being lies within the cell to which I have referred. It is as though the computer programme exists, but it has not yet been triggered.

The significance of 14 days has been discussed at some length and some people are suspicious as to whether 14 days is just one of many slippery slopes. I agree that at that stage the embryo is no less alive or potentially human than it would be at 13 days or 15 days. By definition, it has been agreed that the process of fertilisation and the evolving of a human being is a gradual and continual process.

I shall quote the Archbishop of York, who spoke in the other place, because he reminds us of what many people with strong Christian beliefs feel about the issue. Referring to the development of an embryo, he said:

"The same is true in the development of individual lives. They begin with chemistry and they reach their fulfilment in mystery. There is no doubt about the depth, wonder, moral worth and religious significance of personhood, but the transitions on the way to it are not clean, clear and decisive, despite the tremendous significance attached by some people to the moment of fertilisation. Biologically speaking we are looking at a continuous process. . . . The philosophical mistake in the belief that full and instantaneous human rights are somehow created in the moment of conception lies in the surreptitious assumption that in those very early stages of embryonic life there is some real personal entity to which our moral language can apply."—[*Official Report, House of Lords*, 7 December 1989; Vol. 513, c. 1020-1021.]

That must be reiterated in light of the debate, because much of it has focused on that crucial moment when life as we recognise it begins. It is when, perhaps, the soul enters the human body, to put it in the most easily understandable way.

If we accept that it is a continual, gradual process, we must accept that there is some arbitrary element in the decision on when research should be allowed and what the cut-off point should be. In the Glover report, the endorsement of the 14 days is made absolutely clear. It is a sensible cut-off point before any organs develop and before the primitive streak begins to develop. It is interesting that that has just been accepted in Spain and approved by King Juan Carlos. Spain is a Catholic country and it has not been unable to resolve the religious dilemma in tackling this difficult problem.

I should like to refute several points made by the right hon. Member for Castle Point (Sir B. Braine), the Father of the House. Those who are involved in the work would accept that IVF treatment is not a panacea for all evils. They do not claim that it is the be-all and end-all in solving infertility and genetic disease and making many other contributions to the medical world. They accept that it is a slowly developing and growing discipline that will make some valuable contributions. In 1990, it is unfair to draw attention to the words of Professor Winston in 1982 without reminding the House of the dramatic developments in the intervening eight years. Things that were unheard of and would not have been accepted as available in the foreseeable future in 1982 were dismissed. We have seen dramatic changes since then. Only last week we heard for the first time that some women were pregnant, having been able to have their embryos sexed to make sure that they were not carrying a child with an inherent genetic disease that affects only one sex.

Again we have heard the questions, "Is that a cure? Is that prevention?" Of course it is prevention. To date, there has been no method by which an embryo can be unloaded of a genetic disease and continue to fruition. Do we say that research to date is not valid and does not have a place in our society? Some women have seen their brothers, nephews and uncles die of dreadful diseases that affect only the males in their families. They may have a child already afflicted by the same disease, or they may have had a late abortion, having discovered at 19 or 20 weeks that they were carrying a boy chid. Should we condemn those women to childlessness?

Are we not doing them a great disservice by saying, "You are not allowed to make the choice to have a girl child and not to risk carrying this dreadful disease further"?

There have been many references to research in Australia, but, when looking at the merits of research and what is happening elsewhere in the world, we must constantly remind ourselves that it would not be happening at all were it not for the research that has taken place here. Without research we would not have reached the present stage. Research has a variety of functions. The three main functions are treatment of infertility, an attempt to tackle genetic diseases, and progress in the development of contraception. Of course no one is happy with the current rate of success. A 10 per cent. to 15 per cent. success rate in the treatment of infertile couples is not nearly high enough. In our constant quest for a cure for cancer, have we said that, because we have made progress slowly and because in certain years we seemed to reach a plateau, we should give up? I am afraid research is not like that.

7.45 pm

We may go forward slowly and painstakingly and seem to get nowhere fast for many years and then there may be a breakthrough. No one can guarantee when a breakthrough will occur, but without continuing research we are committed to the status quo. For many of those who suffer the problems that have been described the status quo is just not good enough.

Women such as myself who have had children fairly easily find it difficult to comprehend the misery of childlessness. However, if one talks to someone who has been trying to have a child for 10 years or more and who watches her sisters and even her nieces and friends producing children and who feels inadequate and unfulfilled and less than a woman, one begins to understand the pain and misery. We must continue to recognise and tackle the problem.

Hon. Members recognise that breakthroughs in genetic disease are in their early stages. There may be far more. I would be the first to admit that many parents who do not know that they are carriers of a genetic disease will not have received treatment. However, others know that they are carrying a disease, but they are often only a small percentage of the population for whom that benefit may be appropriate. Are we to deny people possible help with their dreadful dilemma?

What choice do they have at present? They have the choice not to have children, but childlessness is miserable. They can choose a late abortion. Again, that is a miserable experience. Of course, they can give birth to an affected child. Nobody is saying that they must have treatment. There is no compulsion to participate in the scheme and avail oneself of the new techniques. For those whose religious beliefs strongly dictate that they must have the child who is to be born to them no matter what, their right will be absolutely protected. For many people, a pre-implantation diagnosis must be far better.

We should not turn our backs on research and say to childless couples, "We cannot help you further." We need research not only for IVF, but to understand the causes of miscarriage, which means that many women will not have to go as far as IVF. A better understanding of miscarriage will be the tool to help in their dilemma.

Are we to say to those who risk genetic disease, late abortion, and miscarriage time after time, "Sorry, there is something that could be done to help you but, for reasons of ethics and of conscience, we have said that it cannot go further"? They will say, "We have our conscience and our ethics, and we also have our misery to bear, and we would like progress." We are debating not whether research is to be allowed to take place, but whether it should be properly controlled to benefit humankind and to bring joy rather than to add to human misery.

I shall make one personal point, as I am one of the few people in the Chamber who has had an amniocentesis test when I had a child at the age of 39. In an earlier pregnancy, I had rubella at an early stage and waited from week 13 to week 20 for the medical profession to agree that that was what I had had at 13 weeks. I knew that I was not prone to hysterical rashes. I also knew that I had been in contact with a child who had rubella, so I knew that that was what I had. However, for perfectly laudable reasons, it took a

further seven weeks for the results of the blood test to be made available to my consultant, who then agreed that I had had rubella at 13 weeks' pregnancy. I had spent seven weeks knowing that the child was growing, becoming more obviously pregnant and feeling it move. I was then given 24 hours to decide whether I wanted a termination. I shall never forget those 24 hours in my life.

I went ahead with the pregnancy and my son, who is now nearly 17, although he is partially hearing, has been a great joy to us. I see some merit in the argument that that made it all right, but I must stress to those who have never had the experience that that seven-week period was a miserable time and that the decision whether to go ahead with the pregnancy, knowing that I might have had a severely disabled child or whether to abort a child who was quite well and would have a reasonable hope of happiness and fulfilment, was a dreadful one, and I would not wish it on anyone. It would be a great step forward for humanity for anyone to be able to make that decision in advance of having a child growing in their womb, and we should not turn our back on that option.

Although I do not have strong religious convictions, I have not turned my back on the religious argument which I know is strongly felt by many people. At one of the briefing meetings that I attended I heard about an interesting book by a Roman Catholic doctor who had reached the conclusion that embryo research was in the best interests of her patients. Her name is Dr. Joyce Poole and her book is called "The Cross of Unknowing". She has worked for many years with people wishing to have abortions and people with infertility problems, knowing that embryo research was one route out of their dilemma. She worked as a Catholic doctor, knowing that her Church was preaching something quite different from what she was beginning to feel was the right way forward.

Dr. Poole draws attention to some interesting moral and religious dilemmas. She says that when a woman has a late miscarriage when a foetus is born dead, that foetus has no special rights. It is not baptised; it is discarded along with normal hospital waste. We are trying to give rights to an embryo of up to 14 days which do not exist later in that process. She also says that we accept the test of brain death. When the cells in the brain stop functioning in a person who is severely ill or has been severely injured, that is accepted as death and the life-support machine can be switched off. We are giving a totally different set of rights to something that does not have a brain or any brain cells at that stage in its existence. I am not under-estimating its potential or denigrating an embryo of up to 14 days; I am simply putting the matter in perspective.

Dr. Poole says that, without the embryo research that has taken place to date, there would not have been so many live births, but she recognises that it is necessary to use ovulatory drugs, as without them there would be a far poorer chance of success and there would have to be repeated operations for obtaining eggs, with problems of time, risk and cost. As a result of using such drugs, spare embryos are created. If one accepts that principle, and the fact that there will be spare embryos, there is a variety of options. One can force the women whose embryos they are to have them re-implanted with the result of multiple pregnancies or innumerable births, or one can freeze the embryos. One can allow them to perish naturally or one can use them for two or three days—up to 14 days—for invaluable research which will help women such as those who donate their spare eggs for such work.

It is interesting to note that most of the embryos used for experimentation are given freely. I have met women who have given their eggs. Even women who have failed to establish a pregnancy have said, "It has not worked for me, but I have some spare embryos and I hope that they will help somebody else." Dr. Joyce Poole comments:

> "There is an authority too residing in those of us who have a lifetime of listening in close and frank contact to the problems of ordinary people."

That is what made her reconsider.

I do not believe that there is any relationship between what we are discussing tonight and people who have already been born handicapped. There is no attempt to undervalue or to denigrate them. Once a person has been born with a handicap or problem, that person is entitled to the maximum that our society can do for them. That is not to say that their parents—as they would never have the decision—would not rather that they had not been born but, had they known how they would be born, another child not carrying that disease may have been born instead.

It has been argued that we would be on a slippery slope. I have said that I do not think that 14 days is absolutely cast in stone, but the House should commit itself to a 14-day limit as there must be a benchmark, strong regulations and proper controls. There is general agreement that 14 days is an acceptable period for achieving medical results and pre-empting the development of an embryo into a human being.

Research will continue here or abroad. We should allow it to continue here legally, safely and properly regulated. The research offers hope for current and future generations and it offers choice that people will not continue to have if we turn our backs on them. To deny that research would be short-sighted and irresponsible in the extreme.

Sir Trevor Skeet (Bedfordshire, North): In an extremely interesting speech, the hon. Member for Greenwich (Mrs. Barnes) accepted the 14-day limit, but that is not a bulwark which will hold. I have looked carefully at British society in the past 20 to 30 years. I have noticed changes in policy on divorce and abortion and the elimination of 1 million children. I have also examined the recent case of the three Turks who unfortunately had their kidneys removed without their consent, and I am concerned about society's respect for the dignity of human life. I believe that, at conception, the DNA is in place. That is the code of life, and from that moment on it is due respect.

It would be incongruous for the legislature to give total protection to the human embryo after 14 days but permit abortion within 28 weeks of conception. It is ironic that society has been so sensitive about hanging murderers but so complacent about destroying unborn babies. Those developing the so-called contraceptive vaccine to limit population growth, calculate to use the embryo to test the efficacy of its destructive process. All these are telling points.

It is all very well the Secretary of State alleging that he will keep to 14 days. We know that 14 days will be breached at the first opportunity, as soon as it can be established that there is more material gain to be secured thereafter. Fourteen days is not immutable. At the time of the Warnock report, scientists talked about 14 to 28 days.

Lejeune observed that one cannot yield solutions to the problem of genetic disease because prior to 14 days no organs or tissues exist.

8 pm

Professor Williamson said that organogenisis occurs between 14 and 28 days. That is the time at which experiments will be prohibited by the Bill. In November 1989, the Royal Society was talking about up to 28 days. The Royal College of Obstetricians and Gynaecologists talked about 17 days in 1983. Professor Bob Edwards—now a great personality in history—talked about 30 days.

I am disturbed that the tendency to back-tread could be extremely dangerous. During the debate, many hon. Members have talked about research. They have given it two connotations. No one objects to general research for the relief of pain and suffering, whatever it may be. We simply argue that, where research would involve the destruction of a human embryo, the embryo must be safeguarded. Conservative Members—or at least a few of us—believe that the onus of proof is on those who want to establish the change and allow research on embryos.

The Progress report says on page 6:

"No one would dispute the claim that 95 per cent. or more of research required can and should be done without the use of human embryos".

In 1989, the professor of genetics at the Mayo clinic in the United States, Professor Hymie Gordon, said:

"Everything we need to learn can be learnt by studying genetic diseases in non-human primates and animals . . . no one has ever been able to tell me as a scientist what particular step in scientific knowledge is going to be achieved by an experiment on a human embryo that could not have been done in an animal embryo."

Hon. Members will appreciate that the use of animals is growing more expensive every year. The expense of the upkeep of monkeys is becoming prohibitive. In contrast, the human embryo is readily accessible and relatively inexpensive. Might that not be one of the reasons why people are going ahead with such experiments?

We have been told that many major breakthroughs and genetic advances have been achieved without research on human embryos. We had two examples from the Secretary of State today—the discovery of the gene that causes cystic fibrosis and that which causes Duchenne muscular dystrophy. We have also been told today about the splendid work of Professor Robert Winston on a successful implant following sex identification. But no one said that the same results could have been achieved without experimenting on the human embryo, by sampling the polar body of the ovum before conception. The Secretary of State did not mention that. Sex can be determined either within three days, at a later stage when there can be an abortion or prior to fertilisation of the egg. If sex can be determined before fertilisation, is it not better for society to tread that path? It should learn to treat and cure, not to destroy life.

Ms. Harriet Harman (Peckham): How would it be possible to know whether the fertilised embryo was safe and free from abnormality if there had not been research? Would it not be irresponsible to remove the polar body and then reimplant it without having done thorough research to make sure that an abnormal embryo was not being reimplanted in the woman on an experimental basis?

Sir Trevor Skeet: The hon. Lady will appreciate that, prior to conception, an egg came from the woman and semen came from the man. Because shortly there will be a germ of life, that can be analysed and assessed in precisely the same way as could be done three days later. If it can be done earlier, there is no interference or destruction of the embryo. That point was overlooked, and I suggest that it should be considered by this Committee.

Hon. Members on this side of the Chamber and on Opposition Benches all support the general research which is now available. Let us consider what that general research will give without experimentation on human embryos. Vitamin supplementation may suffice to protect the embryo from spina bifida. The extraction of cells from people suffering from cystic fibrosis and muscular dystrophy, Huntington's disease and retino blastoma will lead to greater understanding of all those diseases and the genetic factors responsible for them. Bone marrow transplants may be used to treat genetic blood diseases. Drugs can be used to modify the metabolism in Down's syndrome. Gene therapy can be used for cystic fibrosis to expand the span of life from 20 to 40 years and also to treat muscular dystrophy and cancer immune deficiency. I have also mentioned the introduction of a normal gene to replace a defective one during foetal life, and careful analysis of the female egg before fertilisation.

All those advances were achieved without the necessity of destroying the human embryo. It is right that we are asking the House to make a decision tonight. The Government have given sufficient time for the matter to be reviewed.

We must take the fact into account that there is a clear attitude to such research in Europe. The West German Max Plank institute does not support research using human embryos, and the current legislation in that country does not allow it. In France, there is no consensus on the Bill. In Norway, experimentation is prohibited, and in Denmark, there is a moratorium. The Council of Europe has stated that research on human embryos should be banned. Spain is the only country that permits it.

We must also remember—it has already been mentioned tonight—that on the Warnock committee there were seven dissenting votes in a committee of 16.

I do not wish to take too much time, but I have several further observations to make. Research using embryos has never been concerned with the treatment of genetic diseases of chromosomal abnormalities. It will not help the present generation of sufferers from cystic fibrosis or muscular dystrophy. The authorisation of the destruction of embryos will not eliminate genetic disease. Embryo research is not used as a general method of screening for genetic diseases, because in many cases it is impossible to discover the mother at risk. It is only discoverable when there has been a history of disease in the family, or perhaps when a previous child has a problem.

It will take more than 1,000 years to halve the gene frequency in the population for cystic fibrosis and 760 years for sickle cell anaemia. The problem must be viewed in perspective. Embryo research relevant to a tiny percentage of couples who are known to be at risk is important, and therefore must be considered. The figure works out at about 1·8 per cent. of full-term births, of which only 15 per cent. are due to single defective gene cells which can be identified in the embryo.

There are many ways to the top of the hill, and research on all fronts must be advanced for the relief of infertile people. We all agree with that, but must we pay no regard

[Sir Trevor Skeet]

to human dignity? Must we bring the country to moral bunkruptcy? That could occur if we ignore the important issues of life.

I recognise the importance of IVF and the fact that much has been done, but it can cause chromosomal abnormalities. The removal of one defect can cause another, which can lead to later abortions. For example, the incidence of spina bifida is five times greater than normal in such cases, and the incidence of congenital heart disease is six times greater. I am fully in favour of IVF, because it is a way ahead. General research can help. Concentrated effort could come. I should like to know from the Minister how many abortions have resulted following IVF. I tried to find the figures, but was told that they were not available because they are not collected. I had a word with several distinguished doctors, who tell me that the numbers are considerable.

IVF schedules are physically and emotionally disturbing. A super-ovulation should not be encouraged, because it causes the lining of the womb to be unreceptive and produces eggs of low quality. In many cases of singletons, a caesarian delivery is as high as 41 per cent.

I have never been one to suggest that we must reconsider the matter. I am worried about the moral issues involved. Scientists must bow to the moral wishes of the nation. Otherwise, they will speed ahead towards moral bankruptcy, which we wish to avoid. It is easy to concede 14 days in a Bill and to believe that thereafter the embryo will be protected by the majesty of the law, but what happens when the period is extended to 28 days or longer? What happens tomorrow night, when we find that we have lost more than 1 million children who could have been born and adopted? I would be out of order if I went further on that point, but we should be careful before we make a move. Would not a moratorium be appropriate on this occasion?

8.15 pm

Mr. Frank Cook (Stockton, North): I will not detain the House long. I must start with an admission and an apology. I have listened to most of the debate, being absent for only a brief time, and it seems that I am the only Member who has come to listen to the debate not knowing where he stands. Like all hon. Members, for months I have been receiving many representations from different schools of thought and shades of opinion. I have been unable to crystallise my thoughts to a definitive position. I am the first Member to speak who has had to admit that degree of doubt.

I have both read and listened carefully. My confusion has arisen not because of people's claims about their own beliefs but because of their claims about the beliefs of those who oppose their beliefs—the claims that pro-lifers have been making about pro-researchers and vice versa.

The confusion caused by the pro-lifers is the most obfuscating. Tonight hon. Members have made claims which, when checked against the Bill, are deliberately misleading. That undermines any validity of their other claims. This evening, it has been said that the research announced only four days ago would be permitted if the amendment were accepted. Schedule 2(3) makes it clear in black and white how voting for the amendment would effectively prohibit the issue of licences to carry out research for the treatment of infertility for increasing knowledge on the causes of congenital disease, for increasing knowledge about the causes of miscarriages, for developing more effective techniques of contraception or for developing methods for protecting gene or chromosomal abnormalities in embryos before implementation. That last one would effectively debar the type of work done by Dr. Winston. Yet tonight, we have heard it claimed that the amendment would not adversely affect the work.

That is not the only misleading claim that we have heard tonight. I am not saying that those misleading statements were made deliberately. The matter is complex and sophisticated. It can easily be misunderstood by those who are not staying wide awake, keeping their minds clear and thinking carefully. I am sorry for anybody who has not listened to the debate and who must vote at 11 pm, because the decision is not as easy as it may seem.

I want to attract the Minister's attention to one particular issue on which I need clarification. Among all the confusing statements, one particularly important claim has been made by the pro-lifers. I apologise to the House for using such shorthand terms, but I cannot think of a phrase that would be more readily understood. It has been argued that the fault lies not in using excess numbers of conceptuses—pre-embryos—that have been used for the purpose of infertility treatment, but could possibly lie in ensuring that an excess number of pre-embryos were created in order to create the very excess on which to undertake research.

If the Minister was able to give an assurance, to me alone if not to everyone, that the monitoring body and regulations would ensure that the quantity of conceptuses created for infertility treatment was strictly regulated and that therefore excessive numbers would not be created, that would remove a major area of concern before my decision about which Lobby to enter.

We have talked for about four hours, and I shall continue to listen intently to the debate until 11 o'clock. My hon. Friend the Member for Sheffield, Atterliffe (Mr. Duffy) said that, on Second Reading, those against research got the better of the argument, but I believe that that depends on the position one adopts when considering the problem. I have been in constant doubt about this matter; I have assiduously tried to reach a conclusion in my heart and mind, and I see the debate in a different light from my hon. Friend.

I am still undecided, but, on the balance of the debate that I have heard tonight, I shall be voting to leave the Bill unamended—unless, of course, I hear a declaration from those advocating the other side of the argument that is somewhat less emotional and a good deal more clinical than they have been today.

Sir Michael McNair-Wilson (Newbury): I hope that it will not sound discourteous of me if I say that those who seek to explain that embryos are less than human beings seem to be trying to find ways in which to assuage their conscience so as to enable them to support the research that has been conducted in past years.

One may ask, of course, if one allows tens of thousands of foetuses to be aborted every year, many of which are normal, why should we concern ourselves with the fate of embryos up to 14 days? Surely the answer is that we are talking about the sanctity of life. Whether we choose to play with words about embryos, pre-embryos, foetuses or

whatever, every one of us started our lives as an embryo. We should not therefore imagine that what we are talking about is something different from ourselves.

Life used to be considered sacred—all life, at any age—but now I believe that we are willing to consider life as sacred only after birth. If that is so, on what morality do we base that judgment? Clause 11, in common with the rest of the Bill, is an attempt to write the ethics of medicine by legislation now that the medical profession has given up its own code of ethics embodied in the Hippocratic oath that all doctors used to swear. It is important to remind the House of the words a doctor swore:

"The regimen I adopt shall be for the benefit of my patients according to my ability and judgment and not for their hurt or for any wrong. I will give no deadly drug to any though it may be asked of me nor will I counsel such and especially I will not aid a woman to procure an abortion."

That oath and the ethics it enshrined lasted the medical profession from the fourth century BC to the second half of this century—more than 2,000 years—and it spanned the pre-Christian and the present Christian age. Now, without it, I believe that the medical profession lives in a world of ad hoc ethics; hence the charge that doctors and scientists play God and intend to play God unless the House chooses to put some limits on the actions that they may be about to take. The Bill and clause 11 do nothing to answer that charge.

We, as mere laymen, are being asked by the ancient and honourable profession of medicine to provide it with a new code of ethics based on such laws as we think are in people's best interests. All leaders of the medical profession should be concerning themselves with this serious situation. At present that situation suggests to me that members of the medical profession have lost their way and are not sure what professional standards they and we should expect of them. In turn that means that, without that certainty in the minds of members of the medical profession, we all have cause for concern whenever they come to us asking to be allowed to carry out some research that they have not done hitherto.

Where are the limits beyond which the medical profession is not prepared to go? What will it not do in the name of science and research? Recently I asked a professor whether he would find it possible to sanction the idea of a head transplant—he did not find the idea entirely objectionable.

Perhaps the fault is ours, as we expect modern medicine to be able to cure every known disease, or, if not to cure, at least to do something about it. It is as if we believed that each one of us has the right to be born perfect, that everyone should be able to have a child, that no one should be asked to bring a baby into the world that might have a handicap and that if a woman becomes pregnant it is her choice whether the baby is born, regardless of whether that baby is normal or not. Medicine is therefore required to satisfy all of our needs, though sadly not those of the baby, and seems incapable of questioning the ethics of what it may be doing, whether it should be doing it at all or whether the end justifies the means.

In a world that is suffering from over-population and that is still afflicted with so many curable illnesses, can the medical profession justify the huge expenditure of vast resources on the more esoteric aspects of medicine, when that money could buy immediate and more easily achievable relief for so many?

Medicine, however cannot resist dangling the carrot of hope before us, without being quite honest about what is involved and the chances of success. So it is with embryo research. I do not believe that congenital conditions such as cystic fibrosis, muscular dystrophy, infertility or any of the 4,000 single-gene defects are part of the divine will, or that we should not seek to discover what causes them. Therefore, I do not oppose research to discover their causes.

The question that troubles me about the Bill and clause 11 in particular is whether embryo research is an emollient and sympathetic phrase for what is more often than not embryo destruction—at a later stage of life, it would be wilful killing. We are talking about 14 days in which scientists can pursue their theories on living human matter; then the embryo's life is ended. As has already been suggested, how soon will it be before we are told that, if only we could have another 14 days, they could achieve so much more?

Like everyone in this debate, to answer my doubts I have done my best to read the briefing material sent to me by both sides, including many personal letters from constituents and handicapped people. I had the opportunity to visit the Hallam clinic. Perhaps I started with a bias in favour of embryo research because, superficially, what it seems able to offer could rid mankind of so much human suffering. Had I spoken on Second Reading I would have come down on the side of embryo research, but because of that debate and the opportunity that it gave me to read and talk about the subject, I have continued to seek just one essential fact on which to decide how to vote tonight. That fact is: after four years of embryo research, what has been achieved—not what may be achieved—in the search for the causes of congenital illness?

8.30 pm

I want to be able to say without contradiction that something has been achieved as a result of embryo research, which has cost the lives of so many embryos. Perhaps my hon. Friend the Minister will tell the House at the end of the debate how many embryos have perished in the name of research. I estimate that many thousands have done so. I stand to be corrected on that. What has been achieved? What discovery has been made? What handicaps and their causes are now understood? Which congenital illnesses and conditions, which would not have been soluble, are now partially or entirely soluble?

I cannot find such a statement. I can find promises of what may happen. I am told that embryo research is on the edge of a breakthrough. It seems that in reality the only part of human embryology and fertilisation that has actually borne fruit is in vitro fertilisation, which, unlike embryo research—if I may divide the subjects—is about creating life, not destroying it, and which I support. Apart from that, the answer seems to be virtually nothing.

I shall quote from the Medical Research Council's document that was sent to us. That is a body, if ever there was one, that should be able to answer my question. It said:

"If we could understand what causes chromosomal abnormalities in the egg and early pre-embryo it might be possible to suggest modifications of human behaviour and nutrition around the time of conception which would prevent many causes of, for example, Downs Syndrome. Such an understanding is already coming from MRC research on eggs

and pre-embryos. If research on human fertilisation is prohibited it will be more difficult to discover what goes wrong."

Note that it says "more difficult", not that it will be impossible. It does not say that it must have embryo research, but that it would be more difficult if it did not. It is not my job to make its job easier, but to ask it to live up to certain ethical standards.

Professor Martin Bobrow, the Prince Philip professor of paediatric research at Guy's hospital, has already been quoted. A document that he sent to me states:

"There is no claim that work on pre-implantation embryos would lead to treatment of genetic disease."

There is nothing definite in either the MRC's or the professor's statement. Someone may say, "Surely, there was that announcement last Thursday from the Hammersmith hospital about a breakthrough enabling the sex of an embryo to be established in the test tube, which could not have happened without research. Doesn't that mean that, if a handicap is carried in either the female or the male line, we can now select the embryo of the right sex as the one to be put back in the mother and so ensure a healthy baby? Isn't that proof that embryo research is bearing fruit?" It would be churlish of me to wonder why that knowledge came to light just before today's debate. One might describe it as a lucky coincidence. However, is that the whole story?

I shall give the House an example from my own family. I had four cousins, two boys and two girls. One of the four, the youngest boy, contracted muscular dystrophy and died when he was 16 years old. I understand that muscular dystrophy is carried by women, but affects males. Bearing in mind the research carried out at Hammersmith hospital, which has been so trumpeted in the national press, and assuming my uncle and aunt had known of the test, would my one male cousin, who has survived, is now in his 60s and has his own family, have survived or would his embryo have been removed because it was male and there might have been the chance that he had muscular dystrophy? That is what is involved in the breakthrough, which is a terribly hit-and-miss method, a rough and ready selection by sex, whether or not the other embryos carry the defective gene.

Have we not been told how research generates round the world? In those countries where, sadly, males are so much more valued and respected than females, might not that same research be used as a dreadful selection process whereby the sex was, or was not, in effect, a sentence of death?

I return to the Medical Research Council's booklet and the other pro-research literature. Where are the hard, proven results of four years' research—it may be longer than four years—to dispel my doubts and make me argue that the work going on in the centres specialising in embryology, which annually use so many hundreds of embryos, potential humans, will allow me to go into the Lobby tonight and vote for the work to continue?

It is no wonder that the sinister shadow of Dr. Mengele falls across this debate. We may say that that could not happen, but I can remember so well when we first heard of his experiments and thought that nobody in the world would ever consider replicating such dreadful experimentation. Yet here we are in the House of Commons solemnly putting forward the possibility of allowing research to take place on that embryo from which every human springs.

When embryo research is like surgery, or any other form of medical technique where saving and enhancing life is the sole object—I am not talking about embryos and post embryos—I shall suppport it. But now after four years, in which the medical profession has had free rein, so little has been achieved and so many tiny lives ended, the means do not seem to justify the end. Medicine and science should look elsewhere for the conditions that they are seeking to cure.

Mrs. Audrey Wise (Preston): I rise with considerable humility to speak in this debate. We have heard many excellent speeches and many hon. Members have drawn on personal experiences and anxieties. I was impressed by the speech of the hon. Member for Greenwich (Mrs. Barnes), who made an excellent case. She had experiences on which to draw. We heard the moving speech of the hon. Member for Caernarfon (Mr. Wigley), who witnessed the deaths of two handicapped children and who has previously told the House that, were it not for the fact that screening and abortion rights existed, he and his wife would not have felt able to go ahead and risk two further pregnancies which, happily, resulted in the births of two healthy boys.

I have no such experiences on which to draw. I have been incredibly lucky and have two healthy children. I look for the disasters and anxieties in my life but, happily, they are missing. Therefore, I feel lucky and have a great sense of humility. I feel so lucky that it is almost scarey. But it gives me the opportunity and the duty to say, "I have been lucky, but that gives me a responsibility to think about those who are not so lucky." It is in that spirit that I have tried to follow the debate.

I have found the debate difficult at times because many hon. Members have dealt in absolutes, which I could not do. We have heard that one cell is life—a human being. I cannot follow that line. I do not believe that the fertilised egg is a human being. On Second Reading, the hon. Member for Liverpool, Mossley Hill (Mr. Alton) told us that it is not a potential human being; it is an actual human being with potential. I cannot follow that line either. I cannot regard a cluster of undifferentiated cells, some of which will become placenta and others membranes, as a human being. As soon as we depart from absolute certainties we are into areas of degree and of judgment. There is no escaping that.

I believe that sense is on my side in this argument. By no means will every fertilised egg result in a baby. A fertilised egg may try to develop in the tubes and may never reach the womb, so it will be impossible for it to become a human being. Its relationship to the mother is one of a malignant growth that will kill her if allowed to develop. So how can I agree with hon. Members who want me to regard such an entity as a human being?

Such absolutes should not determine the course of the debate. There is no escaping using our own judgment—and I have found it difficult to make judgments. I resent the fact that those who see everything in absolute terms have encouraged the polarisation of debate. It has become difficult to stand back and examine the real problems, but I want to examine them.

Of couse, it is possible that this research may be misused and that the permission given by the House tonight—I trust—will be misused. Many things are misused. The pen is misused for the most appalling purposes. The camera is and the computer likewise. Much of our scientific research and development is misused

before it gets off the ground, because its purpose is to develop ways of killing. We in the House regularly vote research and development money for the production of armaments that can kill millions, not clusters of undifferentiated cells, but men, women and children of all ages, from unborn babies to people on their deathbeds. I have not heard hon. Members saying that we should not vote that money; they do not adduce the sanctity of life argument on such occasions. Some of us make timid attempts to introduce it into those debates, but we do not get very far.

Because things can be developed and used for good or evil we must make choices and be vigilant, to ensure that scientific processes are not misused. The hon. Member for Newbury (Sir M. McNair-Wilson) said that he had begun with a bias in favour of this research but come to the opposite conclusion. I started with a bias in the opposite direction, because I am aware that one has only to say the words "science" or "progress" to make some people bow down in admiration of their supposed omnipotence. I do not agree with that; I have great scepticism about scientific endeavour. We must always be extremely careful that science is used ethically and in the pursuit of human happiness and well-being.

I began my consideration of this matter with doubts. I do not agree with genetic manipulation, for instance. I have not arrived at my conclusion in an arbitrary way, but I have reached one. I shall vote against these amendments.

8.45 pm

When, as I hope we will, we vote to allow this research to continue, by that we shall not be saying that this is the only sort of research that should be done—certainly not. We are not saying that only this research can give hope to childless people. Society has a duty, incidentally, to take some of the pressure off childless couples. It is not only because of natural drives that people feel inadequate if they remain childless. Society puts a great deal of pressure on such people, telling them that they are inadequate, and it is important to remove such pressure.

Many other lines of research need to be followed, but that does not mean that we should not go ahead with this research. Nor should too many resources be devoted to this line of approach—that would be another sort of misuse. I do not know where those who will vote with me tonight stand on this subject; I do not know how keen they are to elevate this line of research above others. But I am not. I want it permitted and carried out but kept in perspective.

Many other needs have great claims on our resources. As a society, we are rather poor at deciding priorities. Nothing that I have heard in this House has led me to alter that view. We are not very good at deciding to devote enough resources to relieving the problems of handicapped people, the mentally ill or the elderly. We are not very good on the welfare of mothers and babies. Too many people live in bad housing and in miserable conditions, and that is avoidable. Nevertheless, my views on how we should use our resources do not mean that I think that we cannot devote any money to research of this kind. We shall need to preserve a reasonable balance, and that must always be a matter of judgment.

That is why it is proper to use legislation. I should not want to allow scientists and doctors, much as I respect them and their work, to be the only and untrammelled judges in this matter. I want society to take a stand and use its judgment, and in our democracy we do that through this House—not very well, but it is the avenue that we must use. Once the Bill is passed we shall have no excuse for saying that the matter is in other people's hands. It will continue to need our judgement of how to use legislation and of how much money to devote to it. That is entirely different from pretending that this is an issue of sheer absolutes.

It is neither sensible nor sane to afford to an undifferentiated cluster of cells the respect for life that we should afford the pregnant woman or the new-born baby. If that sounds a little insulting, I must add that, until I heard the hon. Member for Newbury, I had intended to use very temperate language; and I have more or less managed it. I did not relish being told that those of us who want such research are looking for ways to assuage our consciences and that that is why we have chosen to make the division at 14 days. I can tell the hon. Member for Newbury that my conscience needs no assuaging. It is in perfectly good working order and is given regular practice.

Sir Michael McNair-Wilson: The hon. Lady will know that I could not have been referring to her, because she had not spoken when I made that comment.

Mrs. Wise: In that case, the hon. Gentleman has presumably been insulting all hon. Members who spoke before me and who said that they would vote for the legislation. That is an even more specific insult than the one that I thought the hon. Gentleman had in mind.

I feel justified in saying that those of us who will vote for the research are not doing it unthinkingly. We are not doing it without conscience and thinking that that ends the matter for ever. Continued vigilance will be needed over the purposes for which the research will be used and the resources devoted to it. That is what life is like. We always have to make choices about priorities and it is reasonable for us to provide a legal framework within which such decisions and judgments can be exercised.

Sir Ian Lloyd (Havant): I shall not follow the hon. Member for Preston (Mrs. Wise) by trading insults, because I am not very good at that. I could not help reflecting while she was speaking that during the debate we have seen scepticism and dogma chasing each other in a rather unusual geographical pattern. It is usually all scepticism on one side and all dogma on the other or vice versa. Of course, that is what makes a debate like this so interesting.

Some time ago, I reached the conclusion that most of the very different problems that we address in the House are, in one form or another, boundary problems. Move the boundary or change the definition, and all hell breaks loose. When the hon. Member for Newry and Armagh (Mr. Mallon) spoke about where life starts, he was, of course, speaking about this fundamental boundary problem.

We are most familiar with the geographical boundary, whether it is between nation states or empires or administrative jurisdictions, and with those between the public and private sectors, between categories of rights and categories of obligation, between the interests of producer and consumer, between the old and the young, the sick and the healthy. In the welfare state, the vast regulatory apparatus of who claims for what and when and for how much provides hon. Members with an endless source of fertile and politically productive controversy.

[Sir Ian Lloyd]

We are less familiar with the boundary between the rational and the irrational. Although I wish to imply no obvious overlap of category between the scientific and the religious interpretations of a problem, research on the human embryo provides a classic and important illustration of the difficulty of definition and of prescribing legal boundaries in this area.

I have read what I suppose is a small fraction of the vast amount of literature on the subject, and I understood a small part of what I read. I will gladly give way to any hon. Member who claims to have read and understood it all. In my endeavour to be thorough, I even attempted to read the colloquium held last year by the Royal Society, to which I shall return. Humility obliges me to confess that I probably fully understand only the odd paragraph here and there.

From that I draw two immediate conclusions. The first is that those paragraphs were of great significance. The second is that the matter is of great scientific as well as moral complexity. To that I would add a third, which is that the House remains singularly ill-equipped to pass judgment on these issues. But it is a responsibility which we cannot escape. Alfred North Whithead put the position very well in his Lovell lectures at Harvard university over 60 years ago when he said:

"The new tinge to modern minds is a vehement and passionate interest in the relation of general principle to irreducible and stubborn fact."

In this case, however, it can be argued that the principles are stubborn and the facts of great complexity. Most of the facts are very new. They are the product of one of the greatest scientific revolutions that the human race has ever known.

It is in this context that I should like to refer to a comment made during the Royal Society colloquium by a fellow of the Royal Society, Mr. J. H. Edwards of Oxford university:

"In the application of genetics to man we are dealing with problems of such depth and gravity, and with methods for their resolution of such complexity that even those experts in neighbouring fields of study find communication difficult . . . false knowledge is a graver problem than clear ignorance."

The complexity in this matter derives from three sources. The first is that the scientific revolution pioneered by Crick and Watson in the 1950s has now led to an understanding of the origins and structure of life which was inconceivable not only to theologians but to scientists as recently as the beginning of this century.

Few of us can claim to be familiar with molecular biology, although some of us may appreciate its immense importance and potential. None of us can comment with the authority of a scientist working on frontiers of knowledge that are moving forward almost as we watch. Dogmatic judgments and conclusions which some of us may be tempted to reach will enjoy a half life of perhaps a few months.

Secondly, the profound concerns arising from deeply held religious conviction, which express themselves quite legitimately and have done so in the debate in what is at best caution and at worst a total opposition to the advance of knowledge in this area fuels emotions and colours every debate.

Thirdly, there is the concern that arises from the belief that human genetic engineering enables man to emulate God, not merely in His most benevolent role as Creator but in those malevolent roles which mere man exhibits when presented with great power, whether political or scientific. The potential for abuse is ever-present here, as with all science, and the master-race concepts which inspired the appalling abuses of genetic engineering to which the Father of the House referred earlier have haunted Europe for half a century.

The more awe-inspiring the scientific achievement, the more terrifying the potential for abuse. The discovery of DNA, the very blueprint of life, is certainly awe-inspiring, and when the full map of the human genome is known, probably within a decade, we shall have passed through a phase of civilisation as significant as, if not more significant than, that which distinguished the age of Galileo from that of Copernicus, or that of Einstein from that of Newton. Its political significance is almost beyond our comprehension. We have crossed a boundary of unprecedented importance.

This analysis leads me to my first and most important conclusion: there is no going back. I would add to that: there should be no going back. Any attempt to do so would represent a triumph of obscurantist dogma over human achievement and aspiration.

Our general conclusion must surely be that the advancement of science, on which our whole civilisation is based and now depends, cannot be stopped because we have suddenly discerned a universe of unimagined potential complexity, danger and challenge. The question tonight is whether ther can or should be an exception to this generalisation. Are the processes of human reproduction, particularly in the early stages of conception, to be declared by law a no-go area for science? Assuming that the case for that was made, three immediate questions arise. First, could such a ban be enforced? Secondly, on what grounds could it be argued that other no-go areas should not be created? Thirdly, can we predict the full consequences of a closed door on the frontiers of human knowledge?

Dame Elaine Kellett-Bowman: Does my hon. Friend accept that a go area for science would imply a no-go area for morality? Some of us attach great importance to that, because we believe that science is not the be-all and end-all of life.

9 pm

Sir Ian Lloyd: I accept that science is not the be-all and end-all of life, but nor is morality. The complexities of life arise from the conflicts between these two important sets of criteria.

The answer to my first question is an unequivocal no. There is no way to enforce it. Even in Britain, we could not police every laboratory dealing with molecular biology. Even if we could, that would merely inflame curiosity.

To the second question, the answer is equally unequivocal. As science takes us nearer to the fundamentals of creation, whether through the outward reach of the Hubble telescope which is to be launched into space next week, or the inward reach of the scanning tunnel microscope, revealing for the first time the secrets of the living cell, we shall be presented with greater potential for good and evil, greater powers of intervention and greater challenges to orthodox dogmas of all kinds—religious, scientific and political. Close one door and fear of the future will have triumphed over all that the rational mind has achieved, from Aristotle to the discoverer of the

polymerase chain reaction, a man by the name of Kray Mullis, about whom the House may not have heard but of whom future generations will certainly know.

As Alfred North Whitehead once said, there is

"a Nemesis which awaits upon those who deliberately avoid avenues of knowledge".

That applies both to the general case and to the specific example.

I shall now attempt to deal briefly with the special case before us tonight—embryo research. Like most hon. Members, I have read with care the arguments based on the sacredness of human life. No one would dispute the concern, conviction or skill with which these have been presented in the papers sent to hon. Members and in the House this evening.

However, as I read my science, nature has endowed life with two unique characteristics. The first is continuity. The human genome is, among other things, a map of that continuity. The formation of the conceptus is merely the point at which that continuity is ensured by the injection of genetic diversity. It happens, possibly, a few hundred million times a day. If the world is adding to its population daily a city the size of London, human survival is not threatened by a failure of that mechanism. The very success rate can properly be regarded as a threat to the planet, and this despite the fact that millions of embryos do not survive.

The second characteristic is prodigality. Nature is prodigal in this area on the grandest scale, especially but not exclusively with our species. I do not believe for one moment that research into the human embryo will ever interfere significantly with that prodigality unless man discovers that the survival of our species requires a restraint in population growth that we can achieve in no other way. The elevation of the human conceptus into some sort of cult object is a somewhat artificial construction. The human race will not destroy itself by under-breeding. Nor will it take serious risks with its genetic endowment merely because it has improved its understanding of, and capacity to influence, that endowment.

The very opposite may be true. Tragically, that endowment is often gravely impaired. We have heard some moving examples of that today. We know little of the reasons for the impairment. We know a great deal about the tragic consequences for afflicted individuals and families. Until recently, we have all been subject to the lottery of our genetic endowment. Now, over an ever-broadening horizon of knowledge and technique, related substantially, if not wholly, to embryo research, prevention has become a dramatic possibility.

Here again, I enter a word of caution that is not mine but that of J. H. Edwards:

"The nature of genetic lesions and the scale and variability of genetic material are such that we cannot assume that our remote descendants will have the competence to launder the genome to remove blemishes. If they have, they may not wish to live within the ethical and behavioural framework within which this is possible. Selection against multiple minor lesions would be so inefficient that it would involve either a minority of conceptusses surviving induced abortion or the majority of conceptions being in vitro".

Mr. Edwards is right, and who are we to suggest otherwise?

We are walking hopefully in the scientific foothills of a gigantic mountain range. Hitherto, man has had no option but to come to terms with a serious burden of genetic impairment, but now he can look ahead, perhaps a long way, to its eventual elimination. If the House will permit me, I seek reinforcement for my conclusion from Alfred North Whitehead. He reminded us that

"successful organisms modify their environment so as to assist one another."

We have recently discovered that among man's most significant environments is his genetic code. For us to foreswear the assistance which science can provide in modifying that code to the advantage of the human race would be an indefensible abdication of responsibility. It would cross the portcullis of this place with a most sinister and destructive bar.

It was once said of Spinoza that he was drunk with God. There is, I accept, an equal danger that modern man can become drunk with science. If I am compelled to choose, as we are by this measure tonight, I have no doubt which form of inebriation I prefer—even if, as I suspect, they are not mutually exclusive.

Several Hon. Members *rose*——

The Chairman: Order. Twelve hon. Members are seeking to catch my eye and there remain 85 minutes of debating time. The arithmetic is obvious. To reduce the disappointment of not being called to participate in the debate, I appeal for brief speeches.

Mr. Hind: I am grateful for the opportunity to speak in the debate, Mr. Walker, and I shall be brief.

We are debating an issue that attracts strong feelings. Like many other hon. Members, I have received many letters on the subject. I also received a petition signed by 800 constituents urging me to vote for amendment No. 1. At 7 o'clock this evening, one of my constituents felt that she had to send me a telephone message that she is against embryo research. That is the sort of feeling that the issue attracts.

I say to my hon. Friend the Member for Havant (Sir I. Lloyd) that those of us who will be voting for amendment No. 1 are in favour of research. We feel, however, that there needs to be some recognition of the limitations on research and a recognition of when life begins. Those issues lie at the root of the problems. My hon. Friend talked about the foothills of the gigantic mountain range of scientific research. I say to him and to all Members of this place that there must be signposts on those foothills, and that is exactly what amendment No. 1 will provide.

Science cannot be the be-all and end-all; there must be control. As my right hon. Friend the Member for Selby (Mr. Alison) said, we must decide fundamentally when life begins. For me, the essential part of life is when the ovum and sperm join at the moment of conception, whether that is inside the womb or outside in the case of IVF. It seems that it is an insult to common sense to suggest that there can be a 14-day gap from that moment during which some hon. Members wish to allow research to take place. It is being said that there is some sort of limbo in which life does not exist. Life must begin at the moment of conception, and from that point it must be respected and, therefore, protected. We must give guidelines to the law. As a lawyer, I can tell the Committee that there is no specific definition of when life begins. Voting for amendment No. 1 will lay down a definition of where we the law-makers, supported by scientific evidence, believe that life begins.

Once that has been laid down, it can be followed by a series of protections for the unborn child. I do not accept

[Mr. Hind]

that the fertilised embryo is, for the first 14 days, merely a cluster of undifferentiated cells. It is the source of life from which life grows and it must be respected as part of life. It is not good enough for hon. Members to say that in the gap from day one to day 14 nothing happens, that it does not exist, and that in some way it is a pre-embryo that has no life, no personality, no existence. That is nothing more than an excuse for those who support research to justify what they have done and what they intend to do in the future under the Bill.

As opponents of the Bill have said, is the 14-day limit just the beginning? Will it be 16 days in two years' time and then 18 days? As the frontiers of science march forward and we discover other areas of research, will it end here? We must stand firm and give a lead. We must give a definition and provide a framework for the future, both for the law and for science. It is our duty to establish that, and no one else will take on that duty. Although we are laymen, it is a duty that we must accept.

We must consider what embryo research has achieved over the past four years. In contrast with non-embryo research, it has achieved little. There have been major developments in cystic fibrosis, muscular dystrophy, sickle cell anaemia and Down's syndrome. That is where the major achievements have taken place. If we were to take away embryo research, we should be only partially closing the door on research in those areas. We would be doing so for sound moral reasons because we would be protecting life, providing definition to it and giving a framework of morality to what we are doing. Those of us who respect life will recognise that it is important to do that. The pro-research group Progress has admitted that

"research using human embryos is not and never has been concerned with the treatment of genetic or chromosomal abnormalities."

I am proud to say that I have two healthy children, but we struggled to have them. I am not prepared to say that I will bury the ethos of life so that others may find it easier. I struggled, but I accept that it was worth while. I know the pain that parents suffer to have children, but it is worth while. In vitro fertilisation is not outlawed by the Bill. Many methods of studying infertility are still open to research and many of them have achieved results.

I am a Christian and, like many hon. Members, I put the Christian view. I stress that there are alternative methods of research——

Mr. Couchman *rose*——

Mr. Hind: My hon. Friend knows that, in normal circumstances, I would give way to him. He may have the opportunity to speak later.

There are many alternative avenues of research into the problems of handicap and infertility. By opening the door tonight, we shall only encourage further research in areas where major successes have already been achieved. I urge the Committee to vote in favour of amendment No. 1 and against the Bill as drafted.

9.15 pm

Mr. David Blunkett (Sheffield, Brightside): I speak with greater diffidence than usual, because I have no absolutes to offer. We seek the balance of reason, and I agree with my hon. Friend the Member for Preston (Mrs. Wise) that we must be cautious in our appraisal of scientific claims and of the suggestion that science and progress automatically go hand in hand.

At the root of tonight's debate is the religious belief held by those who oppose clause 11 as drafted—that life begins before implantation in the wall of the uterus and therefore that the cluster has life in its own right. Those who hold that belief will feel instinctively and absolutely that they should oppose embryo research.

Despite the fact that it is impossible to convince such people to vote in favour of embryo research, it is wrong of right hon. and hon. Members who share their view to raise the spectre of Dr. Mengele. To suggest that trying to monitor, regulate and otherwise properly control embryo research is in some way unacceptable is to turn logic on its head. It is important to regulate, control, monitor and to place parameters on the extent to which science can tread in areas about which right hon. and hon. Members cannot be certain, and so get a grip on the anxieties and concerns that are shared by all right hon. and hon. Members, and which are the reason for their presence tonight.

I agree that embryo research is only a small part of the scientific investigation that is necessary to tackle the problems of infertility and genetic disabilities—in particular, the degenerative diseases that cause so much suffering not only to those who contract them but their families and friends. They must often endure the consequences of those handicaps in the most destructive circumstances, in which society washes its hands of its responsibilities and leaves to their own devices those who are least able to cope. I know of families who struggled to receive support from their communities and who rely on perhaps a handful of individuals, or on only one or two persons, to see them through their moments of crisis.

I have received more correspondence on this issue, as have other right hon. and hon. Members, than anything other than the subject on which I have a primary responsibility as an Opposition spokesman. I tried to consider carefully the often conflicting balance of scientific evidence, and I have reached the conclusion that not believing—as I do not—that life begins before the implantation of the embryo in the wall of uterus, makes regulated, monitored and properly controlled research justifiable. It is justified in terms of infertility and of helping people so that the child that they bear does not have a degenerative disease. If someone had the opportunity to have a daughter who was free of a degenerative disease, I would expect them to take it.

An issue that has perhaps not received as much attention as those two issues tonight is the very opposite of infertility—finding a safe and acceptable method of contraception, which will work in the less developed world. In Britain and in the developed world, where health education is greatest, we can help and encourage people to use methods of contraception that are safe for the user and that work, but that is not true of the vast majority of countries.

Now that there has been a change in the international climate, I do not believe—I say this with some temerity—that the threat of nuclear annihilation, diseases such as AIDS or global warming are the greatest dangers that the world faces. It is over-population that threatens us. The very life that we have debated tonight is threatened by it—the ability to feed ourselves and to cope with the developments that we are discussing. If we can use research in the 14-day period that we are discussing to

develop a safe and sensible method of contraception that works, we shall have done more for the future of humanity than anything that has been achieved so far.

Men respect the fact that they have expected women to bear the burden of contraception, and that was wrong. Therefore, as men, we have a special responsibility to find a solution for the future. That is why I shall vote against the amendment.

Mr. Key: The debate has progressed this afternoon and this evening. It has become better and better. Those hon. Members who sat through the Second Reading debate, and through some five hours of debate today, must agree that a great level of knowledge has developed on both sides of the argument during the past few weeks.

I agree with a great deal of what the hon. Member for Sheffield, Brightside (Mr. Blunkett) said, and I congratulate him on his perspicacious remarks about world population.

We are here tonight because the scientific community has told the House that they cannot take such decisions, and that is only right. I have no doubt that they will come back to us again in future years on such issues.

The hon. member for Newry and Armagh (Mr. Mallon) missed the point. It is precisely because scientists do not want to make a decision that they have come to us. We are not ill equipped to take such decisions and it is precisely because we are the House of Commons that we are in the best position to make them. We should not shirk that responsibility. Most of us are not medical or scientific experts. I certainly am not, but I seek to represent people's views and to make a judgment, and that is what it is all about.

One of the least attractive aspects of the debate in the past few weeks has been that lobbying from both sides has become a little strident. I shall seek to remain calm and cool for a few moments.

No one is being forced to take part in human fertilisation and embryology research and it is important to recognise that fact. No parents and no medical men or women are being forced to take part. I reject the concept that those who have a particular moral or scientific viewpoint should prohibit others who may wish to take advantage of particular procedures and who may have a different moral outlook on life. However, it is also important that we should get a few facts right. Much attention has been paid to what has been happening in Australia. My information is perfectly straightforward. When various states decided to outlaw IVF research, the Australians set up clinics in Singapore. The research continued in Singapore for the benefit of Australians, so arguments in that respect are completely sterile.

I am sorry that we spent so much time making capital out of the term "pre-embryo". It has been said that that term is a figment of the imagination of a wicked scientist. Far from it. It has also been argued that the term "pre-embryo" does not appear in medical dictionaries. However, a few years ago the term "AIDS" was not included in medical dictionaries. The term is an example of progress.

I want to refer to some of the important ethical arguments that have been deployed, not least today in *The Times*. It was interesting to note the article on one page by the Archbishop of York and, on the other, a letter from the Archbishop of Westminster and others, which I read with great interest. The Archbishop of Westminster wrote:

> "From the beginning of the fertilisation process, . . . the embryo is new human life. This fact alone should govern its status, dignity and rights under the law . . . We cannot justifiably do wrong even for a right reason or a noble cause."

I found that a very interesting and novel Christian argument, let alone moral or ethical argument. I was brought up on books about the just war argued by clerics. The hon. Member for Sheffield, Heeley (Mr. Michie), who intervened in the debate a few hours ago, was right to taunt one of my hon. Friends by asking whether he was a pacifist because he was opposed to embryo research. That is a very important point which we must address.

The Archbishop of York stated in his article in *The Times:*

> "Genetic union is decisive in that it produces a unique genetic formula, but it does not at that stage produce a unique and identifiable organism."

The archbishop then cited the question of twins. He continued:

> "If the morally significant dividing line occurs when there is a physical entity in which unique moral value can be perceived, this transition would seem to mark that change, though this is not to imply that the developing conceptus before differentiation lacks all moral status . . . Moral arguments such as these rest on the interpretation of scientific evidence, and it should not be surprising if sincere and godly people disagree."

And so say all of us.

Sir Bernard Braine: Will my hon. Friend give way?

Mr. Key: I will give way only if my right hon. Friend will reply to my letter of 12 April in which I asked him to explain his attack on me and other members of the Medical Research Council.

Sir Bernard Braine: At that time I was recovering from a criminal assault and I could not reply. If my hon. Friend is adducing scientific evidence in support of his case, what advances have been made in the treatment of genetic disease—any genetic disease—by experimenting with embryos?

Mr. Key: I should not have given way to my right hon. Friend, but I always give way to the Father of the House. We discussed that issue while my right hon. Friend was out of the Chamber. As has been stated frequently, it is a complete red herring to argue that anyone in favour of this research claims that it can cure genetic disease. That is a figment of my right hon. Friend's imagination.

We all want to reduce human suffering in so far as that is possible. We all agree that it is not permissible under any circumstances to perform destructive experiments on human beings, but we disagree about the definitions of human being. We all agree that experiments on living cellular components of human beings such as blood cells, sperm, skin cells and egg cells are permissible under reasonable conditions. Therefore, I believe that those who are opposed to research must consider the matter. These are signs of cellular life when there is an active metabolism, when the cell needs nutrition and when it can divide. If we accept that such cells have full human status, all human medicine and biology must cease, because every blood cell and every other cell must enjoy precisely the same right.

9.30 pm

Mr. Alton: Will the hon. Gentleman give way?

Mr. Key: No, I shall not give way again.

[Mr. Key]

This is an important ethical and moral argument, not a scientific argument. Science is not the right framework for addressing issues of value, soul or humanity. For that central reason, the scientific parts of the argument deployed by the Bill's opponents are not only acrimonious but rather pointless. Human status is acquired more gradually as development proceeds, and very early post-conceptual stages are entitled to some but not absolute respect and protection. That was also the view of the Warnock report. The difference is an intuitive value judgment and it cannot be sensibly resolved by debate on the genetic or metabolic attributes of the cells involved. That is precisely why the issue must be settled in Parliament rather than in the laboratory.

I do not wish to detain the House. We should address many detailed points in the future, but I shall put one important argument. Experimentation on pre-embryos does not pose a new moral problem. The essential principles have been accepted by society for many years. Most European societies, including our own, have accepted the use of the intra-uterine contraceptive device —the coil—various forms of oral contraception and the use of menstrual regulation to precipitate a delayed menstrual period. Each involves the loss of pre-implantation embryos. We do not regard that as unethical or illegal and we do not mourn the loss.

Those who oppose research none the less accept that, when there are more pre-embryos than can be placed safely into the womb, those remaining shall be allowed to perish. If pre-embryos perish in the process of research, how do they differ from those that perish by neglect? In the first case, they yield information that may help to improve the successful survival of future pre-embryos as a result of improvements in clinical practice. Is it not proper, therefore, to conclude that, for as long as the techniques of IVF are being used therapeutically, to oppose research is unethical?

There is, of course, arbitrariness in imposing any legal barrier across any continuum, which is what I believe life is. Ultimately the decision about where to place the barrier will be determined by a balance between benefits and losses. Whether or not to allow research during the first 14 days depends primarily on whether we believe strongly enough that it really is a worthwhile objective to provide couples with the opportunity to have a healthy baby. If we decide that that is a worthwhile objective, it should be pursued with the least possible trauma to patients and the least possible loss and wastage of pre-embryos. That is what regulated pre-embryo research is trying to achieve. Enlightenment cannot be undone.

Mr. Alan Amos (Hexham): This issue is not medical but moral. We all know what medical science and nuclear physicists can do. The question is whether we should allow them to do it. We know that natural selection already takes place in the process of fertilisation. Why should man interfere with that process and try to play God? If we agree to the 14-day period, this will be the most permissive legislation ever enacted, and it will put the United Kingdom increasingly out of line with European countries.

The so-called licensing controls would not safeguard the human embryo, any more than safeguards built into the Abortion Act 1967 have prevented abortion on demand, mostly for social rather than medical reasons. Of course the 14-day time limit would soon be challenged and we would be hearing calls for 21 days, 28 days and so on. Dr. Anne McLaren, who was a member of the Warnock committee, has already been talking about 16 and 17 days. Once we go down that road, we shall not be able to stop. Therefore, it is best that we do not start in the first place.

We were told last week, with extraordinarily convenient and suspicious timing, that sex can be identified three days after fertilisation, and male embryos were already being destroyed. Given that knowledge, it simply will not be possible to prevent selection on social rather than medical grounds, as has happened under the abortion legislation.

I am not and never have been against IVF, but I oppose the deliberate artificial creation of human life simply to destroy it. No other branch of medicine would allow the destruction of life to test new techniques. If passed, clause 11 will allow the in vitro embryo to be frozen, discarded, donated, sold and used for destructive research.

Mr. Dalyell: Will the hon. Gentleman give way?

Mr. Amos: No, I am afraid that I really must get on.

Mr. Dalyell: But the hon. Gentleman has misquoted the doctor.

Mr. Amos: I cannot give way. I really must get on.

On that basis the embryonic human being is therefore nothing more than an object; it is another example of the throwaway society that says, if it is not useful or convenient, get rid of it. But it is more than that. We are not talking about treatment and cure, but about culling and search-and-destroy operations—in other words, selective breeding. If we allow that, we shall be demonstrating yet again the extent to which we live in a moral vacuum.

The basis of my argument is that human life begins at conception. That is a moral and medical position. The basic medical textbook, "The Developing Human—Clinically Orientated Embryology" by K. L. Moore states:

"The development of a human being begins with fertilisation, a process by which a sperm from a male, unites with an ovum from a female."

The Geneva convention code of medical ethics reasserted the traditional principles of medical ethics in 1949 when it stated:

"I will maintain the utmost respect for human life from the time of conception; even under threat. I will not use my medical knowledge contrary to the laws of humanity."

It is significant that respect for human life applies from the moment of conception. The declaration of Helsinki, the main statement on medical ethics concerning research on human beings, adopted by the World Medical Association said:

"The doctor can combine medical research with professional care, the objectives being the acquisition of new medical knowledge, only to the extent that medical research is justified by its potential diagnostic or therapeutic value for the patient"—

in this case, the embryo.

"In research on man, the interests of science and society should never take precedence over considerations relating to the well being of a subject."

Human life begins at conception, not some flexible time limit determined by scientists or politicians, regardless of how uncomfortable that fact may be.

The use of the word "pre-embryo" dates back to the Warnock report and is designed to dehumanise the human

embryo. *Nature* magazine—one of the most respected scientific journals in Britain—suggested on 14 May 1987 that the medical profession should

"ban the use of the word 'pre-embryo' used by the voluntary authority as a synonym for a fertilised human ovum not yet implanted in a uterus. Put simply, this usage is a cop-out, a way of pretending that the public conflict about IVF and other innovations in human embryology can be made to go away by means of an appropriate nomenclature. The fact is that a fertilised human egg is as much deserving of being called an embryo as is a fertilised frog's egg."

Therefore, life begins at conception. An embryo is a living, growing, developing human being. If it is not life or human, what is it?

It must be stressed that, at the moment, it is not possible to identify or learn about the development of diseases by using human embryos before the target tissues has developed.

There is no evidence that outlawing the use of human embryos will prevent improvements in the IVF technique. Dr. John McLean has clearly shown that, in South Australia and Victoria, where there are bans, IVF development continues on a par with anywhere else in the world. The results, as measured by live births, are among the best in the world. All the work that has yielded results on genetic diseases so far has been carried out on live patients. Every cell of the body contains all the genetic information necessary. Cells can be taken from adult patients with a genetic disease to reveal how the genes produce abnormalities. No such information has been obtained from the use of human embryos.

As Progress has said:

"Research using human pre-embryos is not and never has been concerned with the treatment of genetic disorders or chromosomal abnormalities, rather, it is concerned with prevention."

Therefore, all the work on embryos is aimed at embryo biopsy, a technique that scientists hope to develop so that they can identify and destroy any afflicted embryos. Even here, deliberate attempts have been made to mislead the public into believing that embryo research will be a cure-all for every type of disease.

When society begins to use terms such as "pre-embryo", "product of conception" or "cluster of cells", it has begun to forget the essence of human life—that it is human, that it begins at conception, and, therefore, that it is to be respected. Let there be no doubt that the embryo research advocated in this country is aimed not at finding a cure for diseases but at weeding out and destroying affected individuals.

Chillingly, Progress has said:

"Only those pre-embryos that are diagnosed as being free from the genetic defect would be transferred to the woman's uterus."

The answer to finding a true cure for many of the genetic diseases suffered today is to follow the example of tried and tested procedures from some of the most respected scientists in the world. Professor Jerome Lejeune, and others discovered the cause of Down's syndrome. He has stated:

"The new developments in molecular biology applied to cells taken from adult patients with cystic fibrosis, muscular dystrophy and Huntington's disease have generated much greater understanding of the genetic factors responsible for these diseases. None of these achievements has involved the use of human embryos."

Experiments must be allowed only if they benefit individual human embryos themselves and are not simply search-and-destroy missions where human life is sacrificed for human convenience.

Much has been made of IVF in recent years and of its ability to produce children where the natural method has failed. When we talk about childless couples and infertility, we cannot fail to feel sympathy for them. However, it is another matter to say that the solution to infertility is artificially to create too much life and dispose of the unwanted. IVF, which is the deliberate creation of human life in the test tube, presents doctors and scientists with a dilemma. Not wanting to call it human, they dehumanise it and justify any destruction by referring to a "pre-embryo" or "cluster of cells". But any embryo that implants and starts to grow is immediately called a human being. Women do not say, "I am expecting a cluster of cells," or, "I am carrying a pre-embryo." They call it what it is—a baby. It is a unique human being from the moment of conception, not from 14 days or the appearance of the primitive streak.

It has been quoted ad nauseam that Robert Winston claimed recently on a television programme that the success rate for IVF was about 8 per cent. Yet a brochure produced by the clinics that sell IVF treatments to infertile couples, including Robert Winston's facilities, says that the success rate varies from 15 per cent. to 35 per cent. It seems that, when they want public sympathy, scientists say that the success rate is low, but when they want the public's money the success rate grows.

Mrs. Fyfe: Will the hon. Gentleman give way?

Mr. Amos: I am sorry, but I must conclude.

The Bill will not ban IVF. We must try to achieve a total ban on the artificial creation, and destruction of spare embryos and experimentation on them. Multiple implantation means multiple destruction. Where multiple pregnancies occur, it is common either to abort the surplus or, now, to choose selective reduction, which involves choosing which unborn children, as they will become, are to be killed because too many were implanted in the first place. Naturally, people will say that it is killing not a child, but a pre-embryo, a cluster of cells or the product of conception.

The creation of individual embryos for implantation through IVF can be justified provided that the embryo is transferred to the mother. The work of Dr. John McLean of Manchester university has shown that infertility treatments do not necessarily involve the creation of surplus embryos. His success rate is much higher than that achieved by current IVF procedures.

IVF is inefficient, expensive, time-consuming and dangerous for women. It can lead to cysts, coagulation, strokes, heart problems, ovarian cancer and many other problems. Babies born from IVF have three times the rate of low birth weight, five times the spina bifida rate and four times the perinatal death rate.

The technology exists for infertility treatment that avoids the artificial creation of human life. For humanity's sake, let us use it. Can we as a society ever justify the creation of human life for purposes which have no bearing on that particular life or the use of that human life so that inevitably it has a limited future? For many research scientists, that is immaterial. To create life for whatever

[Mr. Amos]

purpose, even if it is just to prove that it can be done, is enough. For others, the idea that life is created outside the human body is justification that it is not human.

To allow human embryo research is to infringe the moral rule that we should not use others for our own needs. What use is the Hippocratic oath, the Helsinki declaration or any other definition of moral values, if the people whom we trust—doctors, scientists and politicians—constantly and persistently abuse their special positions and live the lie that the unborn child is not alive and is not human?

Several Hon. Members *rose*——

The First Deputy Chairman of Ways and Means (Sir Paul Dean): Order. The wind-up speeches are expected to begin at 10.30 pm. Many hon. Members have sat through almost the entire debate, so I appeal once more for short speeches.

9.45 pm

Mr. David Martin (Portsmouth, South): I speak briefly, with no specialist medical or theological knowledge. I have given deep thought to the arguments for and against, particularly those advanced by many of my constituents. I have been helped considerably by the debates here and in another place, particularly by the contributions of Lord Walton.

The overriding reason why I shall vote in favour of embryo research being permitted to continue up to 14 days under strict licensing regulations is that I am as sure as I can be on the evidence that such research is likely to contribute to better information at the earliest possible stage in the development of human life, where there is a serious risk of giving birth to a baby suffering from such physical or mental abnormalities as to be severely handicapped, so as to make the best contribution towards preventing such births. I emphasise prevention, not cure.

I was particularly impressed with the wise, moving speeches of the hon. Member for Caernarfon (Mr. Wigley) on Second Reading and again today. Some insist on distorting this powerful reason for voting in favour of the research under the conditions set out in the Bill by accusing those who believe in it of a lack of care and concern for the severely handicapped who are already born. Such accusations are wholly unfair.

There is no conflict whatever in wishing, as I and many others do, to alleviate the suffering and protect the lives of individuals who are handicapped and whose handicap affects them and often their families, and wishing to allow research to continue, which assists in preventing the birth of further individuals to such a life. It is not a lack of concern for the sanctity of human life that makes most parents think or say anxiously immediately their baby is born, "Is the baby all right?" It is human nature and it is a normal understandable reaction. Given the choice, most people would simply not bring into the world a baby afflicted with a severe handicap which few know about, apart from institutions or families who cope lovingly and as best they can for years afterwards.

I strongly believe that it is unreasonable for those who are against late abortions—who is not against late abortions in an ideal world?—to want to ban research that would prevent many of them. Such people are against what is called destructive experimentation on the embryo yet would rather act in such a way as to permit the continuance of the destruction of a foetus later rather than to permit selective degeneration or the perishing of affected embryos, as nature does, healthy or not, at the earliest cell stage of life.

That degeneration occurs in circumstances far less distressing to the mother, father and family concerned. Far from being destructive in intent in the wider sense, embryo research is designed to improve the chances of bringing to full term another embryo that would not otherwise have been born. That assists creation, not destruction.

Mr. Alton *rose*——

Mr. Martin: No, I shall not give way.

The embryo research that is likely to proceed if we vote for its continuance will carry on according to the highest traditions and purpose of medical science as has been practised for many years. It is a force for a better life, not a worse one, and it will not lead to destruction. The slurs that I have heard on the medical profession and medical science are not justified by the evidence of many years.

Each major advance in medical knowledge and technique, from corpse dissection to the transplant of organs, to which my hon. Friend the Member for Derbyshire, South (Mrs. Currie) has already referred, was originally attacked as unacceptable and only later became an established and revered practice. I have no doubt that that will be the fate of embryo research and I hope that it will be able to continue as a result of our votes tonight.

Mr. Frank Field (Birkenhead): In a sense, I shall follow the speech of the hon. Member for Portsmouth, South (Mr. Martin), as I believe that it does the House no credit, nor does it further the argument if we try to impute motives, to either side. Earlier speeches have put forward a moral stance even if I disagreed with them. I hope that my contribution will be received in a manner similar to that which I am more that happy to concede to those who have a view different from my own.

It would be impossible for any hon. Member who has, over the years, heard contributions from the hon. Members for Caernarfon (Mr. Wigley) and for Bolton, North-East (Mr. Thurnham) to impute anything other than the highest motives to them even if, on the balance of argument, one comes to disagree with them.

Although some who have contributed to the debate find it easy to take a clear moral stance, I am not one of them. My moral stance is made up after seeking the balance of argument. Although my position is not as extreme as the one I shall quote, it is similar to those fighter pilots, American and British who, in the second world war, were asked to bomb German towns. They did so because they thought it was correct as part of the war effort, although they believed it was morally wrong. As a consequence, many of those pilots ceased to go to church or to receive the sacraments because they were so confused by the position into which they were put. When I have to reach a moral stance, I often find that I am in the twilight zone, the grey area, with those pilots rather than in the broad sunshine in which some people find themselves when they are able to pronounce that one position is moral and another immoral.

No one who heard the speech of my hon. Friend the Member for Barking (Ms. Richardson) could doubt that she put forward a moral stance based on trying to extend

human happiness. Most advocates of such a utilitarian view would hedge that objective with the important qualification that, while happiness is important, it cannot be promoted by itself, or one could devise all sorts of policies that would make people happy even if it meant the death of other individuals.

I emphasise that both sides are putting forward a moral argument, which should be respected on both sides of the House. It is because it is a moral issue that the deployment of arguments by the hon. Member for Bolton, North-East about what Gallup polls say is highly irrelevant to our arguments. If he were right, we would not need to be here and our constituents could decide all moral issues on the basis of Gallup polls.

Their decision on hanging would be different from mine. Doubtless, many minority positions, which I try to protect and, to some extent, promote in this House, would also be under severe attack if our only argument were to consider Gallup polls. It is important to know what the nation is thinking, but when deciding moral issues it is not a deciding factor.

The 14-day argument has taken on a significance in this debate which it does not have in the Warnock report. When one reads what Michael Banner has said about Warnock, one is struck by the arbitrary way in which Warnock had to pick a date, not for the embryo's protection, but for our protection. If a line were not drawn, at what point would the experiments cease? It was decided that the limit should be 14 day limit, not just because streaking then occurs but because, in the Warnock report, there is clear evidence that the cluster of cells before 14 days, although some are protein cells on which others feed, contains important characteristics borne by each of us, even down to the colour of our eyes.

We must be clear that the 14 day limit arbitrarily chosen by Warnock was not chosen, as some people mistakenly believe, to protect the embryo, but to protect what follows from the embryo, to call a halt and show where experiments should stop. Although the argument now is that few scientists ask for experiments beyond 14 days, that was not the argument originally put forward in our early days of discussion on this measure. It is one of the tributes to the House that what we have said has, to some extent, influenced the scientific community, and it is right that it should have done so.

When we consider the 14-day rule, we are, in one form, raising the fear of many people that, if experiments are approved, even on a limited canvas, we shall be on a slippery slope from which it will be difficult to escape. While the House is indebted to Lady Warnock for her report—even if, on balance, some of us disagree with it—it is surprising that she started us on that slippery slope by the contributions that she was reported to have made during the weekend.

If one says that hereditary titles are so important that we should be able to give those families the right to select whether they have a male or female child, how can we argue against the case that Muslims put forward because they value male children more than female children? They will want the same privileges as hereditary peers may be granted if Lady Warnock has her way.

There is a worry about the slippery slope and we must confront it in our debates. I take issue with the Father of the House——

Mrs. Fyfe: My hon. Friend mentioned a slippery slope. Surely he will agree that the Bill presents no opportunity for people to choose, purely on the grounds of preference, which sex they would like their child to have for hereditary purposes. Is it not therefore rather misleading to talk about a slippery slope when my hon. Friend knows full well that any such proposal would have to return to the House and be voted on, with the likelihood of its being overwhelmingly voted down?

10 pm

Mr. Field: I was going on to say that the Father of the House was not apparently prepared to accept a challenge in the way that some of us are prepared to accept it. Although we have not debated hereditary purposes it has been argued that if it is known that a male or female child is the carrier of a certain hereditary disease we should not force the mother to have implanted in her an embryo that would carry such an hereditary defect. Even though others might not agree, I say unequivocally that we should not put her in such a position.

I bow to the Father of the House in the matter of what is supposed to be in the schedules to the Bill but I shall be looking for a form of experimentation done on a limited scale to stated individuals. If the schedules do not provide for that, we shall return to the issue on Report, even though I shall be voting, given the crude choice that we face, against experimentation up to 14 days.

The gains that we have made from experimentation are a gift of God, just as life itself is, although I know that our ability to discover is not always matched by our ability to behave humanely. Some of the awful events of this century testify to that.

I end with some of the comments of Miriam Rothschild:

"Looking back at the first half of my life as a zoologist I am particularly impressed by one fact: none of the teachers, lecturers, or professors with whom I came into contact—and that includes my kindly father—none of the directors of laboratories where I worked, and none of my co-workers, ever discussed with me, or each other in my presence, *the ethics of zoology*. Nor did they ask me what I was trying to do, what were my zoological aims and aspirations, and in what framework I saw the life-cycles I was elucidating. No one ever suggested that one should respect the lives of animals in the laboratory or that they, and not the experiments, however fascinating and instructive, were worthy of greater consideration."

We must strike a balance tonight—not about animals, because the debate has rightly moved on from them. I refer to a balance between the beginning of life and the gains that can clearly come from experiments on some embryos.

Mr. Julian Brazier (Canterbury): On Second Reading I declared an interest in that I said that my wife and I had undergone an IVF procedure as a result of which my wife is expecting twins.

I have always been and I remain opposed to destructive embryo experimentation. I should like to read from a letter that I received this morning:

"I am writing to you to hope that you and your wife enjoy a very happy Parenthood. Now you are all right Jack—Sod us lot! So you go off and put in your little vote and let the rest of us carry on suffering."

The point that the lady makes is fair if somewhat blunt, and Members of the House and several members of the medical profession have put the same point to me more politely.

[Mr. Julian Brazier]

It will not surprise the House to learn that I want to devote my few minutes to a single point: how can it be consistent on the one hand to be in favour of the IVF procedure and on the other to be against destructive experiments on embryos? That position, which is also the pro-life position, must hinge on the question: is it necessary to have destructive research for a successful IVF programme?

The subject of South Australia has come up time and again. I should like to quote from a letter from Professor Winston. We are fortunate to have him in the Strangers' Gallery listening to the debate. I think that it was a letter to a medical journal, and it says:

"Since research was banned there, Melbourne's clinical results have languished."

In that letter, he also refers to "Melbourne in South Australia."

The letter prompted a reply from a senator in South Australia—from the Hon. Dr. Ritson, a senator and a doctor of medicine. He comments in some detail and says:

"Melbourne is not in South Australia. The city of Adelaide is the capital of South Australia . . . More important than the geographical blunder, is the significance of the successful pioneering of IVF work in Adelaide, which achieved world recognition."

The pioneering work has taken place since the ban was imposed.

The letter goes on:

"the upper house of Parliament in South Australia appointed a Select Committee to examine the wide range of concerns raised by IVF and related matters. I was a member of that committee. I am also a medical practitioner. The Committee sat for three years . . . Contrary to Professor Winston's assertion that in South Australia we no longer have flourishing IVF programmes I believe the technical data in the report I have sent you indicate the level of current success and compares favourably with world standards. It may be true that there are a few scientists here who are disappointed at the legislative obstruction of particular research projects . . . but there is no scientific lobby here for change . . . not only have clinics flourished since the legislation was enacted"—

that legislation is almost identical to what we call for in amendment No.1—

"but also the public controversy has died down".

I have quoted the example of South Australia, but could equally look at Norway, which abolished destructive research on embryos in 1987. I believe that it now has the highest number of IVF treatments per head of population of any country. Germany is about to go down the same route. The Government there are about to enact legislation almost identical to what is proposed in amendment No. 1, which the Government are allowing us to debate, and the German Government are under pressure from the Opposition to go even further.

I should like to leave the Committee with a final thought. I received a letter from a couple with an infertility problem. It says:

"We are an infertile couple opposed to embryo experimentation. We know many other infertile couples, and as far as we know not one of them approves of embryo experimentation, yet as far as the media are concerned we don't exist. We have written countless letters to newspapers and rung up television phone-ins, but no one will let us put our point of view, because it undermines the most common defence of such experimentation—that we must have it to help infertile couples. No one should underestimate the immense pain of infertility"—

I can certainly second that—

"but it's a principle in all civilised societies that we don't destroy other human beings, at whatever stage of development, as a means to an end, no matter how good that end might be in itself."

The letter goes on to say that one of the couple suffers from spinal muscular atrophy. The last sentence of the letter is significant:

"Our society is developing a deep sickness when we treat children like selecting goods from a supermarket".

We have a serious epidemic of child abuse in my constituency. Without wishing to go out of order, I should like to say that the beginning of the abortion culture in this country 23 years ago was the point at which the statistics for child abuse started to turn up. For that reason I shall vote against embryo experimentation.

Mr. Burt: I am grateful for this opportunity to contribute to the debate. I sometimes wish that our constituents who are so certain on the matter could have an opportunity to listen to our debates or leaf through the full copy of *Hansard* to learn about the balance of views. If they did that, they would realise that being a Member of Parliament is sometimes not an easy job, especially when we have to decide on issues such as this.

Respect for human life, its sanctity, the right to life and the quality of life are at the heart of the greatest debates in this place. Party political matters come and go. The political cataclysm of yesterday is in the historical footnote of tomorrow. The issues that concern the essence and existence of human beings are the real stuff of parliamentary debates.

Science has brought us a matter that our forebears could not have dreamt that we would be talking about, and an issue that finds us bandying terms about which, unless we are insufferably arrogant, we should admit that we knew little until we were elected to this place. Science is right to come here, as my hon. Friend the Member for Salisbury (Mr. Key) said, because it is right that it should look to a moral lead from this place, however unworthy it may be. It is right to do so because, if we accept that we do not wish to live, as we do not, in a means-to-and-end scientific climate, then somebody must set the rules.

We bow to the men and women in their white coats because of their knowledge of their subject, which they will know up to Nobel-prize winning ability. However, on the morals or ethics of that work, their opinion is worth no more than mine, that of any other hon. Member, or that of the humblest of our electors who had troubled to turn his mind to the rights and wrongs of an issue. That is why it is so necessary that we look at the matter.

One point has not captured the public imagination as it should—the alternatives to such research. There has been a tendency, particularly in the media, to portray the two sides in the battle as stark. On the one side are the scientists who, by and large, agree that embryo research is for the good and should be supported, because if it does not continue, all research into genetic disorder and infertility will come to an end. The other sides is often portrayed as a moralist, usually religious, who says, "I am against this for religious reasons," and that is about the end of the argument. The newspapers present that as a balanced debate.

We know that the truth is far from this stark position. A substantial body of opinion, consisting of scientists, medical and lay people, is against embryo research. This is not because these people do not care for the infertile or for the families that suffer from genetic disorders, but because

they hold the embryo to be something special and because they know that there are alternatives in the research on these problems.

For the lay person yet to make up his mind on the topic, this distinction is crucial. People know that there is something special about the embryo. They may not have quite decided whether it is a blob of cells or a human being, and probably think it falls somewhere in between. They are not sure, but they know that the embryo is not like everything else.

What guidance do such people have in forming an opinion about what research may be done with an embryo? If they knew more clearly that embryo research on genetic disease discarded embryos affected by genetic disorder, rather than curing them, and if they knew of the other work that has already been done on genetic disorder, I suspect that they would have a different view on whether it was right or wrong.

My hon. Friend the Member for Bolton, North-East (Mr. Thurnham) mentioned the Gallup poll commissioned by the Society for the Protection of Unborn Children in which, he said, a majority of 58 per cent. agreed that there should be research to help genetic disorder. However, he did not speak about the second question in the poll, which was:

"If the principal aim of the research into genetic diseases was not to find a cure or treatment but was to try and identify an afflicted embryo so that it could be discarded do you think human embryos should or should not be used for these types of experiments?"

The majority was reversed in the answer to that question: it was against such experimentation.

This distinction is crucial. We must establish that the embryo is special. We have heard tonight about alternative methods of genetic experimentation, for example, into cystic fibrosis and Down's syndrome, using bone marrow donated by adults. If people knew more clearly that this work was going on, they might ask why we should go down the road of embryo research.

That was the great fear that my hon. Friend the Member for Newbury (Sir M. McNair-Wilson) put before the House when he asked where the evidence was that embryo research had succeeded in producing any good work in the areas that we are discussing. He said that he had searched and that he could not find. If we have evidence of good work being done and other evidence of a Pandora's box, why should we continue down the road of research?

There are serious questions to be answered that could open a Pandora's box. What do we do with the frozen embryos that now exist whose mother, or father, or perhaps both, are no longer with us? Who owns those embryos? Who will explain their origin at the appropriate time? What do we say when the scientists tell us, "With a bit more time we shall know what we are doing. Will you give us more than 14 days?"? What do we say to people such as Jacques Testart, one of the pioneers of French IVF treatment, who gave up his work because he was afraid of where it would lead?

10.15 pm

Those who share my view recognise that we are, in effect, closing down an avenue of research. Of course we are but, with hand on heart, we do not know where it might lead. We do know, however, where other work leads. We know what can happen and we are afraid of where embryo research might go.

The human mind has no limitations. There are many problems to which ultimately it will find the right answers, but it may take time to do so. One avenue may be shut, but another will open, and opportunities will be found. It will be far better to pursue the first avenue than to take the one of embryo research, for if we take it, we know where we go.

Mr. John Hannam (Exeter): This is a fascinating debate, in which the House has moved across a wide spectrum of moral, ethical, scientific and conscience issues. At each end of the debate, there are protagonists who feel so strongly that no amount of argument will sway their views. Like the hon. Member for Birkenhead (Mr. Field), I do not believe that one side represents the moral issues and the other side the humanitarian or utilatarian ones.

I am a practising Christian and, therefore, I believe in the sanctity of life. I do not accept that carefully controlled research using embryos for up to 14 days breaches my Christian belief, nor, I suggest, does the switching off of the life support machine of a brain-dead person.

Like my right hon. and learned Friend the Secretary of State, I do not know exactly when life begins. Different aspects of being human occur at different times. In the treatment of infertility, which affects one couple in eight, the fertilisation of the egg by the sperm does not take place during the physical union of the man and woman. Pregnancy begins at the stage of implantation rather than fertilisation.

In any event, the question of when life begins may be irrelevant to the couple concerned. They are choosing one of three options: starting a pregnancy with an implanted embryo which is not affected by the disease genes which they carry; the risk of the birth of an affected child and having prenatal diagnosis; and the option of terminating the pregnancy by abortion, which is something that we all wish to avoid.

Pre-implantation diagnosis is not an experiment in itself. It is a diagnostic technique that is applied to embryos destined to be replaced in the uterus. The development of the procedures for this, however, requires limited research on embryos. Pre-implantation diagnosis is not a cure, not is it a treatment. It is the prevention of pregnancy with a diseased embryo, and an alternative to abortion of a diseased foetus following prenatal diagnosis.

Legislation is necessary to regulate research on embryos, to protect the integrity of reproductive medicine and, in these days of legal actions, to protect scientists and clinicians. Legislation is required also to allay the fears of the public. When we do not understand technology that is meant to serve us, we begin to fear it and its possible side-effects. Some people who are prepared to agree to embryo research because of the obvious benefits in specific areas such as infertility and genetic disease become uneasy because of the fear that reproductive technology could take more sinister directions, such as genetic interference with the embryo.

There would be no purpose in attempting genetically to cure embryos that are diagnosed as diseased because the diagnostic test itself would simultaneously identify the normal embryos without a defect. Characteristics influenced by many genes, such as intelligence, appearance or ability, cannot be identified or genetically engineered in the human embryo. In addition, the licensing authority and the ethical committees would ban genetic interference as well as selection of embryos on trivial grounds.

[Mr. John Hannam]

Having worked for many years in the area of disability and having had the moving experience of meeting and helping people with severe disabilities, I have been inspired in two ways—first, in undying admiration for their courage and determination and, secondly, in my determination to do all that I can to prevent as much handicap and illness as possible.

Believing as I do that one way to prevent some of the fearful disablements is through embryo research and implantation, does not mean that in some way I am casting disrespect on disabled people or their carers, or doubting their love. We have heard movingly from Members of both Houses who have borne genetically handicapped babies, and in a recent lobby of Parliament several hundred parents and children came to Westminster Hall. No doubt can be cast on their motives or ours if tonight we agree to research.

Britain is respected throughout the world for the sensible regulatory approach that it has adopted in these sensitive areas. We are also respected for the innovative and productive research that has resulted. The research is all licensed and open to scrutiny, and at present it is unrivalled in any other country. That system of well-tried surveillance and licensing has prevented any danger of the slippery slope syndrome in this country. The trappings of control may be irksome, but they are remarkably effective and have produced the best research system in the world.

Slippery-slope arguments are good arguments for regulation and surveillance, but they are bad arguments for total prohibition. The best way to avoid the slippery slope is to erect the fence before the dangerous part, and that is what the Warnock recommendation does.

The history of medicine is full of examples of reverence for the human body without loss of respect for persons. I have long campaigned for greater access to transplant surgery and, indeed, introduced my Corneal Tissue Act in 1986. As my hon. Friend the Member for Derbyshire, South (Mrs. Currie) said, for many years during our lifetime, transplant surgery was felt to be shocking, although now it has become a symbol of man using God's gift of the brain to preserve human life. I do not believe that medical scientists working in that area are in some way tampering with nature and that it is wrong to work towards helping childless couples or parents carrying genetic disorders that are certain to produce terribly handicapped children.

Yesterday's interview in *The Sunday Telegraph* with my hon. Friend the Member for Bolton, North-East (Mr. Thurnham) and his wife pointed clearly to the two standards of my speech: first, the love and protection given to their handicapped son, Stevie; and, secondly, the conviction that everything possible should be done to prevent the pain and suffering caused by such abnormalities. Lord Carter, who has had two severely handicapped children—one of whom died at the age of 19—and the hon. Member for Caernarfon (Mr. Wigley), with a similar experience of such a tragedy, are both fighting for this research. It is their voices to which we should listen as we reach our conclusions on this matter.

I wish to draw together the threads of my thoughts. First, I do not believe that in a Christian society we must accept the birth of handicapped children when many handicaps could be avoided. There will still be many disabled people to love and to care for, but they will not have chosen to be born handicapped. Secondly, I believe that the 14-day limit is about right, because it relates to a well-known embryological event—the formation of the primitive streak, which corresponds to the end of the period during which the conceptus can form two or more embryos rather than just one. It is a landmark that is genuinely and immediately related to the emergence of the single individual from the conceptus. Thirdly, I do not think that this research can be successful using animals or by other means and I am not hopeful of other techniques for fertilisation.

I hope that the House will share my belief that, as mainly healthy people blessed with healthy children, we should think long and hard before depriving others less fortunate than ourselves of the chance not only to have children but to have healthy, non-diseased children. Let us give full support to controlled research and vote against the amendment.

Mr. John Bowis (Battersea): Having sat through every minute of the debate, and unsuccessfully through Second Reading, I am sure that I have heard all the arguments. The fire and thunder of the early part of today's debate has given way to several thoughtful, persuasive and eloquent contributions from right hon. and hon. Members in all parts of the House. Not least among them was the speech of my hon. Friend the Member for Exeter (Mr. Hannam), and on the same side of the argument, the speeches of my hon. Friend the Member for Derbyshire, South (Mrs. Currie) and the hon. Member for Caernarfon (Mr. Wigley). We heard a significant speech for the other side of the argument from my hon. Friend the Member for Bury, North (Mr. Burt). It has been a memorable debate.

I shall vote for the amendment for several reasons—not least because I disagree with my hon. Friend the Member for Salisbury (Mr. Key), who did not see much difference between an embryo and a blood corpuscle. I also found a new reason for voting as I shall after listening to the speech of my hon. Friend the Member for Havant (Sir I. Lloyd), with its frightening vision of science that should never be restrained and of a door that, once opened, ought never to be closed. If one looks down a slippery slope, to repeat a phrase that has been used often in the debate, sometimes a step backwards and further thought makes good common sense.

I shall also vote for the amendment because of the remarks of the hon. Member for Preston (Mrs. Wise) concerning absolutism. I do not take an absolutist's position, but I hold some doubts. We must consider the balance of doubt between the interests of the potential for life and the interests of future lives. On balance, I vote for the possibility of a live human being an entity that needs protecting.

There is no question but that all right hon. and hon. Members support research. We rejoice in the examples that we have heard of the results of successful research—but do we want it carried out on an entity that might become a human being? The word "perish" comes to mind so often when considering what is to be done with discarded embryos. If something can perish, it follows that it has life—and something that has the potential for life should be protected.

What is the purpose of embryo research? Is it necessary and right? I want to discount once and for all the arguments relating to the pre-embryo, which have been

slightly off beam. It is a question not of the actual term that is used and whether it is in the dictionary, but of the need felt by some people to define a term to meet the case. It is a linguistic device to justify the definition of pre-embryo, meaning an embryo upon which research can be undertaken and which can be destroyed.

The Bill implicitly acknowledges that there is something wrong with research. If that were not the case, it would not need to exist. It would not need to specify that research must be undertaken under certain conditions. That persuades me that behind the Bill is a feeling that there is something wrong about embryo research. The question is whether that something wrong is overridden by the benefits accruing from such research.

Professor John Marshall, professor of clinical neurology at the university of London, who was a member of the Warnock committee, says:

"because the entity has the potential to become a person, one affirms that it should not be interfered with, that nothing should be done that prevents it realising that potential".

We are told that the purpose of embryo experiments is twofold; partly research and partly understanding or preventing handicaps. In the latter case, one is talking about the elimination of abnormal or diseased embryos.

Right hon. and hon. Members have spoken of the dangers inherent in selecting the species in that way. I remind the House of the view held by the American geneticist Motulsky that aborting an abnormal foetus would not provide the answer to genetic disease. If one killed off every embryo, foetus and child born with cystic fibrosis, because of genetic mutation it would still take 1,250 years to halve the gene frequency and in the case of sickle cell anaemia it would take 750 years. In some cases it would take thousands of years to halve the frequency of a disease.

10.30 pm

Understandably, people regret the 10 to 15 years that it may take to find true therapy for such diseases. It is tragic, but that time delay is as nothing compared to 1,250 years for a technique that is destructive.

My hon. Friend the Member for Portsmouth, South (Mr. Martin) referred to Lord Walton, but in the other place he accepted Professor Lejeune's view that the treatment of genetic diseases cannot be achieved by embryo research.

The other body that has been flooding us with information, the Royal Society of Medicine, posed this question: has human embryological research prevented any genetic diseases? It came up with the answer no. Its objective is the early identification of conceptuses carrying genetic disorders. Therefore, it is not research that will lead to prevention of such diseases, which we all should like to see. However, there are alternatives through gene therapy, and molecular biology, which do not involve embryo research.

Consider the recent achievements throughout the world —for example, the achievements in Oxford on muscular dystrophy, in Cambridge Massachusetts, on auto immune disease, the National Institute of Medical Research's achievements on sickle cell anaemia and the achievements at Trinity college, Dublin on retinitis pigmentosa. All those achievements were made and all that research has benefited mankind without the need for embryo research. I have come to the conclusion that embryo research is not right, it is not necessary, and in some cases it can be dangerous.

Finally, as a text to close my contribution, I take the Helsinki declaration, which was drawn up by the World Medical Association and signed by the British Medical Association. It states:

"the interests of science and society must never prevail over the interests of the individual."

I believe that most hon. Members would agree with that. Where we are divided is over when the individual comes into being. The balance of doubt, the question mark, and the hope are on the side of that small embryo—a small piece of humanity that has life ahead of it. I shall vote in favour of the amendment and in favour of the embryo and its future.

Mrs. Gorman: On a point of order, Sir Paul. I have sat through the whole of the debate, as have many other hon. Members. I asked to be called several days ago and I have not been called, which accords with the Army principle that, if one knows something about a subject, one will not be asked to do it. Speaking as possibly the only practising biologist in the House and also as a genetic scientist, I have never heard so many confused arguments attributed to scientists as in this debate.

The First Deputy Chairman: I am sorry that the hon. Lady and a number of other hon. Members were disappointed. Alas, time has run out and there is nothing that the Chair can do about it.

Ms. Harman: Much of tonight's debate has focused on the moral questions raised by embryo research. The Secretary of State gave the House a helpful formulation when he said in his opening speech that we have to balance two moral obligations—the obligation to respect life and the obligation to alleviate suffering. A regulated legal framework to allow embryo research to continue meets both those moral obligations. The moral and scientific case for research is overwhelming.

Many hon. Members have asked when life begins. The beginning of life is a process with many milestones of development. Fertilisation is followed by the multiplication of cells. Fourteen days after fertilisation, most cells go to form the placenta and some form the embryo. I do not believe that the embryo before 14 days, when those cells are separating and before the appearance of what is called the primitive streak, is sufficient of an individual to deny us the chance of research. The value that we should place on that stage of embryonic development should not preclude research.

That research has already produced great benefits for those who suffer infertility or have had a child suffering from a genetic disorder. Research promises further benefits to improve the treatment of infertility, to understand the causes of miscarriages and to develop a contraceptive vaccine.

Infertility is a major problem. It is a devastating blow for a woman who wants a child to discover that she cannot have a baby. No matter how happy one's marriage or how fulfilling one's job, the inability to have a baby casts a blight over the lives of hundreds of thousands of people. It is estimated that at least one in eight couples have fertility problems. We all know people who are trying unsuccessfully for a baby. Sadly, that is still not talked about openly and there is still a sense of embarrassment and stigma about the subject.

Embryo research can help childless couples in three ways: through IVF—the so-called test-tube baby treatment; through understanding the causes of infertility among the 40,000 couples where the reasons remain a mystery, and through the understanding of, and chance to treat, the misery of repeated miscarriage.

Embryo research will also help in the search for a contraceptive vaccine. It makes me smile when I hear contraception talked about in this House as though it is entirely a Third-world issue. The argument is that we need a contraceptive vaccine because of the population problems in the Third world. I remind hon. Members that there are women in this country as well. The battle for a safe, effective, convenient form of contraception is still far from won. A safe contraceptive vaccine would benefit women in the Third world, but it would also benefit women in this country, as the 200,000 unplanned and regretted pregnancies in this country every year testify.

Most of all, the case for continued embryo research is made by families with a child who has died an agonising death from a genetic defect. Some of the stories of those children are almost too painful to recount. Let us consider the case of David Gower who is now six years old. His mother told his story on "Newsnight" last Friday, as some hon. Members may be aware. Until about 18 months ago David appeared to be a perfectly normal boy, but he has muscular dystrophy. Soon he will not be able to sit up, crawl or feed himself. Eventually he will not be able to draw breath and it is thought that he will die before he is 12. His mother, Sue Gower, said:

"People who are not in this position know nothing of the traumas, nothing of the screaming child that we have because he is frustrated because he cannot do things and the pain he suffers. To hear your child lie there with tears rolling down his face, saying 'Mummy make it better', is agonising because there is nothing I can do. I have to sit and watch him die and that is why I would not want to put another child through this agony."

Parents like Sue Gower face an agonising choice. They can have another child and risk the same dreadful suffering, they can remain childless or they can become pregnant and face the difficult decision of an abortion if the foetus is discovered to carry the same defect. As the hon. Member for Greenwich (Mrs. Barnes), who has faced that problem, said, it is a terrible thing to have to decide whether to abort a much-wanted pregnancy.

Embryo research through the development of pre-implantation diagnosis offers mothers like Sue the chance to have a healthy child. Beneath the speeches of those who have argued against continuing embryo research is an underestimate of the value of medical research—somehow the suspicion of medical science. We have heard much talk about Nazi Germany and Dr. Mengele.

We have been warned not to be starry-eyed about science. Let me warn the House not to be starry-eyed about nature. Nature gave us death by smallpox and medical research gave us vaccination. Nature gave us disability inflicted by polio and medical research gave us immunisation that a child can take on a cube of sugar. Nature gave us kidney failure and medical research has given people the chance of a new life through transplant. I well remember when the transplant programme was beginning 20 years ago. People said, "Hang on a minute. Is this really natural? Is it ethical to take an organ from someone's body to give someone else a chance of life?" Now, with the enormous success of the transplant programme, we recognise that it has been one of the greatest advances of medical science in the past quarter of a century.

Mr. Cormack: I am sure that the hon. Lady does not mean to be unfair, but she should not suggest that those who have misgivings about embryo research are against research per se—we are not. However, we believe that to destroy life in the interests of life is in itself wrong. That is why we are disturbed about it.

Ms. Harman: I hope that, if the hon. Member for Staffordshire, South (Mr. Cormack) seriously believes in medical science and the benefits that it can offer, he will vote with me to allow, under strict regulation, embryo research to continue.

Nature can be hideously and monstrously cruel. It is nature, through the genetic disorder of epidermolysis bullosa, that takes what appears to be a perfectly healthy baby and strips its skin off and leaves it to die in agony. It is nature, through muscular dystrophy, that takes an otherwise healthy young boy and, as other teenagers taste their freedom, confines him to a wheelchair. As his friends grow towards adulthood, he disintegrates and dies. Medical research on pre-embryos offers families with a genetic disorder the chance of a healthy child.

Competing scientific claims have surfaced in the debate. Hon. Members such as the right hon. Member for Castle Point (Sir B. Braine), who would ban further research,

argue, "We could still have IVF even without further research." But we can do IVF only because of past research. It is illogical to ban the research but allow the treatment that that research has created. It has been argued that we can somehow improve the success rate without further IVF research. The argument is that the amount of experience that a clinic has, rather than research, determines the success rate. Of course the more we carry out a technique the better we get at it, and therefore the higher the success rate. But that gives us only marginal improvements. The real breakthroughs to substantial improvements in the success rate will come only with research.

It has been argued that we can carry on with pre-implantation diagnosis without further pre-embryo research, but those involved in pre-implementation diagnosis do not believe that that is true. We must hear what they say. It has been argued that we can use animals to carry out research, but some aspects of development are different in human and animal embryology. As the hon. Member for Bolton, North-East (Mr. Thurnham) rightly pointed out, the statutory licensing authority will not allow research on embryos if it could be done on animals instead. It has been argued that scientific opinion is divided on whether pre-embryo research should continue and that there is equal weight of scientific opinion on each side. That is not a fair representation of the case.

The Medical Research Council has taken the unusual step of a strong policy statement backing early embryo research. The Royal Society cavassed its 2,000 fellows, and doubts were expressed by only three. If there is a division of opinion, it is between those who are currently involved in medical research and know its benefits and possibilities and those who are not involved in medical research and do not know its benefits and possibilities.

Some have argued that pre-implantation diagnosis undervalues the life of those with genetic disorders. It is an affront to argue that, not least to parents in organisations such as Mencap, and to imply that because they support embryo research they do not care about people with handicaps. Mencap is an organisation consisting largely of parents of mentally handicapped children. They support the continuation of embryo research because they know and care. It is not the case that parents in such organisations do not know the difference between screening and cure—the so-called cruel misrepresentation that somehow a cure will be offered. Any parents who have watched a child die of a genetic disorder have the best reason in the world to be absolutely expert about the possibilities that medical science will be able to offer them in future.

10.45 pm

No one is saying that anyone would be forced to undergo pre-implantation diagnosis. We are saying only that those who want it should have the choice and that, as my hon. Friend the Member for Sheffield, Brightside (Mr. Blunkett) made clear, embryo research should be allowed to continue within a carefully laid down legal framework. There should be no animal experimentation or cloning, no research outside narrowly defined purposes, no research beyond 14 days and no ability within the law to choose the sex of a child for a peerage or any other reason. We are not talking about a free-for-all.

People who have benefited from embryo research, such as the hon. Member for Canterbury (Mr. Brazier), should not vote to deny others the joy that he finds in his child. Those of us who have not suffered infertility or faced the misery of miscarriage and who are blessed with healthy children are fortunate. But thousands of other people are not so fortunate and we should heed the suffering of infertile couples and listen with humility to parents who have watched a child die. To allow them hope, I hope that the House will join me in voting for embryo research.

The Minister for Health (Mrs. Virginia Bottomley): The House has today had a significant debate on a matter of importance to many people in the country. The debate marks the culmination of the long period of public discussion of the central issue posed by the Warnock committee in its report published in 1984: should research involving human embryos be permitted under strict statutory controls, or should such research be prohibited?

Whichever side individual Members take on the issue, all should agree that Parliament has done justice to the deeply held and very sincere views of our constituents. Twenty-six right hon. and hon. Members have spoken in the debate, and I regret that my hon. Friend the Member for Billericay (Mrs. Gorman) and others have been here throughout and have not had the opportunity to speak.

It is to the credit of the House that the subject has been treated with the care, attention and solemnity which the issue deserves. Such occasions see the House of Commons working at its best. As the representatives of the people, we are meeting to decide matters of great consequence.

There are issues of ethical, legal and social as well as scientific interest and importance in the embryo research question. It concerns the beginnings of life itself. We should have failed if we had not approached them with the utmost seriousness. There have been arguments for and against research. They were put at some length and with eloquence by my right hon. and learned Friend the Secretary of State in his introductory speech.

The amendments which we have been debating tonight were tabled by the Government in the interests of securing orderly debate and emphasising the even-handedness with which we are committed to dealing with the arguments for and against the central proposition.

The Government have fulfilled their central undertaking in the White Paper, that Parliament would be given the opportunity to vote on alternative clauses dealing with the matter. To meet that commitment fully, we introduced a drafting innovation when the Bill was introduced in another place. Clause 11 was constructed with two mutually inclusive provisions: one providing that the new authority to be set up under the Bill should be able to issue licences for treatment, storage and research, and the other that research should be prohibited. The House now has the opportunity to prohibit or to permit, under strict control, research on human embryos.

The arguments against research have been put eloquently by many hon. Members whose views are worthy of the deepest respect. They are essentially that, whatever the benefits of research, it is repugnant to contemplate allowing the use and destruction of the human embryo in the cause of research. That is because, in their view, the embryo demands the protection of the law because of its status as a human being. For them, that is an unshakeable principle and a matter of the strongest conviction. Some have also argued that the same ends can be achieved by other means—for example, through using animals—and that, were research to be permitted, even

[Mrs. Virginia Bottomley]

under the strict controls contemplated in the Bill, there is no guarantee that in the future those who wish to undertake such research would not seek to extend the framework to which Parliament might have agreed.

Perhaps the most fundamental argument about research is on the status of the human embryo. We have heard many speeches today addressing that complex problem in great detail. Those who oppose research believe that life starts at the moment of conception, when the sperm fuses with the egg. From that point, they argue, it becomes an individual human being deserving of the rights and protection of a human being at any stage in its development, including childhood and even adulthood.

The case of those who support embryo research was put strongly by the hon. Members for Peckham (Ms. Harman) and for Barking (Ms. Richardson). They believe that an embryo should be properly protected and respected but that, up to 14 days, it is a set of undifferentiated cells, only a few of which will go on to form the embryo, and that it accrues fuller rights as it develops until it is born as a baby, when there is no divergence of views about its status.

It might be helpful if I summarised briefly the principal purposes for which, if Parliament agrees, the new authority will be permitted to license research. They are set out clearly in schedule 2, and they are highly specific. Projects would be licensed only for those particular purposes, and the licences would be time-limited. Those purposes would be to promote advances in the treatment of infertility, to increase knowledge about the causes of congenital disease, to develop more effective techniques of contraception, to increase knowledge about the causes of miscarriage and to develop methods of detecting the presence of gene or chromosome abnormalities in embryos before implantation.

Many hon. Members have spoken on the basis of personal experience. Others have spoken on the basis of detailed scientific knowledge on various aspects of the matter. We have had some excellent speeches. I hesitate to pick out particular examples but I should like to mention the passion of my right hon. Friend the Father of the House, who spoke strongly; the sincerity of my hon. Friends the Members for Bolton, North-East (Mr. Thurnham), and for Derbyshire South (Mrs. Currie) and of the hon. Members for Greenwich (Mrs. Barnes) and for Carmarthen (Mr. Williams), all of whom spoke with experience, and whose voices we have heard previously on this matter.

Similarly, I must mention the clarity of my hon. Friend the Member for Selby (Mr. Alison) and the candour of the hon. Member for Glasgow, Maryhill (Mrs. Fyfe). My hon. Friend the Member for Havant (Sir I. Lloyd) has frequently made powerful speeches on scientific subjects. My hon. Friend the Member for Salisbury (Mr. Key) has a special position working with the Medical Research Council. I must also mention the thoughtful speech of the hon. Member for Birkenhead (Mr. Field).

My hon. Friend the Member for Newbury (Sir M. McNair-Wilson) asked what good had come out of embryo research in the past four years. I have already referred to some of the specific purposes for which research would be licensed by the new authority. The arguments for such research have been put lucidly and at length by many hon. Members. They include the importance of tackling infertility, studying miscarriage, dealing with the estimated 4,000 hereditary diseases and enabling parents to produce children free from handicap. The new developments at the Hammersmith hospital have been referred to. I visited the Rosie maternity hospital in Cambridge to talk with the patients and practitioners about the value of the work that was being undertaken.

Several hon. Member raised detailed points. I fear that I shall not have the time to deal with all of them on this occasion, but I shall write to those whose points I do not manage to address now.

My hon. Friend the Member for Bedfordshire, North (Sir T. Skeet) talked about the incidence of abnormal births following IVF. I am advised that IVF does not result in a greater incidence of abnormal births. However, the incidence of multiple pregnancy is higher following certain infertility treatments. My hon. Friend the Member for Newbury asked how many embryos had been destroyed during research. That is not information that I can give him. Indeed, our information about what happens to fertilised embryos in nature is not altogether thorough. He will know that a great number are lost naturally. Others referred to the danger to women who donate eggs from super-ovulatory drugs, and it is a matter of careful supervision.

The hon. Member for Stockton, North (Mr. Cook) was concerned about ensuring that embryos were not created unnecessarily by doctors. Under the Bill, the statutory licensing authority will be able to make licences subject to specific conditions. That is set out in schedule 2, which deals with the treatment licences. The authority will be able to ensure that embryos are not created unnecessarily. It will apply to embryos created for the treatment of patients and, if Parliament so decides, to cases where the woman wishes to donate eggs for the creation of embryos which can be used for research.

Several right hon. and hon. Members spoke about the importance of the controls and the necessity for ensuring that these strict controls are properly in place. The Government have every confidence in the ability of the new authority to impose strict controls and the Bill provides extensive powers for the approval, revocation, variation and suspension of licences. A primary task of the new authority will be to make sure that there is an effective system in place and that it enjoys public confidence.

There are further grounds for reassuring hon. Members. There is the element of self-policing which operates in any area of scientific endeavour. Today we have had a great deal of discussion about the recent publication of works being undertaken by scientists. Once published, any results are open to scrutiny by scientists and others who work in the field. The scientific community has played and will continue to play an important part in ensuring that results are published.

We also have the five years' experience of the voluntary system. This is the result of the work done by the voluntary licensing authority under the vigilant eye of its chairman, Dame Mary Donaldson. We are aware of no embryo research being carried out in this country without its prior approval. With the additional powers vested in the authority under the Bill, we can undoubtedly be confident that such work will be properly supervised and regulated.

Lest there be any doubt, I should repeat that the role of my right hon. and learned Friend and me in speaking for the Government tonight has been to assist the House in reaching a conclusion on this great matter and to help

provide factual information and a resumé of the arguments. It has been our intention to approach this, so far as possible, in a dispassionate and objective fashion.

My view as the Member for Surrey, South-West will be registered in the Division Lobby later. I shall vote against the amendment. I have never made any secret of my support for the principle of embryo research, subject to strict statutory controls. That is where I stand as a Member of the House. I have done my best to ensure that this view, which I have reached after careful consideration, has not influenced me in speaking on these matters as a member of the Government, whose even-handedness and neutrality should not be in question.

As the hour for decision on this vital matter approaches, I should like to thank all those who have spoken in tonight's debate for the quality of their contributions, for the thoughtful and considered way in which they have put across their arguments and for the patent sincerity with which they have expressed their views. Many have referred to the strength of views among our constituents on these complex and important problems. It is rare that this House has to address an issue of such great moral significance. Tonight's debate has done that issue full justice. It has been the culmination of several years' intensive public debate and discussion. History will view that time as justified in enabling all those concerned with such matters to develop fully their arguments.

When the House delivers its vote tonight, I believe that it will have taken its decision in a proper fashion—the importance of the issues that we have addressed demands that. Tonight, hon. Members will vote according to their consciences on the basis of their judgment with care and consideration having studied the debate and considered all the arguments. Whatever the outcome, we shall have brought to a conclusion a significant debate that transcends the normal exchanges of party politics.

In conclusion, I can do no better than remind the House of the words of my noble and learned Friend the Lord Chancellor:

"this is a matter of moral judgment in the light of the factual situation . . . I do not believe it is right to take a moral judgment without seeking to appreciate the facts, but once the facts are appreciated, the matter is one, I believe, entirely for moral judgment."—[*Official Report, House of Lords*, 8 February 1990; Vol. 515, c. 987.]

The First Deputy Chairman of Ways and Means (Sir Paul Dean): I am now required to put the Question, and to avoid any confusion I remind the Committee that the first question to be decided is amendment No. 1.

It being Eleven o'clock, The SECOND DEPUTY CHAIRMAN *proceeded, pursuant to the Order [2 April] and the Resolution this day, to put forthwith the Question already proposed from the Chair.*

The House divided: Ayes 193, Noes 364.

Division No. 166] **[11 pm**

AYES

Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael
Alton, David
Amess, David
Amos, Alan
Arnold, Tom *(Hazel Grove)*
Ashby, David
Aspinwall, Jack
Atkins, Robert
Atkinson, David
Baker, Nicholas *(Dorset N)*
Batiste, Spencer
Battle, John
Beaumont-Dark, Anthony
Begg, Roy
Beith, A. J.
Bell, Stuart
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Bermingham, Gerald
Bevan, David Gilroy
Biffen, Rt Hon John
Body, Sir Richard
Bowden, A *(Brighton K'pto'n)*
Bowis, John
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Buckley, George J.
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Canavan, Dennis
Cash, William
Channon, Rt Hon Paul
Chope, Christopher
Clark, Hon Alan *(Plym'th S'n)*
Clark, Sir W. *(Croydon S)*
Clarke, Tom *(Monklands W)*
Conway, Derek
Coombs, Simon *(Swindon)*
Cormack, Patrick
Cryer, Bob
Cunliffe, Lawrence
Day, Stephen
Devlin, Tim
Dickens, Geoffrey
Dicks, Terry
Dixon, Don
Douglas, Dick
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Dunnachie, Jimmy
Evennett, David
Fallon, Michael
Faulds, Andrew
Favell, Tony
Fearn, Ronald
Field, Frank *(Birkenhead)*
Fookes, Dame Janet
Forsyth, Michael *(Stirling)*
Forsythe, Clifford *(Antrim S)*
Fox, Sir Marcus
Freeman, Roger
French, Douglas
Fry, Peter
Galloway, George
Garel-Jones, Tristan
Gow, Ian
Graham, Thomas
Greenway, Harry *(Ealing N)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Ground, Patrick
Grylls, Michael
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Neil *(Tatton)*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Hawkins, Christopher
Hayes, Jerry
Heyhoe, Rt Hon Sir Barney
Hayward, Robert
Hicks, Mrs Maureen *(Wolv' NE)*
Hill, James
Hind, Kenneth
Holt, Richard
Hughes, Robert G. *(Harrow W)*
Hume, John
Hunter, Andrew
Irving, Sir Charles
Janman, Tim
Jessel, Toby
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Kellett-Bowman, Dame Elaine
Kilfedder, James
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knight, Dame Jill *(Edgbaston)*
Latham, Michael
Lawrence, Ivan
Leigh, Edward *(Gainsbor'gh)*
Lightbown, David
Lloyd, Peter *(Fareham)*
Lofthouse, Geoffrey
Lord, Michael
Luce, Rt Hon Richard
McAvoy, Thomas
McCrea, Rev William
Macdonald, Calum A.
McFall, John
Macfarlane, Sir Neil
McGrady, Eddie
McNair-Wilson, Sir Michael
McNamara, Kevin
Mallon, Seamus
Mans, Keith
Marlow, Tony
Marshall, David *(Shettleston)*
Marshall, John *(Hendon S)*
Marshall, Michael *(Arundel)*
Martin, Michael J. *(Springburn)*
Mawhinney, Dr Brian
Mills, Iain
Moate, Roger
Molyneaux, Rt Hon James
Monro, Sir Hector
Montgomery, Sir Fergus
Morris, Rt Hon J. *(Aberavon)*
Morrison, Rt Hon P *(Chester)*
Moynihan, Hon Colin
Mudd, David
Murphy, Paul
Neubert, Michael
Nicholls, Patrick
Nicholson, David *(Taunton)*
Oakes, Rt Hon Gordon
O'Brien, William
Onslow, Rt Hon Cranley
Paisley, Rev Ian
Parry, Robert
Patten, Rt Hon Chris *(Bath)*
Patten, Rt Hon John
Pawsey, James
Peacock, Mrs Elizabeth
Powell, William *(Corby)*
Price, Sir David
Redwood, John
Reid, Dr John
Robertson, George
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion
Ross, William *(Londonderry E)*
Rossi, Sir Hugh
Rumbold, Mrs Angela
Shelton, Sir William
Sillars, Jim
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Smyth, Rev Martin *(Belfast S)*
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Stanbrook, Ivor
Stewart, Allan *(Eastwood)*
Sumberg, David
Summerson, Hugo
Taylor, Rt Hon J. D. *(S'ford)*
Tebbit, Rt Hon Norman
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thornton, Malcolm
Tracey, Richard
Trippier, David

Twinn, Dr Ian
Vaughan, Sir Gerard
Vaz, Keith
Waddington, Rt Hon David
Walden, George
Walker, A. Cecil *(Belfast N)*
Walker, Bill *(T'side North)*
Walker, Rt Hon P. *(W'caster)*
Wardle, Charles *(Bexhill)*
Watts, John
Widdecombe, Ann
Winterton, Mrs Ann
Winterton, Nicholas

Tellers for the Ayes:
Mr. W. Benyon and
Mr. A. E. P. Duffy.

NOES

Abbott, Ms Diane
Allen, Graham
Arbuthnot, James
Archer, Rt Hon Peter
Armstrong, Hilary
Arnold, Jacques *(Gravesham)*
Ashdown, Rt Hon Paddy
Ashley, Rt Hon Jack
Baker, Rt Hon K. *(Mole Valley)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Banks, Tony *(Newham NW)*
Barnes, Mrs Rosie *(Greenwich)*
Barron, Kevin
Beckett, Margaret
Bellingham, Henry
Benn, Rt Hon Tony
Bennett, A. F. *(D'nt'n & R'dish)*
Blair, Tony
Blaker, Rt Hon Sir Peter
Blunkett, David
Boateng, Paul
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, Gerald *(Dulwich)*
Boyes, Roland
Bradley, Keith
Brooke, Rt Hon Peter
Brown, Gordon *(D'mline E)*
Brown, Michael *(Brigg & Cl'ts)*
Brown, Nicholas *(Newcastle E)*
Brown, Ron *(Edinburgh Leith)*
Bruce, Ian *(Dorset South)*
Bruce, Malcolm *(Gordon)*
Buchan, Norman
Buchanan-Smith, Rt Hon Alick
Buck, Sir Antony
Butler, Chris
Butterfill, John
Caborn, Richard
Callaghan, Jim
Campbell, Menzies *(Fife NE)*
Campbell, Ron *(Blyth Valley)*
Carlile, Alex *(Mont'g)*
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Cartwright, John
Chapman, Sydney
Clark, Dr David *(S Shields)*
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon K. *(Rushcliffe)*
Clay, Bob
Clelland, David
Clwyd, Mrs Ann
Cohen, Harry
Coleman, Donald
Colvin, Michael
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Coombs, Anthony *(Wyre F'rest)*
Cope, Rt Hon John
Corbett, Robin
Corbyn, Jeremy
Cousins, Jim
Cox, Tom
Cran, James
Crowther, Stan
Cunningham, Dr John
Currie, Mrs Edwina
Dalyell, Tam
Darling, Alistair
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Q. *(Stamf'd & Spald'g)*
Davies, Ron *(Caerphilly)*
Davis, David *(Boothferry)*
Davis, Terry *(B'ham Hodge H'l)*
Dewar, Donald
Dobson, Frank
Doran, Frank
Dorrell, Stephen
Durant, Tony
Dykes, Hugh
Eadie, Alexander
Eastham, Ken
Eggar, Tim
Emery, Sir Peter
Evans, David *(Welwyn Hatf'd)*
Evans, John *(St Helens N)*
Farr, Sir John
Fatchett, Derek
Field, Barry *(Isle of Wight)*
Fields, Terry *(L'pool B G'n)*
Flannery, Martin
Flynn, Paul
Foot, Rt Hon Michael
Forman, Nigel
Foster, Derek
Foulkes, George
Fowler, Rt Hon Sir Norman
Fraser, John
Fyfe, Maria
Gale, Roger
Gardiner, George
Garrett, John *(Norwich South)*
Gill, Christopher
Gilmour, Rt Hon Sir Ian
Glyn, Dr Sir Alan
Godman, Dr Norman A.
Golding, Mrs Llin
Goodhart, Sir Philip
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Grant, Bernie *(Tottenham)*
Greenway, John *(Ryedale)*
Griffiths, Sir Eldon *(Bury St E')*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grist, Ian
Grocott, Bruce
Hamilton, Hon Archie *(Epsom)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, John
Hardy, Peter
Hargreaves, A. *(B'ham H'll Gr')*
Harman, Ms Harriet
Haselhurst, Alan
Haynes, Frank
Heal, Mrs Sylvia
Healey, Rt Hon Denis
Heathcoat-Amory, David
Henderson, Doug
Heseltine, Rt Hon Michael
Higgins, Rt Hon Terence L.
Hinchliffe, David
Hoey, Ms Kate *(Vauxhall)*
Hogg, Hon Douglas *(Gr'th'm)*
Hogg, N. *(C'nauld & Kilsyth)*
Home Robertson, John
Hood, Jimmy
Hordern, Sir Peter
Howard, Rt Hon Michael
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howe, Rt Hon Sir Geoffrey
Howells, Geraint
Howells, Dr. Kim (Pontypridd)
Hoyle, Doug
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hunt, Sir John *(Ravensbourne)*
Hurd, Rt Hon Douglas
Ingram, Adam
Irvine, Michael
Jack, Michael
Jackson, Robert
Janner, Greville
Johnston, Sir Russell
Jones, Barry *(Alyn & Deeside)*
Jones, Ieuan *(Ynys Môn)*
Jones, Martyn *(Clwyd S W)*
Jopling, Rt Hon Michael
Kennedy, Charles
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kinnock, Rt Hon Neil
Kirkwood, Archy
Knapman, Roger
Knight, Greg *(Derby North)*
Knox, David
Lambie, David
Lamont, Rt Hon Norman
Lang, Ian
Lawson, Rt Hon Nigel
Leadbitter, Ted
Lee, John *(Pendle)*
Leighton, Ron
Lennox-Boyd, Hon Mark
Lester, Jim *(Broxtowe)*
Lestor, Joan *(Eccles)*
Lewis, Terry
Litherland, Robert
Livingstone, Ken
Livsey, Richard
Lloyd, Sir Ian *(Havant)*
Lloyd, Tony *(Stretford)*
Lyell, Rt Hon Sir Nicholas
McAllion, John
McCartney, Ian
McCrindle, Robert
MacGregor, Rt Hon John
McKay, Allen *(Barnsley West)*
MacKay, Andrew *(E Berkshire)*
McKelvey, William
Maclean, David
McLeish, Henry
Maclennan, Robert
McNair-Wilson, Sir Patrick
McWilliam, John
Madden, Max
Madel, David
Mahon, Mrs Alice
Major, Rt Hon John
Malins, Humfrey
Maples, John
Marek, Dr John
Marland, Paul
Marshall, Jim *(Leicester S)*
Martin, David *(Portsmouth S)*
Martlew, Eric
Mates, Michael
Maude, Hon Francis
Maxton, John
Maxwell-Hyslop, Robin
Meale, Alan
Mellor, David
Meyer, Sir Anthony
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Arg'l & Bute)*
Miller, Sir Hal
Miscampbell, Norman
Mitchell, Andrew *(Gedling)*
Mitchell, Austin *(G't Grimsby)*
Mitchell, Sir David
Moonie, Dr Lewis
Moore, Rt Hon John
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon A. *(W'shawe)*
Morris, M *(N'hampton S)*
Morrison, Sir Charles
Moss, Malcolm
Mowlam, Marjorie
Mullin, Chris
Neale, Gerrard
Needham, Richard
Nellist, Dave
Nelson, Anthony
Newton, Rt Hon Tony
Nicholson, Emma *(Devon West)*
Norris, Steve
Oppenheim, Phillip
Orme, Rt Hon Stanley
Page, Richard
Paice, James
Parkinson, Rt Hon Cecil
Patchett, Terry
Patnick, Irvine
Pattie, Rt Hon Sir Geoffrey
Pike, Peter L.
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Powell, Ray *(Ogmore)*
Prescott, John
Primarolo, Dawn
Quin, Ms Joyce
Radice, Giles
Raffan, Keith
Raison, Rt Hon Timothy
Rathbone, Tim
Redmond, Martin
Rees, Rt Hon Merlyn
Renton, Rt Hon Tim
Rhodes James, Robert
Richardson, Jo
Riddick, Graham
Ridley, Rt Hon Nicholas
Ridsdale, Sir Julian
Roberts, Wyn *(Conwy)*
Robinson, Geoffrey
Rogers, Allan
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Rost, Peter
Rowe, Andrew
Rowlands, Ted
Ruddock, Joan
Ryder, Richard
Sackville, Hon Tom
Sayeed, Jonathan
Scott, Rt Hon Nicholas
Sedgemore, Brian
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Sheerman, Barry
Sheldon, Rt Hon Robert
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Short, Clare
Sims, Roger

Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Smith, Rt Hon J. *(Monk'ds E)*
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Soley, Clive
Spearing, Nigel
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanley, Rt Hon Sir John
Steel, Rt Hon Sir David
Steen, Anthony
Steinberg, Gerry
Stern, Michael
Stevens, Lewis
Stewart, Andy *(Sherwood)*
Stewart, Rt Hon Ian *(Herts N)*
Stott, Roger
Stradling Thomas, Sir John
Strang, Gavin
Straw, Jack
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Teddy *(S'end E)*
Temple-Morris, Peter
Thatcher, Rt Hon Margaret
Thomas, Dr Dafydd Elis
Thurnham, Peter
Townend John *(Bridlington)*
Townsend, Cyril D. *(B'heath)*
Tredinnick, David
Trotter, Neville
Turner, Dennis
Viggers, Peter
Wakeham, Rt Hon John
Waldegrave, Rt Hon William
Waller, Gary
Walley, Joan
Ward, John
Wardell, Gareth *(Gower)*
Wareing, Robert N.
Watson, Mike *(Glasgow, C)*
Wells, Bowen
Welsh, Andrew *(Angus E)*
Welsh, Michael *(Doncaster N)*
Wheeler, Sir John
Whitney, Ray
Wiggin, Jerry
Wigley, Dafydd
Wilkinson, John
Williams, Rt Hon Alan
Williams, Alan W. *(Carm'then)*
Wilshire, David
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Wolfson, Mark
Wood, Timothy
Worthington, Tony
Wray, Jimmy
Yeo, Tim
Young, David *(Bolton SE)*
Young, Sir George *(Acton)*
Younger, Rt Hon George

Tellers for the Noes
Mrs. Gwyneth Dunwoody
and
Mr. James Couchman.

Amendment accordingly negatived.

The SECOND DEPUTY CHAIRMAN *then proceeded to put the Questions necessary to dispose of the business to be concluded at Eleven o'clock.*

Question put, That the clause stand part of the Bill:—

The Committee divided: Ayes 362, Noes 189.

Division No. 167] **[11.15 pm**

AYES

Abbott, Ms Diane
Allen, Graham
Arbuthnot, James
Archer, Rt Hon Peter
Armstrong, Hilary
Arnold, Jacques *(Gravesham)*
Ashdown, Rt Hon Paddy
Ashley, Rt Hon Jack
Baker, Rt Hon K. *(Mole Valley)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Banks, Tony *(Newham NW)*
Barnes, Mrs Rosie *(Greenwich)*
Barron, Kevin
Beckett, Margaret
Bellingham, Henry
Benn, Rt Hon Tony
Bennett, A. F. *(D'nt'n & R'dish)*
Blair, Tony
Blaker, Rt Hon Sir Peter
Blunkett, David
Boateng, Paul
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, Gerald *(Dulwich)*
Boyes, Roland
Bradley, Keith
Brooke, Rt Hon Peter
Brown, Gordon *(D'mline E)*
Brown, Michael *(Brigg & Cl't's)*
Brown, Nicholas *(Newcastle E)*
Brown, Ron *(Edinburgh Leith)*
Bruce, Ian *(Dorset South)*
Bruce, Malcolm *(Gordon)*
Buchan, Norman
Buchanan-Smith, Rt Hon Alick
Buck, Sir Antony
Butler, Chris
Butterfill, John
Caborn, Richard
Callaghan, Jim
Campbell, Menzies *(Fife NE)*
Campbell, Ron *(Blyth Valley)*
Carlile, Alex *(Mont'g)*
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Cartwright, John
Chapman, Sydney
Clark, Dr David *(S Shields)*
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon K. *(Rushcliffe)*
Clay, Bob
Clelland, David
Clwyd, Mrs Ann
Cohen, Harry
Coleman, Donald
Colvin, Michael
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Coombs, Anthony *(Wyre F'rest)*
Cope, Rt Hon John
Corbett, Robin
Corbyn, Jeremy
Cousins, Jim
Cox, Tom
Cran, James
Crowther, Stan
Cryer, Bob
Cunningham, Dr John
Currie, Mrs Edwina
Dalyell, Tam
Darling, Alistair
Davies, Q. *(Stamf'd & Spald'g)*
Davies, Ron *(Caerphilly)*
Davis, David *(Boothferry)*
Dewar, Donald
Dobson, Frank
Doran, Frank
Dorrell, Stephen
Durant, Tony
Dykes, Hugh
Eadie, Alexander
Eastham, Ken
Eggar, Tim
Emery, Sir Peter
Evans, David *(Welwyn Hatf'd)*
Evans, John *(St Helens N)*
Farr, Sir John
Fatchett, Derek
Field, Barry *(Isle of Wight)*
Fields, Terry *(L'pool B G'n)*
Flannery, Martin
Flynn, Paul
Foot, Rt Hon Michael
Forman, Nigel
Foster, Derek
Foulkes, George
Fowler, Rt Hon Sir Norman
Fraser, John
Fyfe, Maria
Gale, Roger
Gardiner, George
Garrett, John *(Norwich South)*
Gill, Christopher
Gilmour, Rt Hon Sir Ian
Glyn, Dr Sir Alan
Godman, Dr Norman A.
Golding, Mrs Llin
Goodhart, Sir Philip
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Grant, Bernie *(Tottenham)*
Greenway, John *(Ryedale)*
Griffiths, Sir Eldon *(Bury St E')*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grist, Ian
Grocott, Bruce
Hamilton, Hon Archie *(Epsom)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, John
Hardy, Peter
Hargreaves, A. *(B'ham H'll Gr')*
Harman, Ms Harriet
Haselhurst, Alan
Haynes, Frank
Heal, Mrs Sylvia
Healey, Rt Hon Denis
Heathcoat-Amory, David
Henderson, Doug
Heseltine, Rt Hon Michael
Higgins, Rt Hon Terence L.
Hinchliffe, David
Hoey, Ms Kate *(Vauxhall)*
Hogg, Hon Douglas *(Gr'th'm)*
Hogg, N. *(C'nauld & Kilsyth)*
Home Robertson, John
Hood, Jimmy
Hordern, Sir Peter
Howard, Rt Hon Michael
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howe, Rt Hon Sir Geoffrey
Howells, Geraint
Howells, Dr. Kim (Pontypridd)
Hoyle, Doug
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hunt, Sir John *(Ravensbourne)*
Hurd, Rt Hon Douglas
Ingram, Adam
Irvine, Michael
Jack, Michael
Jackson, Robert
Janner, Greville
Johnston, Sir Russell
Jones, Barry *(Alyn & Deeside)*
Jones, Ieuan *(Ynys Môn)*
Jones, Martyn *(Clwyd S W)*
Jopling, Rt Hon Michael
Kennedy, Charles
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kinnock, Rt Hon Neil
Kirkwood, Archy
Knapman, Roger
Knight, Greg *(Derby North)*
Knox, David
Lambie, David
Lamont, Rt Hon Norman
Lang, Ian
Lawson, Rt Hon Nigel
Leadbitter, Ted
Lee, John *(Pendle)*
Leighton, Ron
Lennox-Boyd, Hon Mark
Lester, Jim *(Broxtowe)*
Lestor, Joan *(Eccles)*
Lewis, Terry
Litherland, Robert
Livingstone, Ken
Livsey, Richard
Lloyd, Sir Ian *(Havant)*
Lloyd, Tony *(Stretford)*
Lyell, Rt Hon Sir Nicholas
McAllion, John
McCartney, Ian
McCrindle, Robert
MacGregor, Rt Hon John
McKay, Allen *(Barnsley West)*
MacKay, Andrew *(E Berkshire)*
McKelvey, William
Maclean, David
McLeish, Henry
Maclennan, Robert
McNair-Wilson, Sir Patrick
McWilliam, John
Madden, Max
Madel, David
Mahon, Mrs Alice
Major, Rt Hon John
Malins, Humfrey
Maples, John
Marek, Dr John
Mariand, Paul
Marshall, Jim *(Leicester S)*
Martin, David *(Portsmouth S)*
Martlew, Eric
Mates, Michael
Maude, Hon Francis
Maxton, John
Maxwell-Hyslop, Robin
Meale, Alan
Mellor, David
Meyer, Sir Anthony
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Arg'l & Bute)*
Miller, Sir Hal
Miscampbell, Norman

Mitchell, Andrew *(Gedling)*
Mitchell, Austin *(G't Grimsby)*
Mitchell, Sir David
Moonie, Dr Lewis
Moore, Rt Hon John
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon A. *(W'shawe)*
Morris, M *(N'hampton S)*
Morrison, Sir Charles
Moss, Malcolm
Mowlam, Marjorie
Mullin, Chris
Neale, Gerrard
Needham, Richard
Nellist, Dave
Nelson, Anthony
Newton, Rt Hon Tony
Nicholson, Emma *(Devon West)*
Norris, Steve
Oppenheim, Phillip
Orme, Rt Hon Stanley
Page, Richard
Paice, James
Parkinson, Rt Hon Cecil
Patchett, Terry
Patnick, Irvine
Pattie, Rt Hon Sir Geoffrey
Pike, Peter L.
Porter, David *(Waveney)*
Powell, Ray *(Ogmore)*
Prescott, John
Primarolo, Dawn
Quin, Ms Joyce
Radice, Giles
Raffan, Keith
Raison, Rt Hon Timothy
Rathbone, Tim
Redmond, Martin
Rees, Rt Hon Merlyn
Renton, Rt Hon Tim
Rhodes James, Robert
Richardson, Jo
Riddick, Graham
Ridley, Rt Hon Nicholas
Ridsdale, Sir Julian
Roberts, Wyn *(Conwy)*
Robinson, Geoffrey
Rogers, Allan
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Rowe, Andrew
Rowlands, Ted
Ruddock, Joan
Ryder, Richard
Sackville, Hon Tom
Sayeed, Jonathan
Scott, Rt Hon Nicholas
Sedgemore, Brian
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Sheerman, Barry
Sheldon, Rt Hon Robert
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Short, Clare
Sims, Roger
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Smith, Rt Hon J. *(Monk'ds E)*
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Soley, Clive
Spearing, Nigel
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanley, Rt Hon Sir John
Steel, Rt Hon Sir David
Steen, Anthony
Steinberg, Gerry
Stern, Michael
Stevens, Lewis
Stewart, Andy *(Sherwood)*
Stewart, Rt Hon Ian *(Herts N)*
Stott, Roger
Stradling Thomas, Sir John
Strang, Gavin
Straw, Jack
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Teddy *(S'end E)*
Temple-Morris, Peter
Thatcher, Rt Hon Margaret
Thomas, Dr Dafydd Elis
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(B'heath)*
Tredinnick, David
Trotter, Neville
Turner, Dennis
Viggers, Peter
Wakeham, Rt Hon John
Waldegrave, Rt Hon William
Walker, Bill *(T'side North)*
Waller, Gary
Walley, Joan
Ward, John
Wardell, Gareth *(Gower)*
Wareing, Robert N.
Watson, Mike *(Glasgow, C)*
Wells, Bowen
Welsh, Andrew *(Angus E)*
Welsh, Michael *(Doncaster N)*
Wheeler, Sir John
Whitney, Ray
Wiggin, Jerry
Wigley, Dafydd
Wilkinson, John
Williams, Rt Hon Alan
Williams, Alan W. *(Carm'then)*
Wilshire, David
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Wolfson, Mark
Wood, Timothy
Worthington, Tony
Wray, Jimmy
Yeo, Tim
Young, David *(Bolton SE)*
Young, Sir George *(Acton)*
Younger, Rt Hon George

Tellers for the Ayes:
Mrs. Gwyneth Dunwoody
and
Mr. James Couchman.

NOES

Aitken, Jonathan
Alexander, Richard
Allison, Rt Hon Michael
Alton, David
Amess, David
Amos, Alan
Arnold, Tom *(Hazel Grove)*
Ashby, David
Aspinwall, Jack
Atkins, Robert
Atkinson, David
Baker, Nicholas *(Dorset N)*
Batiste, Spencer
Battle, John
Beaumont-Dark, Anthony
Beggs, Roy
Beith, A. J.
Bell, Stuart
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Bermingham, Gerald
Bevan, David Gilroy
Biffen, Rt Hon John
Body, Sir Richard
Bowden, A *(Brighton K'pto'n)*
Bowis, John
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Buckley, George J.
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Canavan, Dennis
Cash, William
Channon, Rt Hon Paul
Clark, Hon Alan *(Plym'th S'n)*
Clark, Sir W. *(Croydon S)*
Clarke, Tom *(Monklands W)*
Conway, Derek
Coombs, Simon *(Swindon)*
Cormack, Patrick
Cunliffe, Lawrence
Davies, Rt Hon Denzil *(Llanelli)*
Day, Stephen
Devlin, Tim
Dickens, Geoffrey
Dicks, Terry
Dixon, Don
Douglas, Dick
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Dunnachie, Jimmy
Evennett, David
Fallon, Michael
Faulds, Andrew
Favell, Tony
Fearn, Ronald
Field, Frank *(Birkenhead)*
Fookes, Dame Janet
Forsyth, Michael *(Stirling)*
Forsythe, Clifford *(Antrim S)*
Fox, Sir Marcus
Freeman, Roger
French, Douglas
Fry, Peter
Galloway, George
Garel-Jones, Tristan
Gow, Ian
Graham, Thomas
Greenway, Harry *(Ealing N)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Ground, Patrick
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Neil *(Tatton)*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Hawkins, Christopher
Hayes, Jerry
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Hicks, Mrs Maureen *(Wolv' NE)*
Hill, James
Hind, Kenneth
Holt, Richard
Hughes, Robert G. *(Harrow W)*
Hume, John
Hunter, Andrew
Irving, Sir Charles
Janman, Tim
Jessel, Toby
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Kellett-Bowman, Dame Elaine
Kilfedder, James
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knight, Dame Jill *(Edgbaston)*
Latham, Michael
Lawrence, Ivan
Leigh, Edward *(Gainsbor'gh)*
Lightbown, David
Lilley, Peter
Lloyd, Peter *(Fareham)*
Lofthouse, Geoffrey
Lord, Michael
Luce, Rt Hon Richard
McAvoy, Thomas
McCrea, Rev William
Macdonald, Calum A.
McFall, John
Macfarlane, Sir Neil
McGrady, Eddie
McNair-Wilson, Sir Michael
McNamara, Kevin
Mallon, Seamus
Mans, Keith
Marlow, Tony
Marshall, David *(Shettleston)*
Marshall, John *(Hendon S)*
Marshall, Michael *(Arundel)*
Martin, Michael J. *(Springburn)*
Mawhinney, Dr Brian
Mills, Iain
Moate, Roger
Molyneaux, Rt Hon James
Monro, Sir Hector
Montgomery, Sir Fergus
Morris, Rt Hon J. *(Aberavon)*
Morrison, Rt Hon P *(Chester)*
Moynihan, Hon Colin
Mudd, David
Murphy, Paul
Neubert, Michael
Nicholls, Patrick
Nicholson, David *(Taunton)*
Oakes, Rt Hon Gordon
O'Brien, William
Onslow, Rt Hon Cranley
Paisley, Rev Ian
Parry, Robert
Patten, Rt Hon Chris *(Bath)*
Patten, Rt Hon John
Pawsey, James
Peacock, Mrs Elizabeth
Price, Sir David
Redwood, John
Reid, Dr John
Robertson, George
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion
Ross, William *(Londonderry E)*
Rossi, Sir Hugh
Rumbold, Mrs Angela
Shelton, Sir William
Sillars, Jim
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Smyth, Rev Martin *(Belfast S)*
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Stanbrook, Ivor
Stewart, Allan *(Eastwood)*
Sumberg, David
Summerson, Hugo
Tebbit, Rt Hon Norman
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil

Thornton, Malcolm
Tracey, Richard
Trippier, David
Vaughan, Sir Gerard
Vaz, Keith
Waddington, Rt Hon David
Walden, George
Walker, A. Cecil *(Belfast N)*
Walker, Rt Hon P. *(W'cester)*
Wardle, Charles *(Bexhill)*
Warren, Kenneth
Watts, John
Widdecombe, Ann
Winterton, Mrs Ann
Winterton, Nicholas

Tellers for the Noes:
Mr. A. E. P. Duffy and
Mr. W. Benyon.

Question accordingly agreed to.

Clause 11 ordered to stand part of the Bill.

The SECOND DEPUTY CHAIRMAN *left the Chair to report progress and ask leave to sit again.*

Committee report progress.—*[Mr. Lightbown.]*

Committee again tomorrow.

Langley Estate, Manchester

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Lightbown.]*

11.30 pm

Mr. Jim Callaghan (Heywood and Middleton): I wish to draw the attention of the Minister and the House to the importance of the subject that I am raising on the Adjournment tonight. I wish also to draw attention to the *Manchester Evening News* of Wednesday 7 February. It is a large regional newspaper, and its Lobby correspondent had written an article under the front-page headline:

"1,000 homes are lying empty.

The scandal of the ghost estate."

Such was the importance of the subject that the newspaper carried a second page showing the list of shame, with photographs of residents, and stating that £18 million was needed to make just one estate fit to live in. I thank Mr. Ian Craig for his presentation of the article. He told me that the *Manchester Evening News* has had its biggest postbag in years on that subject because so many people are angry about 1,000 houses lying empty.

In February it was with great anger, bitterness and frustration that councillors for the Manchester overspill estate, the Langley estate in my constituency—Peter Brown, Tony Heaford, Les Wosley, Kevin Hunt and Peter Bury—expressed to me their deep concern that Manchester's estate action bid for £8 million for renovating the Langley estate had been rejected by the Government. I asked the councillors to contain their anger and frustration until I had discovered from the Manchester housing authority the reasons why the bid had been rejected. I praise the patience of the Langley councillors. On receipt of an eventual communication from the housing authority, I applied to Mr. Speaker for an Adjournment debate.

I can well understand the councillors' frustration and anger, and I share their emotions. They are angry and frustrated because, although they are elected by the good people of Langley, they are powerless to represent them where it most matters—on the housing committee in Manchester that is responsible for the management of the overspill estate. When elected, the councillors of Langley represent their electorate in Rochdale borough council's chamber, not in Manchester. That system is most undemocratic. I said so 15 years ago, on 9 July 1975, on the Floor of the House, when I first raised the subject of Langley overspill estate. I have a copy of that debate to give to the Minister at the end of this debate.

I did not believe in 1975, and do not believe now, that the social, economic and environmental problems confronting Langley can be solved as long as it remains in the ownership of Manchester city council, yet is located in the borough of Rochdale.

As a consequence of that arrangement, Langley's tenants and councillors have no say or input in the running of the estate. As the tenants formerly paid their rents to Manchester, and their rates to Rochdale, an important principle is at stake. An analogy is the American war of independence, which was fought on the slogan, "No taxation without representation." We lost that battle, but the principle holds good. Langley is still paying its taxes to Manchester, but receives no representation. We never seem to learn from our mistakes.

[Mr. Jim Callaghan]

After I raised the matter 15 years ago, I was immediately invited by Manchester city council officials to a meeting, where they asked me not to press the issue because Manchester was unable then to consider any change in the ownership of its overspill estates. They explained that Manchester city council had more than 30,000 applicants on its waiting list and would be unable to continue its slum clearance programme if its overspill estates were lost.

I accepted the merits of that argument, albeit with some reluctance. Fifteen years on, that case can now be met. I believe—as do the appointed and elected Rochdale representatives with whom I have discussed the matter—that the ownership of Langley estate should now be considered by the Government, the two local authorities involved and, above all, by the tenants.

However, apart from the question of principle, my immediate concern is that any such debate should not get in the way of processing a new estate action bid. The representatives of both local authorities and the tenants agree that there is an urgent need for money, for several reasons.

Langley was built 40 years ago as Manchester's largest overspill estate to accommodate 25,000 people displaced by slum clearance. The estate now comprises 4,652 properties, of which 438 have been sold. Sixty-three per cent. of the stock is two to four-bedroomed housing and cottage flats. Thirty per cent. is maisonettes and flats. There are three tower blocks, 42 walk-up flats, and one double-decker maisonette block.

The overriding problem is damp, fungus and condensation because 2,500 properties have solid concrete floors without damp-proof membranes. Almost 1,000 properties are bricked and boarded up which, as the *Manchester Evening News* comments, is disgraceful.

Those 1,000 boarded-up properties are pepper-potted throughout the estate and are not in one particular location. As each day passes, the estate resembles Beirut more and more. Because of the lack of damp-proof membranes and the area's high water table, more properties are showing signs of serious damp and are unfit for human habitation. Two thousand tenants have initiated litigation in an attempt to secure transfers and compensation.

I have been in many of the homes and I have seen that wallpaper can not be put on the walls. The moment it is put up it falls off because of the damp. I have seen the green mould in people's homes. It is a dreadful smelling green mould which gets on the clothes in the wardrobes and is obviously a danger to health.

As properties become empty they cannot be re-let without major capital works to remedy the dampness. At present there are almost 1,000 empty properties on the estate—almost 25 per cent.—and the number is rising. To be fair to Manchester council, when the problem was identified it developed a rolling programme to replace the floors and modernise the properties. In 1986-87 the council allocated £3·5 million to that work. In 1987-88 it allocated £5·4 million and 577 properties were modernised between 1986 and 1988. Given its financial straits, Manchester has been able to allocate only £300,000 to the damp floor programme this year—a meagre sum, but it is not the council's fault.

As capital resource constraints are exercised, damp properties will continue to exceed the rate at which they can be repaired and the estate will fall into further decline.

Against the background of diminishing resoures, Manchester recognises that it cannot solve Langley's problems alone. The solution is in the hands of the Government. The problem can be solved only if substantial additional resources can be targeted to the estate.

So far I have only given statistics. But those statistics represent people and most of the tenants on the estate are suffering from the effects of living in dreadful property. I said in my first debate on the subject in the House:

> "Thus the estate is seen as a transit camp unrelated to its neighbouring communities and remote from the main authority in Manchester. The problems of Langley thus become more intense as the years go by."—[*Official Report*, 9 July 1975; Vol. 895, c. 706.]

I said that then and I agree with it now.

Any examination of the referrals to the social services department in the borough of Middleton show that 50 per cent. come from Langley. I could continue with such statistics. I also have here a list of the social problems on the estate, given to me by a head teacher in a school on the estate 15 years ago. I could not let the press see it then and I do not want the press to see it now, so dreadful are the social conditions on the estate. But I shall certainly let the Minister have a copy if he is interested.

Langley rates as one of the most deprived areas in the country, according to Professor Peter Townsend's survey, "Inner City Deprivation and Premature Deaths". Professor Townsend of Bristol university recorded that 69 per cent. of those living on the estate do not own a car, 91 per cent. do not own their own homes, there is overcrowding in 11 per cent. of the homes and the estate has an appalling long-term unemployment rate of 40 per cent.

Poverty can affect expectation of life and there is plenty of poverty on Langley. As an example, Langley west ward has 65 deaths above the national average and the central ward has 48 deaths above the national average. From the evidence of my casework I have no doubt whatsoever that the damp, fungus, condensation and lack of adequate heating all contribute to early deaths from deprivation. It is small wonder that 2,000 tenants have sought litigation to obtain transfers from some of those houses of premature death.

Langley has become a ghost town—a dream turned into a nightmare with devastating and desperate problems. Langley is becoming a lost cause, a vandalised ghetto of sickness and despair. The more the estate is run down and the houses left empty at the mercy of the vandals the less families want them because they are not fit for human habitation.

Now there is next to no demand for those houses from people on either the long housing waiting list in Manchester or the long waiting list in Rochdale. That reflects the poor quality of the housing stock in Langley. Accordingly, I asked the Minister to reconsider his decision and accept Manchester's bid for funding. Working on the principle that a stitch in time saves nine, would not it make economic sense to repair the immediate defects of the properties on the estate rather than, in the long run, have to knock down the estate and rebuild it? Does it really make economic sense to have 1,000 houses

bricked and boarded up while there are thousands of people on the housing waiting lists in the Manchester and Rochdale areas?

I cannot blame Manchester council, because I have been informed that it submitted 13 bids for estate action money last year, one of which was for Langley. However, I was told that although the Government were very interested in the large Langley bid, they could not find the money this year because it would use up too large an amount of the region's allocation of estate action money. Again, I was told that the Government may be interested in a resubmitted bill for funding in 1991-92 and that optimism was expressed about its chances of success. I hope that that is the case.

The bill last year was for £8·5 million to repair and modernise Langley houses because they are impossible to live in. Hence the necessity for a large injection of funds in addition to normal housing investment programme money. I have also been reliably informed that Manchester city council and Rochdale council are co-operating to make the bid for estate action money in 1991-92 as good as possible. They are also co-operating to alleviate any of the conditions on the estate that can be dealt with in advance of estate action money being available. It is against that background of reducing resources that Manchester council recognises that it cannot solve Langley's problems alone.

On 8 September 1989, in item 18 of the housing committee report, the then acting director of housing in Manchester said:

"Manchester cannot afford to repair the void properties as well as finding extra money to repair and improve the still tenanted potentially damp properties."

A solution to those problems will be possible only if substantial additional resources can be targeted to the Langley estate.

In his order of priorities for estate action money, can the Minister tell us whether any estate in the United Kingdom is in a worse state than Langley? Does any other estate in the United Kingdom have 1,000 households bricked and boarded up? Langley has become such a national scandal that I sincerely invite the Minister to visit the estate with me to see at first hand the problems that I have outlined. If he accepts my invitation, I am sure that he will, as a matter of great urgency, change his mind about the rejection of the estate action bid.

11.47 pm

The Parliamentary Under-Secretary of State for the Environment (Mr. Christopher Chope): At the outset I must state that I sympathise enormously with the problems that people on the Langley estate have to put up with. The hon. Member for Heywood and Middleton (Mr. Callaghan) has campaigned for a long time on their behalf and he has had tremendous difficulties, particularly with Manchester city council. I saw the *Manchester Evening News* of 7 February to which the hon. Gentleman referred, in which an article states:

"Rochdale council's Labour leader Richard Farnell today bitterly attacked his party colleagues in Manchester over the plight of the Langley estate.

He accused the city council leadership of indulging in 'gesture politics' and branded the city an absentee landlord."

Mr. Farnell said that the city council had

"failed to make bids for Government cash under its estate action programme because schemes would have private sector links."

He said:

"Langley residents have had an extremely raw deal from Manchester."

Mr. Callaghan *indicated assent.*

Mr. Chope: The hon. Gentleman is nodding.

Mr. Farnell has summed up the history of the problem, and we must try to improve matters.

The Government give much emphasis to their estate action programme. I remind the House that, since its inception in 1986, the programme has encouraged housing authorities to take a fresh look at the problems on rundown council estates. It has promoted good and responsive management by insisting that the delivery of local services be based on or near the estate in question and that tenants are allowed to be involved in running their own affairs.

The promotion of good local management has been a prime objective of estate action. We take the view that the day-to-day functions of re-lettings, rent collection and repair and maintenance can often be carried out more effectively and efficiently at local level. That can and should also generate a greater sense of tenant involvement, resulting in the protection of any capital investment made, both because of a better standard of after-care and because the work done will have reflected the tenants' own priorities.

Estate action has also provided financial support for physical improvements. That is why the national budget has risen from £50 million in 1986-87 to £190 million this year. The emphasis has been on energy conservation, improved security and creating a more attractive environment. One result of capital investment has been to reduce subsequent expenditure by, for example, bringing heating costs more within tenants' reach.

Estate action has also encouraged authorities to bring in private finance and to diversify ownership by selling unpopular dwellings or unused land to developers and housing associations so that they can provide homes that people want. It is also looking increasingly at training and employment opportunities. I know that unemployment on the Langley estate is a major problem, and a figure as high as 40 per cent. unemployed has been quoted.

I can understand the hon. Gentleman's enthusiasm for our estate action programme, because he need only look at the borough of Rochdale to see the programme's success. Rochdale has been at the forefront in taking advantage of the estate action initiative. The borough council has 10 on-going estate action schemes, including a scheme at the Hollin estate, which is in the hon. Gentleman's constituency. Those schemes should attract total resources of about £6 million this year. Meanwhile, Manchester city council, especially given the size of its stock and the void rate standing at 6·3 per cent., to be kind, has been very slow in pursuing estate action objectives.

Among the large number of bids that we received for 1990-91, 14 came from Manchester city council. The council is late in seeking the Government's support. The fact that it has been rather reluctant in the past does not mean that we reject its applications now. However, it inevitably means that we cannot grant all its applications at once. Each year we must look at all the different competing schemes. It is easy to speculate that, if Manchester had started applying for estate action bids

[Mr. Chope]

earlier, it would have had more success over the years and that that would have meant that, in comparison with Rochdale, it might have had an equally good performance.

Some of the 14 estate action bids that Manchester put forward for 1990-91 need further work to make them competitive. However, we have been able to support four of the schemes, three of which are in the Hulme estate. The hon. Gentleman asked rhetorically whether other estates are worse than Langley. Many people would say that the Hulme estate was in the thick of the competition on that score. The Hulme estate has a mass of serious problems.

Another estate action bid in Manchester was at Collyhurst. Resources earmarked for those schemes this year total more than £4·5 million or 40 per cent. of the north-west region's estate action budget for new schemes. No other authority in the north-west has had more than two successful estate action bids this year. It is not fair to suggest that Manchester has done badly in the estate action bidding this time. Generous resources have been made available.

Mr. Callaghan *rose*——

Mr. Chope: I shall not give way, because I want to cover the other points raised by the hon. Gentleman, particularly the issue of why we were not able to meet the application for estate action in Langley this time.

We do not say that the scheme does not contain a number of good features. I am pleased to see that the council is proposing to sell unpopular flats to a private developer and a housing association and that the proposals contain measures to help the unemployed, including a furniture project and plans for a credit union. I hope that the city council can push those matters further.

The council's proposal has not sufficiently emphasised the needs of the local unemployed. The council should examine the opportunities for job creation and training on the estate. There may be opportunities for small businesses to be started which could provide services to the residents.

One of the earliest of estate action initiatives was the community refurbishment scheme, through which unemployed people living on an estate can help with the improvement of their own environment. Those schemes work in co-operation with the Training Agency's employment training programme. Local authorities and other training managers, including private contractors, can employ trainees to undertake work typically involving environmental improvements on an estate, with materials being funded by estate action.

Mr. Callaghan: I have listened to the Minister with great interest, but he is not answering the questions I asked him. I am concerned about Langley. The Minister is talking about what can be done for the unemployed, but if we carry on in this way, there will be no unemployed people or anyone else living on the estate. I want to know what the Minister proposes to do for the estate with estate action money. One thousand houses are empty.

Mr. Chope: Amazingly, Manchester city council has so far refused to co-operate with the employment training scheme. I hope that the hon. Gentleman and his constituents, the residents of Langley, will urge the council to reconsider its position in the interests of the economic well-being of those residents. Why will not Manchester city council encourage the employment training scheme to play a part? More co-operation is needed between the two councils.

Under the Government's housing legislation, the tenants on the Langley estate have alternative avenues available to them, in that they can choose an alternative landlord it they are dissatisfied with their existing one. I hope that the hon. Gentleman will draw the provisions of the Housing Act 1988 to the attention of the tenants of the Langley estate.

Mr. Callaghan: Will the Minister answer one simple question? Will the Government find any money to repair the 1,000 houses that are empty and are bricked and boarded up and the 2,500 houses that will soon be in a similar state? We do not want to know about training; we want to know about cash.

Mr. Chope: I can tell the hon. Gentleman about cash. It is not the Government that decide the priorities of individual councils. Manchester city council decides its own housing priorities. As the hon. Gentleman will know, we have a new system of capital finance for the current year. One of its objectives is to secure a fairer distribution of resources across the country, and in the case of Manchester the result was an annual capital guideline for housing of over £47·6 million, almost £1 million a week. That is 2·25 times the comparable figure for 1989-90. The hon. Gentleman cannot deny that that is an extremely generous allocation. It is for Manchester city council to decide how much of that allocation should be given to the Langley estate.

I sympathise with the hon. Gentleman when it seems that the people on the Langley estate are crying in the wilderness and that no one on Manchester city council is prepared to give sufficient priority to the estate.

The hon. Gentleman asked why Langley did not get the estate action bid. Such bids are considered on a comparable basis and on their merits. I have drawn attention to one or two of the shortcomings of the estate action bid that was made in relation to Langley. However, the extremely generous allocation should enable the city council to undertake fresh initiatives on some of its most needy estates, including Langley. The council cannot and should not plead insufficient resources as an excuse for its inaction.

I hope, therefore, that it will begin now to develop a package of measures for Langley. If the council decides to resubmit its estate action bid later this year, the further development of its proposals on all fronts can only help it to compete with other bids. Its success will depend very much on how far the bid meets estate action objectives compared with other bids. That means that the future of Langley is very much in the hands of Manchester city council. But ultimately, because of the legislation passed by the Government, often with opposition from Labour Members, tenants now have choice and it is possible for the tenants themselves—

Mr. Callaghan: There are no tenants.

Mr. Chope: —to choose an alternative landlord and thereby put more pressure on Manchester city council to do something for the people on that estate.

Question put and agreed to.

Adjourned accordingly at Twelve midnight.

House of Commons

Tuesday 24 April 1990

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

New Writ

For the county constituency of Upper Bann, in the room of James Harold McCusker Esquire, deceased.—*[Mr. Molyneaux.]*

Oral Answers to Questions

EMPLOYMENT

Low Wages

1. **Mr. Boyes:** To ask the Secretary of State for Employment how he intends to raise the number of prosecutions for firms paying below wages council minima.

The Parliamentary Under-Secretary of State for Employment (Mr. Patrick Nicholls): The policy of the wages inspectorate under all Governments has been to seek compliance with wages council regulations by advice and persuasion and to prosecute only where an offence is deliberate or repeated and the evidence is considered sufficient. There are no plans to change that policy.

Mr. Boyes: Is not it a scandal and an outrage that tens of thousands of workers are being paid below the minimum wage in companies such as Superbadge in my constituency? In view of the Minister's remarks, I hope that he will look into that company. The Government have been particularly vindictive in several ways. First, there is now only one inspector for 5,000 workers and there were only nine prosecutions in 1989—*[Interruption.]*

Mr. Speaker: Order. The hon. Member must ask a question, please, not start a debate.

Mr. Boyes: On a point of order, Mr. Speaker. I started by asking a question.

Dame Elaine Kellett-Bowman: You did not.

Mr. Speaker: The hon. Gentleman did, but hon. Members should seek to limit their questions to one so that more hon. Members have an opportunity to participate.

Mr. Boyes: I asked only one question. We should not give way to one hon. Member who shouts silly remarks.

Is not it time that the numbers of prosecutions and inspectors were increased? Is not it time also that low-paid workers were protected by the Government instead of allowing companies to flout the regulations?

Mr. Nicholls: The hon. Gentleman is to be complimented on packing a lot of nonsense into a short space of time. Far from there being evidence of widespread under-compliance by employers, even in premises checked by inspectors 96 to 97 per cent. of those employed are being paid in accordance with the law. On prosecution policy, it may be of some comfort for the hon. Gentleman to know that the rate of prosecutions is higher than it was under the Labour Government. If the hon. Gentleman has a particular constituency case, I shall of course be delighted to look into it.

Mr. Hind: Will my hon. Friend firmly reject the Labour party's proposal for a statutory minimum wage? Does he agree that that would lead to people on low pay having no jobs at all, the misery of unemployment and all the consequences for families which go with that?

Mr Nicholls: My hon. Friend is entirely right. The overwhelming number of studies show that the minimum wage policy advocated by the Labour party would have that effect. The difficulty with Labour Members is that they cannot appreciate the fact that no job is worse than low pay.

Government Training Schemes

2. **Mr. Flannery:** To ask the Secretary of State for Employment how many young people are currently engaged on Government training schemes.

The Secretary of State for Employment (Mr. Michael Howard): There are 377,700 young people currently engaged on Government training schemes. That figure does not include young people being educated and trained in the 29 inner city compacts and the 3,000 schools and colleges involved in the technical and vocational education initiative, which together cover a further 656,000 young people.

Mr. Flannery: I hope that the Minister will agree that the quality of training depends on the availability of resources to train young people. Why is he cutting the cost per unit for training of our young people when our competitors in West Germany, for instance, are giving far more than we do to train their young people? Will the Secretary of State give serious thought to that when seeking to justify those cuts to the House?

Mr. Howard: One thing that we are often told about West Germany is the contribution that employers make to the training of young people there. The hon. Gentleman is no doubt aware that the contribution made by our employers to the training of young people here has increased from £33 million to £200 million in the past four years. We expect that trend to continue and to contribute a great deal towards increasing the quality of training for our young people.

Mr. Nicholas Bennett: Does my right hon. and learned Friend recall the criticisms that were made of the youth opportunities programme and the improvements that have been made in YTS? Would he like to tell the House that four out of every five people who go on a youth training scheme either get a job or go on to further education? Does he agree that that is a considerable achievement?

Mr. Howard: My hon. Friend is absolutely right. There is no comparison between the virtually nothing that was

done for training young people when the Labour Government were in office and the quality training received by 2 million people under the youth training scheme. My hon. Friend was right in his identification of the proportion who go into jobs or further education.

Mr. Blair: Will the Secretary of State confirm that the new contracts for training providers, especially in the voluntary sector, are in a state of near chaos with literally thousands of training places for those with special training needs being put at risk? Is he aware that one voluntary organisation, for the resettlement of young offenders, has put the whole of its 250 youth training staff under threat of redundancy? What steps is the Secretary of State taking as a matter of urgency to ensure that those with special training needs—the most vulnerable in our work force—are not the first casualties of the enormous cut in youth training?

Mr. Howard: I certainly will not confirm what the hon. Gentleman has said. The contracts with the training providers are still under negotiation. They have not yet been finalised. When we finalise them we shall take full account of those with special needs. Before the hon. Gentleman talks about resources, he should have a word with the shadow Chief Secretary who has conspicuously omitted to include training as one of the two priority areas on which it is claimed that a Labour Government would increase spending.

Mr. Tredinnick: Is my right hon. and learned Friend aware that Employment Training Services (East Midlands) Ltd. at Hinckley in my constituency, which was formed under his programme, has been so successful that it has had a 90 per cent. occupancy rate with 50 per cent. of those being trained there going on to take up jobs? Indeed, I was privileged to be able to open its new training centre in March this year.

Mr. Howard: I know of the close interest that my hon. Friend takes in that scheme, which is typical of the excellence of the training being provided for young people all over the country.

Engineering Apprenticeships

3. **Mr. Grocott:** To ask the Secretary of State for Employment what were the numbers of engineering apprenticeships available in the west midlands *(a)* in 1979, *(b)* in 1984 and *(c)* in the latest year for which figures are available.

Mr. Nicholls: Engineering apprenticeships are essentially a matter between an employer and the individual trainee; no regular statistics are maintained about them. There are a number of training routes for skilled engineering and technician workers, of which apprenticeships are only one.

The engineering industry training board however, compiles a register of those completing the first stage of engineering craft and technician training. For the west midlands area the figures are 3,710 in 1978-79, 1,320 in 1983-84 and 1,903 in 1988-89.

Mr. Grocott: The House will understand why the Minister wanted to fudge that reply. The answer from official Department of Employment statistics in that in 1981 manufacturing apprenticeships in the west midlands totalled 17,700 whereas in 1989 the figure had fallen to 6,900. Is not that a dreadful indictment of 10 years of Thatcherism? How on earth can we expect to compete in the 1990s if we are not giving our young people the apprenticeship opportunities that they have had in the past?

Mr. Nicholls: The only indictment is that of the hon. Gentleman for not having read his own question before coming into the Chamber. He has just asked a supplementary question about manufacturing apprenticeships when his main question dealt with engineering apprenticeships. I have given the hon. Gentleman the answer to that question. I assume that other opportunities are of some interest to the hon. Gentleman, so he should note that there were 4,700 engineering training places available on YTS in the west midlands and 4,500 trainees. That is something which he ought to welcome, but clearly he will not.

Mr. Beaumont-Dark: Does my hon. Friend agree that many good things are happening in training in Birmingham, as is shown by the fact that Rover is taking on 1,200 more people with its almost unique 24-hour scheme for building cars? Does my hon. Friend also agree that one of the problems in training has been that unions are loth to have apprenticeships because they often demand starting salaries which are too high for people who are learning? Also, unions think that people who are training are taking their jobs. How are we to create new jobs when that obscurantist attitude persists?

Mr. Nicholls: My hon. Friend is entirely right. If one considers the decline in the apprenticeships system, one realises that, by and large, what killed that system off was union pressure to pay apprentices virtually the same rate as qualified people. The good thing about that is that in recent years, under this Government, ways of obtaining training other than traditional apprenticeships have been devised. That is good news, and it underpins the good news to which my hon. Friend referred a moment ago.

Mr. Faechett: Is not the real decline in apprenticeships in the west midlands a direct result of the Government's policies on training? Has not the 100 per cent. decline in apprenticeships over the past 10 years led to skill shortages in the engineering industry in the west midlands? It is clear from the Minister's answer that the Government have been concerned with quantity and not quality. That is why so many firms in the west midlands engineering industry are looking for skilled workers. The Government have failed young people and the engineering industry in the past decade.

Mr. Nicholls: Virtually nothing in what the hon. Gentleman says accords with the facts. He bemoans the fact that in his constituency firms are looking for skilled workers. We can accept it from him that under a Labour Government they would not be making that search because there would be no possibility of offering jobs. The hon. Gentleman's position would be a great deal more credible if every training initiative that the Government have launched, such as employment training, training and enterprise councils and the youth training scheme had not been attacked and denigrated by the Opposition. That is their contribution to training and it is a thoroughgoing disgrace.

Job Clubs

4. **Mr. Ashby:** To ask the Secretary of State for Employment how many job clubs have been established in the United Kingdom.

The Minister of State, Department of Employment (Mr. Tim Eggar): At 28 February this year, there were 994 job clubs in Great Britain.

Mr. Ashby: Will my hon. Friend confirm that more than half the people who enter job clubs find jobs and that in the past five years some 200,000 people have come out of job clubs into jobs? Is not that a good record?

Mr. Eggar: I can, indeed, confirm that. In addition to the 216,000 people who found jobs via job clubs, a further 55,000 have gone into training or some type of full-time education. I recommend that hon. Members on both sides of the House who have not already done so should go and see their local job clubs in action. They are an impressive way of getting people back into jobs.

Mr. Skinner: Is the Minister aware that there is a Westminster job club for people who are after the Prime Minister's job? How many Tory Members, Cabinet Ministers and ex-Cabinet Ministers have joined that job club? Will the Minister be one of those voting for the right hon. Member for Henley (Mr. Heseltine)?

Mr. Eggar: One thing is absolutely certain. Hon. Members on neither side of the House would want to be advised on their job club search by the hon. Gentleman.

Mr. Simon Coombs: Does my hon. Friend agree that job clubs in those parts of the country where unemployment is low have a problem dealing with clients who have difficulties with reading and writing? To what extent could increased efforts be made to help people with such difficulties to find the confidence to go out and obtain jobs?

Mr. Eggar: Yes, indeed. This is a growing problem. We have started some 15 pilot job clubs which specialise in helping people with literacy and numeracy difficulties and with difficulties with English as a second language. The preliminary statistical evidence of the results of those job clubs has been that as many people have found jobs from them as from job clubs in general.

Labour Statistics

5. **Mr. Allen:** To ask the Secretary of State for Employment what is the current total of unemployed in the United Kingdom.

Mr. Howard: In March 1990 the level of unemployment, seasonally adjusted, in the United Kingdom was 1,603,600, which is 5·6 per cent. of the work force. The European Community average rate for February, the latest available date, was 8·6 per cent.

Mr. Allen: As the Secretary of State always refuses to tell us when the unemployment level will come down to 1979 levels, does he recall the Prime Minister's remark in 1983 that unemployment would return to 1979 levels in the long run? Is this one of the Prime Minister's long runs which will go on and on and on?

Mr. Howard: I have good news for the hon. Gentleman and I hope that he will share my rejoicing in it. There are 1·5 million more jobs now than there were in 1979—more than 27 million jobs in total. Will he join me in rejoicing at that figure?

Mr. Dunn: Would my right hon. and learned Friend care to speculate on the impact that the high-spending, high-taxing, high-inflation, trade-union-dominated policies of the Labour party would have on employment levels?

Mr. Howard: Unemployment levels would undoubtedly be far higher than they are now, not least because of the one policy above all to which the Labour party is utterly committed—that is, making striking easier. That would undoubtedly have a devastating effect on employment.

Mr. McAllion: Is the Secretary of State aware of the exploitation of the unemployed represented by the growth in private security firms which pay as little as 95p per hour and make overtime of up to 12 hours per week mandatory on employees? Is he saying that that exploitation of the unemployed is a matter for rejoicing? Is not it time that he got off his backside and started to bring the excesses of such cowboys under the control of the law?

Mr. Howard: I do not see how that could be regarded as exploitation of the unemployed. It is important that jobs are available to the unemployed, as they now are to a greater extent than ever before.

Mr. Madel: Can my right hon. and learned Friend confirm that the Government will not interfere directly or indirectly in wage negotiations and that it is entirely up to management and unions to work out settlements to keep the maximum number of people in work?

Mr. Howard: My hon. Friend is absolutely right. It is equally incumbent on all concerned to have regard to the long-term consequences of their actions so that jobs are not lost because of excessive settlements.

Tourist Accommodation

6. **Mr. Corbett:** To ask the Secretary of State for Employment if he will make a statement on the provision of accommodation within the British tourist industry after the introduction of the poll tax.

Mr. Nicholls: There is no evidence to suggest that the introduction of the community charge will have any significant effect on the provision of tourist accommodation.

Mr. Corbett: Does the Minister not understand that bed-and-breakfast accommodation owners who will have to pay double poll tax if they open for more than 100 days a year will simply shut their doors after 99 days? Does he not understand that that will inhibit the promotion of tourism, especially in our region where it is spread throughout the year? At best, will not it force up bed-and-breakfast charges?

Mr. Nicholls: No, the hon. Gentleman is confusing several matters. The 100-day exemption was introduced as a result of pressure from the tourist industry which wanted such a concession made. At present such a concession can be based only on the views and, if the hon. Gentleman likes, the fears that people have. In due course the evidence will be available and it must be taken into account. I thought that the hon. Gentleman might have been using

his question as an opportunity to remind the House that business rate bills in Birmingham for 1990-91 have been reduced by just under 30 per cent. on average—*[Interruption.]*

Mr. Speaker: Order. I hope that we shall not have answers to questions that have not been asked.

Mr. Bevan: Would it not, by implication, do far more damage to those running bed-and-breakfast accommodation if a roof tax were introduced?

Mr. Nicholls: My hon. Friend is entirely right. I suspect that, once again, that is a policy which the hon. Member for Birmingham, Erdington (Mr. Corbett) and his colleagues will not tell us about today.

Mr. Wallace: May I direct the Minister's mind to another possible and worrying implication of the poll tax for the tourist industry and for other small businesses—the fact that many small business employers will find that they are obliged to attach the wages of many of their employees who have not paid the poll tax? What assessment has the Department made of the impact of that on industrial relations in small businesses and of the administrative burden that it will impose on those businesses, including those in the tourist industry?

Mr. Nicholls: I do not see how a question about enforcement arrangements relating to legislation passed through the House properly arises under this question. However, I must disagree with the hon. Gentleman if he feels that such arrangements would be an inhibition to the tourist industry.

Career Development Loans

8. **Mr. Moss:** To ask the Secretary of State for Employment how many applications have been approved for career development loans.

Mr. Eggar: Since the career development loans became available nationally in July 1988, more than 8,300 people have taken advantage of career development loans to pay for their own vocational training. Those loans had a total value of more than £20 million.

Mr. Moss: After last year's expansion of some 48 per cent. in the career development loan programme, can my hon. Friend confirm that it is due to increase by a further 65 per cent. in the current year? Is that a concrete example of the Government's commitment to increase incentives and opportunities for people to train?

Mr. Eggar: I can certainly confirm that. The programme is an extremely exciting and innovative proposal, which has been widely accepted and taken up. It is a cost-effective way in which people can get additional vocational qualifications to further their careers.

Mr. Rowe: Is not it true that the gradual shift towards people appreciating that training themselves is their responsibility and their opportunity constitutes our best chance of turning the country into one which can compete with our European competitors in training? Will my hon. Friend confirm that the career development loans are just one shot in an armoury, which I hope is well stocked, of measures that will encourage people to take responsibility for their own training?

Mr. Eggar: Yes. That is also the thought behind the formation of the new training and enterprise councils, which are designed so that local employers can provide the kind of training and enterprise assistance appropriate to the locality. My right hon. and learned Friend the Secretary of State recently announced the training credit system to help young people. That is yet another example of the kind outlined by my hon. Friend.

Health and Safety

10. **Ms. Mowlam:** To ask the Secretary of State for Employment whether he has any plans to extend health and safety protection at the workplace.

Mr. Nicholls: The Health and Safety Commission is responsible for bringing forward proposals for the progressive modernisation of health and safety legislation. Details of the commission's future legislative programme will be contained in its plan of work for 1990-91 and beyond, to be published shortly.

Ms. Mowlam: I thank the Minister for that answer. Obviously we are interested in 1990-91, but we are also interested in the record that went before. Given that the employment medical advisory service has cut the number of doctors from 78 to 47 and there have been 147 deaths in the construction industry, can the Minister tell us whether he is satisfied with the amount of funding that the Health and Safety Executive receives?

Mr. Nicholls: The figures for EMAS arise under a later question, but the hon. Lady asks primarily about funding. In recent years, requests by the Commission under the public expenditure survey have been met in full. How the commission decides to allocate resources in accordance with the sums for which it has asked is clearly a matter for the commission.

Mr. Paice: Rather than extending the already high standards of health and safety provisions in this country, is not it more important to ensure that equally high standards obtain throughout Europe? Those standards should be monitored effectively to ensure that European competition is fair and is not advantaged through exploitation of foreign workers.

Mr. Nicholls: I am sure that my hon. Friend is entirely right. One of the dimensions of being part of the European Community is phasing together approaches to health and safety that may not always be in kilter. We must take that into account and I will bear in mind the warning that my hon. Friend has given.

Mr. Tony Lloyd: Is the Minister aware that the internal review document of the Health and Safety Executive says that even if the short-term recruitment plans for the inspectorate are met it will still be 16 per cent. short of the numbers that it estimates necessary to meet all demands? It states:

"It seems unavoidable that for the foreseeable future the inspectorate will continue to have a considerably greater workload than it can cope with."

In the light of that, how can the Minister hold to the view that he has already expressed to my hon. Friend the Member for Redcar (Ms. Mowlam)—that the Health and Safety Executive is responsible for its own budget? Clearly, the HSE did not ask for enough money and, as a result, the Government did not make enough money available to it.

Mr. Nicholls: I hesitate to say to the hon. Gentleman that he should have read that internal document more carefully, but it is a fair point for all that. The position is exactly as I said, that the bids made by HSE in recent years have been met in full. If the commission feels that, in the light of developments, more money is required, it will put forward that view. For the time being, the position is precisely as I described it.

Training and Enterprise Councils

11. **Mr. Favell:** To ask the Secretary of State for Employment what measures the Government are taking to encourage donation of funds by companies to training and enterprise councils.

Mr. Howard: The Government are providing matching funding on a pound-for-pound basis against donations by companies and other private sources to training and enterprise councils up to a limit of £125,000 per TEC in the first operational year. In addition, my right hon. Friend the Chancellor of the Exchequer announced in his Budget speech that any individuals or companies that donate funds to TECs to support their activities will be able to claim tax relief on their contributions.

Mr. Favell: Does my right hon. and learned Friend agree that companies are responding extremely well to the challenge of setting up local training and enterprise councils? Is he heartened by what has happened so far, and is not that far better than the Labour party's proposal in its recent policy document to set up a national network of quangos at a cost of more than £1,000 million a year?

Mr. Howard: My hon. Friend is quite right. There is a tremendous amount of enthusiasm surrounding the setting up of training and enterprise councils. I pay tribute to the Stockport and High Peak training and enterprise council, in my hon. Friend's constituency. I expect to receive its proposed corporate and business plans next month, and I look forward to that.

Ms. Armstrong: I am sure that the Secretary of State would not want to let hon. Members go away this afternoon without recognising the great concern among TECs throughout the country, particularly those setting up, at the major cuts in the training budget, which mean that they will be unable to carry out work of the quality and in the way that they would like. I particularly ask him to look at the problems in Durham county, where industries say that they will simply be unable to meet the shortfall. Where there are still high levels of unemployment and skill shortages, it will be impossible to deliver the quality and amount of training needed.

Mr. Howard: There are no major cuts, and what the hon. Lady said was entirely wrong. We have already signed contracts with 12 training and enterprise councils, which are now operational and delivering the services and training needed in their areas. This is an extremely exciting initiative, and instead of carping and whingeing, it would be nice, if only for once, if the Opposition were to recognise its importance.

Mr. Anthony Coombs: Does my right hon. and learned Friend agree that one of the principal benefits of training and enterprise councils is to allow local business men more adequately to focus the wide variety of training schemes, in both the Government and private sector, on the needs of their local areas? Does he further agree that crucial to this enterprise is the ability of the National Council for Vocational Qualifications to rationalise equally the 12,000 different technical qualifications available to the benefit of employer and employee alike?

Mr. Howard: I agree with both parts of my hon. Friend's question. Local employers are in the best position to know what training is needed to fill the jobs available in their areas and to match the training with the skills required. My hon. Friend is also right to draw attention to the part played by vocational qualifications in achieving those objectives.

Mr. McLeish: Is not it a pity that the Government have to rely on charity to tackle Britain's skills crisis? Will the Secretary of State admit that, as a result of Government cuts, his training and enterprise programmes are in a state of disarray? Will he come clean and tell the House why, in this financial year, £164 million has been cut from youth training, £40 million from the enterprise allowance scheme and £88 million from employment training? Is not the Government's flagship of training, TECs, likely to head for the rocks soon as a result of insensitivity, investment cuts and sheer incompetence?

Mr. Howard: The hon. Gentleman is talking absolute nonsense. What the Labour party cannot accept is that what it is proposing to achieve by compulsion—increasing employers' contributions to training—we are achieving through voluntary means. That is the great achievement of this Government; we have seen it happen over the past four years and we are seeing it happen increasingly. I should have thought that Opposition Members would recognise that and pay tribute to it instead of denigrating it as the hon. Gentleman just did.

Tourist Infrastructure, Hexham

12. **Mr. Amos:** To ask the Secretary of State for Employment if he will visit the Hexham constituency to assess the tourist infrastructure; and if he will make a statement.

Mr. Nicholls: My right hon. and learned Friend has no plans at present to visit Hexham. However, my noble Friend Lord Strathclyde has recently met representatives of the tourism industry in the north-east and hopes to pay further visits to that region soon.

Mr. Amos: I am sure that my hon. Friend will enjoy his visit to what is generally regarded as the most beautiful constituency in the country, but will he have discussions with his colleague in the Department of Transport to ensure better access to sites such as Hadrian's wall and Langley castle by improving signposting to those areas and by dualling the A69 west of Hexham? Will he also ensure greater private sector involvement with the Northumbrian tourist board?

Mr. Nicholls: Coming from a tourist area myself, I share my hon. Friend's concerns about signposting. He will know, I think, that the English tourist board has asked the regional tourist boards to consider again the whole issue of signposting for tourist purposes. I am sure that that will reassure my hon. Friend.

I understand that there are no present plans to dual the A69, although other improvements are being made to it, but that is a matter which my hon. Friend will want to take up with the Department of Transport.

As for funding, I, like my hon. Friend, pay tribute to the work done in Northumbria. But I fully accept that in an industry in which self-employment is highly represented, the more private sector money that can be injected, the better.

Engineering Training

13. **Dr. Michael Clark:** To ask the Secretary of State for Employment what methods he uses to assess value for money with regard to engineering training for young people.

Mr. Nicholls: We assess value for money in public expenditure on youth training by the number of young people obtaining the skills needed by employers reflected in the achievement of recognised vocational qualifications.

Dr. Clark: Does my hon. Friend accept that, despite considerable efforts in recent years, this country has fallen consistently behind its major competitors in respect of the number of young people in engineering and the quality of their engineering training? Are the ad hoc, ever-changing, piecemeal schemes that we have now appropriate, or should we return to a structured but modern form of apprenticeship?

Mr. Nicholls: I do not accept what my hon. Friend says. Youth training in recent times under this Government has improved considerably on what took place under the previous Government. Engineering training on YTS is extremely effective; more than 50 per cent. of trainees leave YTS with a vocational qualification. Overseas comparisons are difficult because different countries do these things in different ways, but apprenticeships in themselves are only a delivery mechanism, and other factors must be taken into account, too.

Mr. Knapman: Is my hon. Friend aware that engineering training received a great boost in my constituency in the form of a £1 million extension to Stroud college recently, and that 60 per cent. of that money came from local employers, so that courses can be directly relevant to local employment prospects? Is not that a good thing?

Mr. Nicholls: It certainly is. It also says something about the quality of training in engineering provided under YTS. About 75 per cent. of engineering trainees on YTS are in a job within three months of leaving the scheme, and that is obviously good.

Training Schemes

15. **Mr. Ron Brown:** To ask the Secretary of State for Employment how many individuals under the age of 21 years are currently being trained under Government-sponsored schemes; and if he will make a statement.

Mr. Howard: There are about 371,500 trainees on YTS and about 6,200 on community industry. They are all under the age of 21. In addition, 656,000 young people are being educated and trained in the 29 inner-city compacts and the 3,000 schools and colleges involved in the technical and vocational education initiative. I have no information on the number of the 210,000 people on employment training who are under 21.

Mr. Brown: Is not it clear that cheap labour schemes are no substitute for fully fledged apprenticeships? Is not it time that the Secretary of State learnt the lesson of West Germany, which believes in that system? Is not it time that he responded to the needs of this country? Will he meet the Trades Union Congress and the Scottish Trades Union Congress, and indeed the Amalgamated Engineering Union, to discuss this matter, which is one of the most pressing issues in the country? Unless the Government invest in people, they invest in nothing.

Mr. Howard: These are not cheap labour schemes. They provide high-quality training and the sooner that the Opposition recognise that instead of denigrating and opposing every initiative that is taken to improve training, the better we shall all be.

Mr. Ian Bruce: Does my right hon. and learned Friend agree that the guarantee that training is of good quality for those under 21 is that employers are willing to invest their own money in the training? If they were not willing to do that, it would show that the training was not of good quality.

Mr. Howard: My hon. Friend is absolutely right. We have seen a spectacular increase in the extent to which employers contribute to the cost of training, especially of young people, and we expect that increase to continue.

Dr. Reid: Has the Minister or any of his colleagues had the opportunity to study the Scottish Trades Union Congress youth committee report on YTS, which was presented to the STUC last week? Is he aware that that report illustrates that three out of four people leave YTS before the end of the scheme, that the training content is normally derisory and that the scheme has led to the abolition of apprenticeships in industry? Is it not about time that the Minister listened to those with real experience of the workings of YTS and tried to remedy the major defects in the scheme?

Mr. Howard: I have not seen the report that the hon. Gentleman mentions, but it is completely at variance with the fact that 80 per cent. of those who complete their training on YTS go into jobs or further training. The hon. Gentleman should bear that in mind, because it is a tribute to the efficacy and success of YTS.

Training, Fylde

16. **Mr. Jack:** To ask the Secretary of State for Employment what forms of training that receive Government financial support are available in Fylde.

Mr. Nicholls: My Department currently provides training in Fylde through a range of programmes including youth training, employment training and business growth training. A prospective training and enterprise council is also undertaking a wide-ranging assessment of the training needs of west Lancashire and will set out its proposals to meet those needs in its corporate and business plans.

Mr. Jack: I thank my hon. Friend for his reply. His comments about the new training and enterprise council in

west Lancashire are warmly welcomed. Will he ensure that his Department responds properly to concerns expressed to me about changed arrangements for the funding of training of young people in the Fylde area?

Mr. Nicholls: I fully accept that the recontracting processs has inevitably caused such concerns. If my hon. Friend has a specific concern that he would like to raise with me, I should be more than happy to see him.

Unemployment Benefit

17. **Mr. Skinner:** To ask the Secretary of State for Employment how many applications for unemployment benefit were refused in 1989; and if he will make a statement.

Mr. Eggar: No applications were refused, but under established procedures independent adjudication officers made some 634,500 decisions to disallow or disqualify claims for unemployment benefit.

Mr. Skinner: Is the Minister aware that an increasing number of people are losing unemployment benefit, because, even though they qualified for it by paying the stamps while at work, many employers nowadays do not hand the money over to the state? That means that when people become unemployed they are unable to get unemployment benefit because the stamps have not been paid. Will the Minister now reverse the process of 1984, when this Tory Government passed a law enabling such employers not to hand over the money and not to be prosecuted? Is not it time that they were prosecuted for taking money out of somebody's pocket and depriving that person of benefit?

Mr. Eggar: I am sure that in the few places where employers have not followed the correct procedures, action is taken. I wish that the hon. Gentleman had welcomed the fact that we have saved some £62 million as a result of fraud investigations over the past year.

Mr. Dickens: Is not it about time that the Opposition showed more concern about benefit fraud? It is disgusting for somebody to register as unemployed and not to give evidence that he is actively seeking employment. Many people are seeking a free ride.

Mr. Eggar: My hon. Friend is absolutely right. It is for precisely that reason that we have put significant additional resources into work to ensure that fraud is uncovered.

Skill Centres

18. **Mr. John Evans:** To ask the Secretary of State for Employment what steps his Department takes to ensure that new owners of skill centres are equipped to meet the demands of local industry.

Mr. Eggar: My Department took professional advice to ensure that all successful offers met the Government's objectives for the sale. The major objective was the sale to the private sector of viable training businesses. Skill centres in the private sector will be more responsive to the needs of local businesses.

Mr. Evans: Will the Minister confirm that the St. Helens skill centre was disposed of without local staff or local organisations being given an opportunity to bid for it? Does he acknowledge that the new owners have no knowledge of the requirements of industry in St. Helens?

Mr. Eggar: I am surprised at the hon. Gentleman. The St. Helens skill centre has fulfilled a valuable service to the local community. The new purchasers have every intention of ensuring that that continues. The staff always had the facility to make a bid for the skill centre had they so wished. Indeed, the management buy-out scheme through Astra was actually a buy-out by management of 48 skill centres.

PRIME MINISTER

Engagements

Q1. **Mr. Oppenheim:** To ask the Prime Minister if she will list her official engagements for Tuesday 24 April.

The Prime Minister (Mrs. Margaret Thatcher): This morning I had meetings with ministerial colleagues and others. Later this afternoon I shall leave for Turkey to be present at the 75th anniversary of the Gallipoli landing tomorrow.

Mr. Oppenheim: When my right hon. Friend has an opportunity, will she remind Chancellor Kohl and President Mitterrand that their countries have steadfastly refused fully to open their markets in areas such as telecommunications, transport and air travel? Will she also take the opportunity to remind them that it is complete nonsense to talk about political and economic union when we have not yet even achieved a fully open internal market?

The Prime Minister: My hon. Friend makes his point very well. I agree that it is far better to complete the task that we already have in hand, especially the completion of the single market, to ensure that there is fair competition throughout the Community and that the directives for the single market are enforced equally throughout the Community.

When it comes to other matters such as political union, it is best first to define that, because it means different things to different countries. If it goes to the root of different institutions we would have quite a lot to say, including the fact that the powers of national Parliaments must continue to be conserved and that the Community should do only those things that it can do better than individual countries.

Mr. Kinnock: Following the right hon. Lady's inquiries, does she now think that it is true that Walter Somers and her hon. Friend the Member for Bromsgrove (Sir H. Miller) were told by the Department of Trade and Industry that the export order to Iraq did not need a licence?

The Prime Minister: I made the position on export licences for the gun absolutely clear in my answers to the right hon. Gentleman last week. My hon. Friend the Member for Bromsgrove (Sir H. Miller) has provided some very helpful details and officials are matching them with their records and recollections. Investigations are in hand by Customs and Excise which is the proper authority to discover the facts and it is getting together all the documents. It is for Customs and Excise to make a

decision on how to proceed. In the meantime, we should congratulate it on intercepting the parts of the gun before they reached Iraq.

Mr. Kinnock: I am grateful to the Prime Minister and I warmly endorse her congratulations, which have been well earned, to Customs and Excise. If a company that has experience in these matters says to a Government Department, "We have doubts about an order"; "we are willing to withdraw from that order"; "we are willing to carry on with that order"; or "we are willing to have it traced", what advice does the Prime Minister think such a company should receive from a Government Department?

The Prime Minister: The first advice to any investigating authority is to find out all the facts. That is the task of Customs and Excise, which, as it is the authority which decides whether there should be any prosecution, is the investigating authority—all the facts, and find them first.

Q2. **Mr. Bowis:** To ask the Prime Minister if she will list her official engagements for Tuesday 24 April.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Bowis: Has my right hon. Friend had time to read the review of the top European companies in *The Sunday Times*, which shows that of the top 50, two came from Germany, eight from France and 28 from Britain? Will my right hon. Friend find time to congratulate each and every one of those British companies and will she use all her persuasive powers to get the tiniest little cheer on behalf of British achievement from the Leader of the Opposition?

The Prime Minister: Yes, I saw the report in *The Sunday Times* and gladly offer our congratulations to those British firms among the top 50 companies, which are quite excellent and give a great lead to Europe. It also augurs well for the Government's policies. We do not want protectionism for Britain because we can compete in the markets of the world and implement all the Common Market directives. We hope that others will follow our example.

Mr. Beggs: Is the Prime Minister aware that families in Northern Ireland have to pay £5 to £6 per week more for energy because we are cut off from the national gas grid in Great Britain? Is she aware of the proposal, presently funded to the tune of £100 million by the EEC, to pipe gas from Morecambe bay to Dundalk in the Irish Republic? What will she do to ensure that gas for the Irish Republic from Morecambe bay is routed through Northern Ireland?

The Prime Minister: As the hon. Gentleman knows, the town gas industry in Northern Ireland was closed down many years ago because it was not economic and it would be enormously expensive to start it up again. A few years ago we considered the possibility of obtaining gas from Kinsale in the Republic, but we came to the conclusion that it was just not worth the colossal expenditure, and I think that that would be our conclusion about the present proposal.

Q3. **Mr. Raffan:** To ask the Prime Minister if she will list her official engagements for Tuesday 24 April.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago. *[Interruption.]*

Mr. Speaker: Order. May I ask hon. Members below the Gangway not to carry on conversations? It is very disruptive.

Mr. Raffan: Does my right hon. Friend agree that a Scotsman sitting for a Welsh seat can face as great a dilemma about which team to support as an Asian living in Bradford? Does she further agree that the true test of a person's loyalty to his country is the contribution that he makes to it, not which cricket team he cheers, and that we can look forward to as viable a contribution from the Hong Kong Chinese who come here as we have long had from the West Indians, the Ugandan Asians and many others?

The Prime Minister: I gladly—*[Interruption.]*

Mr. Speaker: Order. The Prime Minister.

The Prime Minister: I gladly pay tribute to the contribution made by all communities to Britain's national life. We are pleased that the British Nationality (Hong Kong) Bill had a good Second Reading and that the Labour party's squalid, cynical and opportunistic behaviour on that Bill has been so widely recognised for what it was.

Mr. Martlew: Will the Prime Minister join me in condemning the group of general practitioners who banned constituents of mine from their future lists because those constituents live on two council estates? The doctors said that they were expensive and difficult patients to treat. Does not that prove our argument that the general practitioners' contracts will mean a two-tier service—a well-financed and well-organised service for the rich, and a second-rate, second-class service for the rest?

The Prime Minister: No. The hon. Gentleman is aware of the details of the case that he mentions, and knows that the practice in question was pursuing only its usual policy in respect of the areas from which it takes patients. The council estates are some way from that particular practice. The general practitioners concerned have written a public letter, in which they make it clear that there was nothing unusual about their decision and that they were following only their usual policy. No part of their action was due to reforms of the National Health Service.

Q4. **Mr. Bevan:** To ask the Prime Minister if she will list her official engagements for Tuesday 24 April.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Bevan: Does my right hon. Friend agree that Britain needs a high-wage, high-productivity economy to produce the type of industry that this country requires? Does my right hon. Friend further agree that the settlement reached at Longbridge proves that management, by employing large sums of capital, can create even more highly paid jobs round the clock—and in that instance produce fine motor cars?

The Prime Minister: Yes, I agree with my hon. Friend that high wages must be earned by high productivity—and, we hope, with something left over to help reduce prices to the consumer. I congratulate Rover on the agreement that it reached, which provides for the first time in this country continuous operation for 24 hours a day, seven days a week—which will lead to 1,200 extra jobs and

increased productivity. Rover is rapidly becoming one of this country's most efficient manufacturers, producing about 20 vehicles per employee, compared with only six in 1979.

Mr. Kaufman: Thanks to its workers.

The Prime Minister: Yes, they are to be thoroughly congratulated. I hope that Britain will achieve more sales at home and more exports.

Q5. **Mr. Matthew Taylor:** To ask the Prime Minister if she will list her official engagements for Tuesday 24 April.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Taylor: With the number of people undergoing eyesight tests falling by one third since the introduction of charges, and with one optician in five threatened with closure—one practice closed in my own constituency only today—will the Prime Minister review the introduction of charges for eye tests and at least help all old-age pensioners, who comprise the group most at risk from eye diseases that are in some cases sight threatening and life threatening—and who, by and large, are those least able to pay?

The Prime Minister: No. Quite naturally, the number of eye tests increased shortly before charges were introduced, so it is not surprising that it has fallen subsequently. As the hon. Gentleman knows, there are special arrangements for people who have particularly bad eyesight or who are related to those who suffer from conditions such as glaucoma.

Mr. Rhodes James: Is my right hon. Friend the Prime Minister aware that those of us who have close, family connections with the Gallipoli campaign of 1915 are very glad that she is to attend the commemoration marking its 75th anniversary? Will my right hon. Friend also emphasise that ANZAC day for the Australians and New Zealanders, like Remembrance Sunday for us, is a very sacred day when, blessedly, party politics are forgotten and we remember those who served and suffered so that we may live in freedom and peace?

The Prime Minister: I am grateful to my hon. Friend and thank him for letting me have his book on the Gallipoli campaign. We shall not only remember our dead from all parts of the United Kingdom, but we shall pay tribute especially to those from Australia and New Zealand who played such a glorious part in that battle. We shall all commemorate it in precisely the spirit expressed by my hon. Friend.

Q6. **Ms. Mowlam:** To ask the Prime Minister if she will list her official engagements for Tuesday 24 April.

The Prime Minister: I refer the hon. Lady to the reply that I gave some moments ago.

Ms. Mowlam: Will the Prime Minister acknowledge that Customs and Excise cannot be expected to decide which Government Department is responsible for the Iraqi gun affair? Will she therefore now tell the House which Department and which Minister is responsible?

The Prime Minister: Customs and Excise, in a case such as this, is the prosecuting authority. It is not for Government Departments to decide whether there was anything wrong in the application. That is for Customs and Excise. It cannot do that until it has completed the investigation.

Hon. Members: Answer.

Mr. Speaker: Order. The Prime Minister must have a chance to answer.

The Prime Minister: In all legal matters, as I said to the Leader of the Opposition, it is as well to find out all the facts, particularly before Customs and Excise can reach a conclusion.

Points of Order

3.31 pm

Mr. Tam Dalyell (Linlithgow): On a point of order, Mr. Speaker. Is it not a tradition of this House that, when the Government are represented in matters such as ANZAC day, invitations are extended to the Official Opposition party of the day? Why was that not done?

Mr. Speaker: I am not aware that the House is being represented and therefore that is not a matter for me.

Mr. Eric S. Heffer (Liverpool, Walton): On a point of order, Mr. Speaker. The Prime Minister made the point that we—[HON. MEMBERS: "Can't hear."]—ought to get the facts in relation to what is happening in relation to the so-called gun for Iraq. How can we get the facts when the Secretary of State concerned refused to answer questions in this House on the basis that there might be or could be or possibly would be a court case pending? You said, Mr. Speaker, that there was no question of sub judice. How can we put questions about getting the facts when the Secretary of State concerned refuses to answer questions? How can we put it to the Government when they are not prepared to give us the answers?

Mr. Speaker: How the Secretary of State answers questions is a matter for him. The content of his answers is not a matter for me.

Mr. Michael Latham (Rutland and Melton): On a point of order, Mr. Speaker. I am sorry to have to return to a matter which other hon. Members have raised. However, the first half minute of the point of order raised by the hon. Member for Liverpool, Walton (Mr. Heffer) was almost entirely inaudible on the Conservative Benches. The question of the microphones must be addressed as a matter of emergency.

Mr. Speaker: I believe that there is a written answer on that matter today in *Hansard*.

Mrs. Maria Fyfe (Glasgow, Maryhill): I seek your advice on a point of order, Mr. Speaker. Among the many amendments which the House will debate tonight, several have not been selected—

Mr. Speaker: Order. May I stop the hon. Lady there? That is not a matter for me. When the House is in Committee, the hon. Lady should raise the matter with the Chairman of Ways and Means when he takes the Chair. I do not select amendments for Committee stages of Bills.

Mrs. Alice Mahon (Halifax): On a different point of order, Mr. Speaker. Is it in order for the Secretary of State for the Environment to go to a constituency without informing the relevant Member? Are you aware, Mr. Speaker, that the Secretary of State for the Environment visited my constituency today? He sneaked in unannounced and issued a press release excusing his poll tax capping of Calderdale.

Mr. Speaker: Certainly it is a convention of the House that, when we go to the constituencies of other hon. Members, we always inform them. We have a very heavy day in front of us.

Several hon. Members *rose*——

Mr. Speaker: Mr. Wilson.

Mr. Brian Wilson (Cunninghame, North) *rose*——

Mr. Donald Thompson (Calder Valley): On a point of order——

Mr. Speaker: Order. I have called Mr. Wilson.

Mr. Wilson: I genuinely seek your guidance, Mr. Speaker. It is a recognised fact, which has been written and commented on, that on several occasions, wholly inadvertently, the Prime Minister misled the House because——

Hon. Members: Order.

Mr. Speaker: Order. I hope that the word was "inadvertent".

Mr. Wilson: It was definitely "inadvertent". I am referring to poverty statistics. The Prime Minister repeatedly—and, I have no doubt, in good faith—came to the Dispatch Box and quoted statistics that, it has now been accepted, were diametrically wrong. The corrected statistics have appeared in *Hansard* in answer to a written question. However, Ministers came repeatedly to the Dispatch Box and used the figures to boast that the rate of economic improvement of the poorest in this country was twice the national average. Now that this has been diametrically denied by the Department concerned, surely Ministers, including the Prime Minister, who used the false statistics are obliged to come to retract them.

Mr. Speaker: I cannot advise the hon. Gentleman on such procedural matters. He must find other ways of dealing with it.

Rev. Ian Paisley (Antrim, North): On a point of order, Mr. Speaker.

Mr. Donald Thompson: On a point of order, Mr. Speaker.

Mr. Speaker: This is getting contagious.

Mr. Thompson: I apologise for intervening, Mr. Speaker, but, as a result of the accoustics of the House, I did not hear you call the hon. Member for Cunninghame, North (Mr. Wilson).

Further to the point of order made by the hon. Member for Halifax (Mrs. Mahon), is it not right and proper that those who call themselves shadow Ministers should inform us when they visit our constituencies?

Several Hon. Members *rose*——

Mr. Speaker: Order. Let us always stick to the conventions of the House, which are of long standing. We should always as a matter of courtesy inform hon. Members if we go to their constituencies.

Several Hon. Members: On a point of order, Mr. Speaker.

Mr. Speaker: I call Dr. Cunningham.

Dr. John Cunningham (Copeland): On a point of order, Mr. Speaker. The High Court has just announced that it has agreed that the 21 poll tax-capped Labour local authorities have the right to have the decision of the Secretary of State for the Environment reconsidered and examined by judicial review. As the matter is related to the subject down for debate tomorrow, and as in this case,

unlike the fiasco of the Iraqi gun, a case is proceeding, is it in order for the subject to be discussed tomorrow, and can we expect Ministers to answer questions on it?

Mr. Roger Knapman (Stroud) *rose*——

Mr. Jerry Hayes (Harlow): On a point of order, Mr. Speaker.

Mr. Speaker: Order. I should need to look carefully at the Opposition motion to decide that matter. I was not previously aware of what the hon. Gentleman has said. As a general principle, I believe that it would be in order for him to proceed, bearing in mind that he should not mention anything that is sub judice. It seems to have been a rather lucky choice.

Mr. Hayes: Further to that point of order, Mr. Speaker. Surely all that the High Court has done is give leave for a determination of the facts; it has not as yet determined any facts.

Mr. Speaker: I have already told the House that I have no knowledge of the matter. I shall need to look into it.

Mr. Andrew Rowe (Mid-Kent): On a point of order, Mr. Speaker. Yesterday, 650 unsolicited and unwanted boxes were delivered to the House. I believe that such——

Mr. Speaker: Order. We dealt with that matter yesterday.

Mr. Rowe: But I am raising a totally different point.

Mr. Speaker: How different can it possibly be?

Mr. Rowe: I believe that such deliveries constitute a serious security risk. It is highly likely that they could put us all in danger. In any event, are you satisfied——

Mr. Speaker: Order. It is the same point. I said yesterday that I was looking into the matter, for the very reason that the hon. Gentleman raises.

Several Hon. Members *rose*——

Mr. Speaker: Order. I will take one more—Mr. Knapman.

Mr. Knapman: On a point of order, Mr. Speaker. There may be an error in the Order Paper today. In question No. 15, the hon. Member for Edinburgh, Leith (Mr. Brown) was asking about Government sponsored schemes for training under-21s. Is it not more likely that the hon. Gentleman meant to ask about training for the over-21s?

Mr. Speaker: I have no idea. Let us now move on the the ten-minute rule motion. Mr. Amess.

Rev. Ian Paisley (Antrim, North): On a point of order, Mr. Speaker.

Mr. Speaker: Very well. Dr. Paisley.

Rev. Paisley: When replying to the various points of order that have been raised today, you commented, Mr. Speaker, that it was a convention of the House for Ministers visiting the constituencies of hon. Members to make it known to the Members in question that they intended to visit their constituencies. May I ask you to call the attention of Ministers at the Northern Ireland Office to that convention, as they never abide by it and certainly never inform Members who represent Northern Ireland constituencies when they intend to make such visits?

Mr. Speaker: I was not referring just to Ministers. I was referring to a convention of the House that should apply to all.

Dogs Bill

3.42 pm

Mr. David Amess (Basildon): I beg to move,

That leave be given to bring in a Bill to restrict the keeping of certain breeds of dog; to provide for a licensing scheme in respect of those breeds; to provide for increased penalties for the ill-treatment of dogs and for connected purposes.

I freely admit to being a dog lover, although I do not at present own a dog. I have a young family who keep us fully occupied, often behaving as though they were wayward puppies. It is with sadness that I feel it necessary to introduce this Bill, which deals with a serious matter that should be widely discussed.

We are a nation of animal lovers, particulary compared with the way in which the people of many other countries treat their animals. Many people in Britain look after their animals wonderfully well. In certain respects, some of them have a higher regard for animals than they have for human beings. But there is a section of the population who treat animals, and dogs in particular, in an utterly despicable fashion.

Cruelty to animals is intolerable in a civilised society and I hope that the House will view with alarm the RSPCA's recently published statistics, revealing an increase in animal cruelty. Of 2,026 convictions last year, 1,131 involved cruelty to dogs. Owning a dog is a considerable responsibility, and is not to be taken lightly.

My Bill attempts, no doubt in an imperfect fashion, to halt the trend in cruelty. It is in no way directed towards dogs but, rather, towards irresponsible dog owners. I propose that offences involving cruelty to dogs would result in an obligatory disqualification, similar to that imposed in drink-driving offences. Such disqualification could be made automatic in all cases involving cruelty to dogs under section 1 of the Protection of Animals Act 1911.

I propose a minimum disqualification period of three years. There would be an obligatory disqualification for owners of dogs, subject to orders being introduced under the excellent measure introduced by my hon. Friend the Member for Plymouth, Drake (Dame J. Fookes), the Dangerous Dogs Act 1989. There would be obligatory life disqualification from keeping any animal on a second conviction within 10 years of the first conviction for cruelty. There would also be power in severe cases to commit defendants convicted of cruelty to dogs for sentence at the Crown court. In such circumstances, maximum sentences would be extended from six months to five years imprisonment.

Over recent months, there has been widespread concern about the number of dog attacks on children and adults. In the past year, there were some fatalities as a result of such attacks. There is a clear lack of confidence in the ability of certain owners properly to control the behaviour of their dogs. Of course, there are differing views of what could be termed dangerous dogs, but there can be little doubt that certain breeds are strong candidates—for example, rottweilers, German shepherds, pit bull terriers, dobermans, Staffordshire bull terriers and bull terriers. I am quite certain that it is not beyond the wit of the Home Secretary or the Secretary of State for the Environment, together with the Kennel Club and the RSPCA, to draw up an agreed list of potentially dangerous dogs.

Because certain dog owners have not looked after their dogs properly, some horrific attacks have resulted in terrible injuries being inflicted upon people. Perhaps to balance that statement, I should draw to the attention of the House an attack last month on a six-year-old girl, when her pet Alsation jumped on her and threw her about like a rag, with the result that she needed 120 stitches and considerable plastic surgery.

Sadly, violence in society today is commonplace. The aggressive behaviour of certain individuals is increasing and is being reflected in the behaviour of some irresponsible dog owners. During a 12-month period in which dog attacks caused 20 deaths, researchers in the United States found that most were caused by so-called defence breeds. Further concern has centred on the cross between a pit bull terrier and a Rhodesian ridgeback. All animals in the study were kept by young people between the ages of 18 and 25. Sadly, half of them had served prison sentences. Also, 40 per cent. of the owners had committed violent crimes and half the dogs that carried out the attacks had been cruelly treated and bore the scars of such cruelty. Clearly, violence on the part of dog owners is likely to encourage similar behaviour in their dogs.

The Bill would require the breeders of potentially dangerous dogs to acquire a licence through a register compiled by a local authority. The register would note to whom the dogs were sold, and it would be a condition of the breeding licence that such details were provided annually. Such a list would serve a useful purpose in tracing the owners of potentially dangerous dogs and crossbreeds. The register would be welcomed by responsible breeders and help to improve the esteem of a slightly tarnished activity. The police would also welcome such a measure, as it would help their investigations when attacks are carried out.

The Bill would also require owners to muzzle potentially dangerous breeds when they are not on a lead in public places or not in their habitual quarters—that is, their keepers' private premises. Section 3 of the Pet Animals Act 1951 should be amended so that no animal, in particular a dog, should be sold to a minor.

Mr. Jimmy Dunnachie (Glasgow, Pollok): What's wrong with miners?

Mr. Amess: I am referring to a minor in the sense of a young person between 12 and 16.

It is utterly indefensible that a 13-year-old child can purchase a rottweiler. That may seem harsh, but before even a hamster is purchased, it is absolutely essential that the parent gives full consent. Children may love animals and may be eager to obtain all sorts of species, but they can soon tire of what is involved in giving the care and attention that is needed when looking after all sorts of pets.

Finally, the Bill would require the owners of potentially dangerous dogs to have some form of third-party insurance as an obvious protection for the general public, who are always in danger of such attacks. I am not suggesting that the measures that I have briefly outlined provide all the answers to the difficult problems that we face in controlling potentially dangerous dogs. However, I believe that they provide a foundation for constructive legislation on what is a growing problem.

A dog may be a man's best friend, but a man is not necessarily a dog's best friend. I hope that the House will redress that by supporting this sensible and constructive Bill.

Question put and agreed to.

Bill ordered to be brought in by Mr. David Amess, Mr. Ken Hargreaves, Miss Ann Widdecombe, Mr. Tony Banks, Mr. Harry Greenway, Mr. David Alton, Sir Bernard Braine, Mr. Terry Lewis, Dame Janet Fookes, Mr. Roger Gale, Mr. Harry Cohen and Mr. Jeremy Corbyn.

Dogs

Mr. Davis Amess accordingly presented a Bill to restrict the keeping of certain breeds of dog; to provide for a licensing scheme in respect of those breeds; to provide for increased penalties for the ill-treatment of dogs for connected purposes: And the same was read the First time; and ordered to be read a Second time on Friday 4 May and to be printed. [Bill 126.]

Orders of the Day

Human Fertilisation and Embryology Bill

[Second Allotted Day]

Further considered in Committee

[Mr. Harold Walker *in the Chair*]

3.52 pm

Mrs. Maria Fyfe (Glasgow, Maryhill): On a point of order, Mr. Walker. Having seen the selection list I note that two important amendments to new clause 4—amendments (aa) and (bb)—have not been selected; nor has amendment (ee), which would exempt Scotland from the legislation. If we are not to have the chance to consider those amendments, will there be other opportunities for debating those issues?

The Chairman of Ways and Means (Mr. Harold Walker): I am required not to give reasons for my selection or non-selection of amendments. I expect that the debate will be a wide debate and if the hon. Lady is fortunate enough to catch my eye, I shall give sympathetic consideration to allowing her to cover the substance of the matter that is reflected by her amendments.

Mr. Kenneth Hind (Lancashire, West): On a point of order, Mr. Walker. I have heard what you have told the hon. Member for Glasgow, Maryhill (Mrs. Fyfe) about amendments, but should like to seek your guidance. My amendment—amendment (u)—is the only amendment that deals with the grounds on which an abortion can be obtained. It adds the word "serious" to new clause 4 which has been tabled by my right hon. and learned Friend the Leader of the House. Is the fact that my amendment has not been selected a bar to it being raised during future debates on the Bill? Would it be in order for it to be referred to on Report—subject, again, to selection?

The Chairman: All that I can do is offer the hon. Gentleman the advice that I gave to the hon. Member for Glasgow, Maryhill (Mrs. Fyfe). He has raised this matter with me. I assure him that I am not being facetious when I say that I take his point seriously. The selection of amendments on Report is a matter for Mr. Speaker. No doubt his attention will be drawn to what has been said, the representations that have been made about today and those which the hon. Gentleman will undoubtedly make in future.

New clause 4

AMENDMENT OF LAW RELATING TO TERMINATION OF PREGNANCY

"—(1) For paragraphs (a) and (b) of section 1(1) of the Abortion Act 1967 (grounds for medical termination of pregnancy) there is substituted—

"(a) that the pregnancy has not exceeded its twenty-fourth week and that the continuance of the pregnancy would involve risk, greater than if the pregnancy were terminated, of injury to the physical or mental health of the pregnant woman or any existing children of her family; or

(b) that the continuance of the pregnancy would involve risk to the life of the pregnant woman, greater than if the pregnancy were terminated; or

(c) that the pregnancy has not exceeded its twenty-eighth week and that there is a substantial risk that if the child were born it would suffer from such physical or mental abnormalities as to be seriously handicapped.".

(2) In section 1(4) of that Act, for "to save the life" to the end there is substituted—
"(a) to save the life of the pregnant woman, or
(b) to prevent grave permanent injury to her physical or mental health,
and, in the latter case, that the pregnancy has not exceeded its twenty-fourth week.".—*[Sir Geoffrey Howe.]*

Brought up, and read the First time.

Motion made, and Question proposed, That the clause be read a Second time.—*[Sir Geoffrey Howe.]*

The Chairman: With this we may consider the following amendments to new clause (4): (a), in line 3, leave out 'twenty-fourth' and insert 'eighteenth'.

(b), in line 3, leave out 'twenty-fourth' and insert 'twenty-eighth'.

(c), in line 3, leave out 'twenty-fourth' and insert 'twentieth'.

(d), in line 3, leave out 'twenty-fourth' and insert 'twenty-sixth'.

(e), in line 3, leave out 'twenty-fourth' and insert 'twenty-second'.

(f), in line 6, at end insert—
'(aa) that the termination is necessary to prevent grave permanent injury to the physical or mental health of the pregnant woman; or'.

(g), in line 6, at end insert—
'(aa) that the pregnancy has not exceeded its twenty-eighth week and that the termination is necessary to prevent grave permanent injury to the physical or mental health of the pregnant woman; or'.

(x), in line 8, leave out from 'woman,' to 'or'.

(i), in line 9, leave out
'that the pregnancy has not exceeded its twenty-eighth week and'.

(j), in line 9, leave out 'twenty-eighth' and insert 'twenty-fourth'.

(s), in line 11, at end insert '; or

(d) that the pregnancy is due to an act of rape or incest.'.

(h), in line 11, at end insert—
'( ) In section 1(2) of that Act, after "(a)" there is inserted "or (aa)"'.

(k), in line 12, leave out from beginning to end of line 16.

(y), in line 12, leave out from 'Act,' to end of line 16 and insert
'after "practitioners" (in line 3) the words "and to time limits" shall be inserted.'.

(l), in line 15, leave out 'twenty-fourth' and insert 'eighteenth'.

(m), in line 15, leave out 'twenty-fourth' and insert 'twenty-eighth'.

(n), in line 15, leave out 'twenty-fourth' and insert 'twentieth'.

(o), in line 15, leave out 'twenty-fourth' and insert 'twenty-sixth'.

(p), in line 15, leave out 'twenty-fourth' and insert 'twenty-second'.

(q), in line 16, at end insert—
'(3) For section 5(1) of that Act (effect on Infant Life (Preservation) Act 1929) there is substituted—
"(1) No offence under the Infant Life (Preservation) Act 1929 shall be committed by a registered medical practitioner who terminates a pregnancy in accordance with the provisions of this Act."'.

(r), in line 16, at end insert—
'( ) In section 1(2) of the Infant Life (Preservation) Act 1929 (presumption that child is capable of being born alive), for "twenty-eight" there is substituted "twenty-four"'.

(dd), in line 16, at end insert—
'( ) In section 1(2) of the Infant Life (Preservation) Act 1929 (Presumption that child is capable of being born alive), for "evidence that a woman had at any material time been pregnant for a period of twenty-eight weeks or more shall be prima facie proof that she was at that time pregnant of a child capable of being born alive" there is substituted "to be considered being capable of being born alive, a foetus must be capable of sustained independent survival"'.

We are also to consider at the same time the following:

New clause 1—*Amendment of Abortion Act 1967*—
'.—(1) The Abortion Act 1967 shall be amended as follows.

(2) For subsections (1) and (2) of section 1 of the Abortion Act 1967 ("the principal Act") there shall be substituted—
"(1) Subject to the provisions of this section, a person shall not be guilty of an offence under the law relating to abortion when a pregnancy is teminated by a registered medical practitioner if two registered practitioners are of the opinion, formed in good faith, that the continuance of the pregnancy would involve—
(a) risk to the life of the pregnant woman; or
(b) risk of injury to the physical or mental health of the pregnant woman, greater than if the pregnancy were terminated; or
(c) risk of injury to the physical or mental health of any existing children of her family, greater than if the pregnancy were terminated; or
(d) substantial risk that if the child were born it would suffer from such physical or mental abnormalities as to be seriously handicapped.

(2) In determining whether the continuance of a pregnancy would involve such risk of injury to health as is mentioned in paragraph (b) or (c) of subsection (1) of this section, account may be taken of the pregnant woman's actual or reasonably foreseeable environment:

(2A) No pregnancy may lawfully be terminated after the end of its twenty-fourth week—
(a) under sebsection (1)(b) of this section, unless two registered medical practitioners are of the opinion, formed in good faith, that the termination of the pregnancy is essential to prevent serious damage to the mental or physical health of the pregnant woman; or
(b) solely on the ground of subsection (1)(c) of the section.

(2B) Where at the time of the termination of pregnancy two registered medical practitioners are of the opinion, formed in good faith, that the pregnancy has not exceeded its twenty-fourth week, that opinion shall, for the purposes of subsection (2A) of this section, be conclusive."

(3) For section (5)(1) of the principal Act there shall be substituted—
"5.—(1) No offence under Infant Life (Preservation) Act 1929 shall be committed by a registered medical practitioner who terminates a pregnancy in accordance with the provisions of this Act."

(4) This section shall come into force at the end of the period of two months beginning with the date on which it is passed.'.

New clause 2—*Time limit for termination of pregnancy*—
'.—(1) Section 1 of the Abortion Act 1967 (termination of pregnancy not to be a criminal offence where specified in the section) shall apply only to a termination up to the end of the twenty-fourth week of gestation.

(2) It shall not in any case be an offence under the law relating to abortion for a pregnancy to be terminated by a registered medical practitioner in a case where he is of the opinion formed in good faith, that the termination is immediately necessary to save the woman's life or to prevent grave permanent injury to the physical or mental health of the pregnant woman.

(3) For section 5 of the Abortion Act 1967 there shall be substituted—

"5. No offence under the Infant Life (Preservation) Act 1929 shall be committed by a registered medical practitioner who terminates a pregnancy in accordance with the provisions of this Act."

(4) In this section, "the law relating to abortion" means sections 58 and 59 of the Offences Against the Person Act 1861 and any rule of law relating to the procurement of an abortion.

(5) This section shall come into force at the end of the period of two months beginning with the date on which it is passed.'.

New clause 3—*Medical judgment: termination of pregnancy*—

'(1) The Abortion Act 1967 shall be amended as follows.

(2) After section 1(1)(b) there shall be inserted—

"and

(c) that the foetus is not viable and capable of sustained survival at the time the pregnancy is to be terminated."

(3) For section 5(1) there shall be substituted

"(1) The provisions of the Infant Life (Preservation) Act 1929 (protecting the life of the viable foetus) shall not apply to any treatment for termination of pregnancy carried out under the provisions of this Act."'.

New clause 5—*Termination of Pregnancy (Amendment of 1967 Act)*—

'.—(1) Section 1 of the Abortion Act 1967 is amended by leaving out the condition imposed by the words beginning with the word "two", following the word "if" in subsection (1) to the end of the subsection, and by leaving out subsection (2).

(2) In place of the words left out there are inserted the following words—

"(a) the pregnancy has not exceeded its twelfth week and the termination is with the consent of the registered medical practitioner on whose list the pregnant woman is, or

(b) the pregnancy has exceeded its twelfth but not its twenty-fourth week, if both the practitioner who carries out the termination and another registered medical practitioner of not less than consultant level certify in good faith that the pregnancy puts at grave risk the mother's physical or mental health, or that there is a foetal abnormality with a strong probability that the child would suffer a condition both incurable and wholly destructive of the quality of life, or that conception arises from rape or child abuse or that the mother was a minor at the time of conception,

(c) the continuation of the pregnancy would result in the death of the pregnant mother or irreversible grave damage to her health."

(3) Section 1 of the 1967 Act is further amended by leaving out of subsection (4) the reference to two medical practitioners in subsection (1).'.

Mr. Bowen Wells (Hertford and Stortford): On a point of order, Mr. Walker. Could you explain to the House in the best and most clear form available to you exactly how the procedures will operate today and how the voting will take place on the amendments on the order paper?

The Chairman: I am bound by the recommendations of the Business Committee. We shall have a debate lasting until 11 pm, on the assumption that hon. Members sustain the debate until then. All the signs are that that is the case. On new clause 4, the various amendments listed in the selection list and the substance of new clauses 1, 2, 3 and 5, the voting will follow the sequence of the amendments and new clauses on the selection list, conditioned, of course, by the outcome of each Division. We shall follow the sequence on the selection list.

Mr. Wells: Further to that point of order, Mr. Walker. Could you make certain that it is made clear to hon. Members exactly what they are voting on before each Division takes place?

The Chairman: That is a matter for the judgment and common sense of hon. Members. Of course, when the time comes to put the amendments to the House, we shall seek, as far as is practicable for the Chair, and short of appearing to advise hon. Members on how they might vote, to respond to what the hon. Gentleman said and to make sure that hon. Members know what they are voting on. In the course of the debate, Members will be aware of what they are discussing and what the Division is about.

Mr. Dennis Skinner (Bolsover): I do not think that that is good enough. Yesterday, a list of amendments was put in the No Lobby. It showed what type of amendments would be taken today. Even they were complicated. Nevertheless, that is what we expected. Today the agenda is different. I have no doubt that many Members of Parliament here today are working on the principle that what they saw in the No Lobby yesterday will apply. Apparently, that is no longer the case. We have already heard that certain amendments tabled by my hon. Friends on the Front Bench have not been selected. Those amendments apparently will not be taken.

Furthermore, we are dealing with an unusual procedure. It is not normal practice for the House of Commons. In the first place, the idea that the debate will continue until 11 pm is unusual. From then on, a series of amendments will be put to the House. In many cases, which one is called will depend on which amendments have been carried. That is not the case on any other occasion. This procedure should not have been started in any case. It is only because of the pressures brought by certain individuals that we are dealing with abortion on the Human Fertilisation and Embryology Bill. People have been twisting and turning on the Bill ever since it began.

The Chair has a duty to explain, before the business begins, exactly what amendments will be taken, in what order, and which will fall subsequently if others are carried, so that everyone is aware of what is happening. There is a serious danger that, if certain amendments are carried, some hon. Members will think that that is the end of the business. They might leave this place, with the result that a change might take place at 2, 3, or 4 o'clock in the morning. It is high time that the Chair fully explained what the amendments are, in what order they will be taken and which will fall consequent on others being carried.

4 pm

The Chairman: The normal procedure of the House has been followed for the selection of amendments. There is nothing unusual in the fact that, for various reasons, some amendments have not been selected. I have explained that I am not required to give reasons for non-selection. There is nothing unusual about that. The extension of our sitting time to 11 pm was decided by the House following the recommendations of the Business Committee.

Mr. Skinner: The Front Benches.

The Chairman: I am bound by the decisions of the majority of the House. The hon. Gentleman asked about the sequence of the amendments put to the House. At the conclusion of the debate, the occupant of the Chair shall

[The Chairman]

again follow the usual practice of the House and put them as they are set down on the selection paper. Clearly, some amendments are conditional on what may happen to preceding amendments, but that can be determined only in the light of events after 11 pm.

Rev. Ian Paisley (Belfast, North): On a point of order, Mr. Walker. Is it right that this debate will be more like a Second Reading debate than an ordinary Committee debate on abortion? In answer to the hon. Member for Glasgow, Maryhill (Mrs. Fyfe), you said that the debate would be wide. Does that mean that it will be like a Second Reading debate on abortion, only with amendments?

The Chairman: The hon. Gentleman is correct, in so far as the new clause deals with abortion. We are responding to the question whether the clause will be read a Second time, and to that extent it will be like a Second Reading debate. It may be a little unusual that, within that one debate, we shall also discuss all the amendments which I have selected and which are set down on the selection paper.

Dame Elaine Kellett-Bowman (Lancaster): Further to the point of order of the hon. Member for Bolsover (Mr. Skinner), Mr. Walker. Is it not the case that the lists for today and yesterday are identical except that today, not surprisingly, the words "First Allotted Day" are omitted?

The Chairman: The hon. Lady is correct.

Mrs. Alice Mahon (Halifax): Further to the point of order of my hon. Friend the Member for Bolsover (Mr. Skinner), Mr. Walker. I am sure that the public at large, as well as hon. Members, feel that this complicated procedure has been drawn up to confuse, in the hope that the anti-abortionists will at last get their way. I am disappointed that we shall not have a full explanation of each amendment and clause as it is debated.

The Chairman: If the hon. Lady finds the procedure difficult, the Chair finds it no less difficult. Like all hon. Members, I have to recognise the Standing Orders and established procedures of the House. It provides difficulties for the occupant of the Chair no less, and perhaps even more, than for ordinary Members. Surely, the explanation of the amendments rests not with the Chair, but with those responsible for them. It is not for me to guide the House on the merits of the amendments. I am following the established procedures of the House, and on an occasion such as this, they become rather difficult and complicated.

We are taking up valuable debating time. Perhaps we can move on.

Mr. Wells: Just before we get on to the debate, may I urge you, Mr. Walker, because of the views put to you from various parts of the House, to recognise that this is an unusual procedure which you have adopted? Members of Parliament will be in difficulties if you follow exactly the same sort of procedures which are normally followed by the Chair. Members of Parliament would appreciate a great deal more clarity when you announce the various questions about exactly what we are voting on. I urge you to consider that.

The Chairman: I must tell the hon. Member for Hertford and Stortford (Mr. Wells) that they are not procedures that I have adopted but the procedures of the House, reinforced by the recommendations of the Business Committee, upon which the House voted. I have not chosen the procedures, but I must apply them. I appreciate the hon. Gentleman's point that these are not easy matters and that, at the end of our debate, the House should be quite clear when it is required to vote. Certainly I shall bear in mind what the hon. Gentleman has said and, whether I or anyone else is in the Chair, we shall ensure that we are alive to the hon. Gentleman's point and that the House is clear, in so far as the Chair can make it clear, exactly what it is to vote upon. I do not think that I can go beyond that. Perhaps we can now proceed.

The Minister for Health (Mrs. Virginia Bottomley): In rising to speak to this new clause I am clear that, perhaps above all others, this is an issue on which there are deeply felt and sincerely held views on all sides in the House and in the country.

On questions relating to abortion, the Government, like their predecessors, do not have a collective view. The issue is one on which Ministers and Members of all political parties, and also adherents of many religious beliefs, take differing views. It is essentially a matter of individual judgment and conscience to decide in this area what the law should permit and what it should ban.

On abortion it is also a matter of individual judgment and conscience what a person should do within what the law permits. In what follows I shall distinguish my role as a Minister and my position as the Member of Parliament for Surrey, South-West. Being a Health Minister gives me no special basis upon which to advise anyone on matters of conscience or morality. That is a measure of the special nature of the matter now before us.

In speaking to the new clause on time limits for abortion, which stands in the name of my right hon. and learned Friend the Leader of the House, it would be helpful to the Committee to go into some detail about the background to it, its effect if carried in its present or modified form, and on the ways in which the Committee may be able to reach a coherent conclusion on those matters. In view of the importance and complexity of the questions, I have arranged for copies of my speech to be made available in the Vote Office as soon as possible so that hon. Members can study it in more detail and perhaps draw on it as the day proceeds.

I shall concentrate on the new clause and the amendments in the name of my right hon. and learned Friend the Secretary of State. Other amendments will no doubt be the subject of detailed discussion later in the debate.

The Government have an inescapable role in administering what Parliament has decided to enact. With it comes the role of advising Parliament if a legislative proposal seems confusing, or difficult to operate in practice, or inconsistent with some other provision. With it also comes the further role of advising Parliament of ways in which changes over time and the recent developments in medical and scientific practices may have affected the existing legislation in ways in which Parliament should take account. It is in that context that the Government have considered the question of abortion time limits.

The Abortion Act 1967—private Member's legislation—applied to Great Britain but not to Northern Ireland and did not include specific references to time limits. It linked instead with the Infant Life (Preservation) Act 1929. That Act, which applies to England and Wales, made it a criminal offence to destroy the life of any child capable of being born alive, except where it is done to save the woman's life, and for that purpose provided a rebuttable presumption that a woman who had been pregnant for 28 weeks should be presumed to have a child capable of being born alive. At and above 28 weeks, the onus is on the defendant to show that the child would not have been viable. Below that time, the onus is on the prosecution to show that the child would have been born alive.

The 28-week figure was established on the basis of the medical and scientific knowledge available at that time, more than 60 years ago. In Scotland, the only legislative proposals are those contained in the Abortion Act 1967. As I have made clear, the 1967 Act does not include reference to time limits, so in Scotland satisfaction of the grounds for abortion as set out in section 1 of that Act is all that is needed to ensure that a termination of pregnancy is lawful.

Mr. Wells: I am deeply grateful to my hon. Friend for giving way. Before she goes on, will she accurately define what she means by "viable" in this context?

Mrs. Bottomley: For a child to be born viable, it must have a beating heart and sustainable respiration. I shall go on to talk about the recommendations of several organisations involved with the subject as to what is an appropriate way to respond to the issue of viability. Under the Infant Life (Preservation) Act 1929, that is a matter for the prosecution to substantiate in the case of a child born under or over the limit. Since 1929, advances in medicine have altered the position on foetal viability. Some foetuses of less than 28 weeks gestation, which would at one time have stood little chance of surviving after birth, now have a greater chance of survival. That is the issue about which my hon. Friend is concerned.

In 1980, the Government invited a working party of the Royal College of Obstetricians and Gynaecologists, including representatives of medical and midwifery professional bodies, to consider the question of foetal viability. In 1985, they presented a report. Its conclusion was that the presumptive age of capacity to be born alive should be reduced from 28 weeks to 24 weeks. That advice was confirmed by the royal college and the associated organisations when they reviewed the report at the end of 1987.

In a statement issued only this month, the royal college reiterated its view that 24 weeks should be the age at which a foetus is considered viable. In their view, a gestational age limit below 24 weeks would have an inequitable and adverse effect on those women in need of having their pregnancies terminated. Ministers have indicated on several occasions, in this House and in another place, in debates on private Members' legislation on this subject, that a reduction to 24 weeks, as proposed in the royal college report, would be in line with current medical opinion and practice.

The Government have taken administrative action to ensure that no abortions above 24 weeks are carried out in private clinics licensed by the Secretary of State for the purpose of the Abortion Act. The number of such abortions carried out in National Health hospitals is now small—the figure for Great Britain in 1988 was 23.

Mr. David Alton (Liverpool, Mossley Hill): Has the Minister had a chance to consider the ruling of Mr. Justice Brooke, who said that viability was to be defined as the capacity to survive for a few minutes unaided? Where does the definition that she has just given leave babies such as the Carlisle baby, which was born and survived for three hours struggling for life in a petrie dish before being incinerated?

Mrs. Bottomley: The Carlisle baby case has been subject to much discussion, not least in a debate in this House in which my hon. and learned Friend the Minister of State, Home Office took part. The other case to which the hon. Gentleman refers is a matter for civil law. I am making it clear that there is a considerable body of opinion which believes that the Infant Life (Preservation) Act limit should be reconsidered, and that viability should be reconsidered at the stage of 24 weeks. In cases where that is challenged, it is a matter for debate in the courts.

Mr. Wells: I am sorry to press the point about viability, but I am concerned as to whether the viability test includes the lack of a brain, or its function, and major defects, both mental and physical, in the foetus in the women's body. Therefore, I should be grateful if the Minister could make it clear whether or not her term "viability" includes those considerations.

Mrs. Bottomley: I have made it clear that viability has to do with being able to sustain life, having a heartbeat and being able to sustain respiration——

Mr. Patrick Cormack (Staffordshire, South): The fundamental question to many of us concerns the life of the child. How many women miscarry after 20 weeks, because that seems fundamental to the question of how many children we are killing?

4.15 pm

Mrs. Bottomley: I cannot tell my hon. Friend how many women miscarry after 20 weeks, but I can tell him that there have been about 3,000 legal abortions after 20 weeks.

Ms. Clare Short (Birmingham, Ladywood): I should like to return to the point in the Minister's speech when she first gave way, and to the recommendation that we should come down to a 24-week limit—which I support, with exceptions for hard cases. Can the hon. Lady confirm for the record that, of babies born at 24 weeks, only about 15 per cent. survive—with all the medical technology that we have—and that large numbers of them are brain-damaged? It should be recorded that we are discussing the very brink of viability of a child.

Mrs. Bottomley: I can confirm that many of these early infants sustain either physical or learning disabilities. I cannot give the precise proportion, but it is considerable.

Sir Bernard Braine (Castle Point): I hesitate to rise, because I realise that my hon. Friend is in the middle of her speech, but a far more important question with which the House must deal concerns the state of the present law. Does the Infant Life (Preservation) Act lay down that it is a crime to abort a child capable of being born alive? If we

[Sir Bernard Braine]

relate that to the age at which children are being born alive and surviving, we get a clue—nay, an answer—to the issue which should constitute this debate.

Mrs. Bottomley: As the Father of the House knows the terms of the Infant Life (Preservation) Act full well, he will know that it is for the prosecution to substantiate its claim to rebut the assumption of the limit at which a child should be presumed to be capable of being born alive. I know that my right hon. Friend feels strongly about this subject and no doubt he will have the opportunity to speak later in the debate, but I should make some headway.

In the many debates on abortion, in this House and in another place, there has been movement towards changes which would include specific time limits for Great Britain within the Abortion Act 1967, rather than merely amending the 1929 Act. That was the proposal made by the Select Committee in another place and in various recent Bills, including the Abortion (Amendment) Bill, which recently came to us as private Member's legislation from another place. For convenience I intend to refer to it as the current abortion Bill.

Members are all aware of the lengthy and complex debates that have taken place on this subject in recent years in this House and in another place. The Committee now has this opportunity to debate and decide on these matters. Both outside and inside Parliament a view has increasingly developed that Parliament should decide where it now stands on this vital issue. There have been lengthy debates in the country as well as here. Parliament many now be ready to reach a conclusion on those questions.

It may be the view of the House that a clear outcome should be reached which would take into consideration the changes in medical and scientific practices, but I must emphasise again that the Government are not seeking to lay down whether a change should be made or, if so, what the change should be. The Committee may wish to leave the law as it is, or to alter the Infant Life (Preservation) Act only, or to bring time limits within the Abortion Act at various possible levels.

Dame Elaine Kellett-Bowman: Since the gynaecologists started to make their report on the viability of foetuses, and then brought in their revised report, a massive change has taken place in technology; so the so-called figures put on the so-called record by the hon. Member for Birmingham, Ladywood (Ms. Short) are quite fictitious because techniques are advancing so rapidly that disabilities of that kind can be overcome much more readily. We are supposed to be legislating for the future, not for the current state of play or what has happened within the year, but for what will happen in the next 10 years.

Mrs. Bottomley: I am afraid that in a sense I can confirm to my hon. Friend that the learned bodies have only recently reviewed and reconfirmed their previous advice. It is estimated that about 40 per cent. of small infants born before 24 weeks have some learning disability or some other serious disability. Perhaps I could make some progress now.

As hon. Members are well aware, the role of the Minister is to help the Committee, if it wishes to debate these matters and to reach conclusions, to do so in an orderly and logical way. We have already agreed on timetable motions to ensure that there is adequate time for debate and to allow votes on the amendments. It is up to the Committee whether it uses those opportunities. It is evident that it would be possible to produce outcomes which were to a greater or lesser extent coherent or confused.

From the detailed soundings that my right hon. and learned Friend the Leader of the House has made in all parts of the Committee, it appears to be the overwhelming wish to avoid an inconclusive outcome and to produce a definite workable result. In view of the responsibilities of the Department of Health for administering the abortion provisions, my right hon. and learned Friend the Secretary of State for Health, with the Leader of the House, and with other Health Ministers considered how best procedural help could be offered to the Committee.

The subject is complex not only because of the wide range of choices available, but also because of the interaction in England and Wales between the Infant Life (Preservation) Act and the Abortion Act. The House will be grateful to my right hon. and learned Friend the Leader of the House for putting down a comprehensive new clause setting out a coherent scheme based on what may be a possible consensus. I use the word "possible" rather than "likely" because the new clause is not intended in any way to pre-empt discussion and decision. The position is quite the reverse. The new clause tries to cover the main aspects on which the House needs to reach a decision one way or another, both on the time limits for the various provisions in the Abortion Act and on the rebuttable presumption in the Infant Life (Preservation) Act.

Mrs. Alice Mahon (Halifax): Will the Minister tell us why we were not given the opportunity fully to debate the Houghton Bill as the Lords were? That is what we wanted.

Mrs. Bottomley: I think that I have made it clear that my right hon. and learned Friends the Leader of the House and the Secretary of State for Health have used their best efforts to ensure that it is possible for the Committee to debate the main principles involved so as to try to reach some sort of consensus. These subjects have been debated frequently in recent years without reaching a conclusion. Efforts have been made to ensure that people are fully able to debate the key issues not only in the House but in the country.

Mr. Skinner: The Minister has said that there have been soundings of hon. Members. I am not aware of who was sounded out. May we take it that she can tell us exactly who the Leader of the House spoke to? Were members of the pro-life group asked to give their opinion in order to try to get them off the Government's back? Notwithstanding the soundings of pro-life representatives, I can assure the Minister that from listening to interviews on the radio it is clear that the pro-life group will not go away. Irrespective of what happens today, they will come back because the Ceaucescu lobby is here to stay. I want to know who was sounded out. Was it Opposition Members, people on the Front Bench or members of the pro-life group? The hon. Member for Liverpool, Mossley Hill (Mr. Alton) was sounded out. How many more people were sounded out?

Mrs. Bottomley: I have little sympathy for the hon. Gentleman's intervention. It is clear that a period of time

has been set apart to debate these crucial issues. There is strong feeling not only in the House but in the country on these questions. I have made it clear that my right hon. and learned Friend the Leader of the House has sounded out a number of people who have a strong interest. They were people in both parties with various interests and those who have strong views on the subject. He was trying to take a balanced view to make sure that everyone could contribute. I hope that the hon. Member for Bolsover (Mr. Skinner) will have an opportunity to make a fuller contribution to the debate.

The new clause is put forward in my right hon. and learned Friend's role as Leader of the House. It does not necessarily comprise his views as the Member for Surrey, East. The new clause contains only possible answers. We have been anxious to present the House with a range of possible amendments on various aspects of the new clause, drafted in what we believe, after taking advice, would be a workable way. The rules of the House understandably prevent my right hon. and learned Friend from moving amendments to his new clause. For that reason, to assist the Committee my right hon. and learned Friend the Secretary of State for Health agreed to put down a series of amendments. Some propose to relax particular limits in the new clause and others would make them more stringent.

Mr. Andrew MacKay (Berkshire, East): I rise on a point of clarification, which my hon. Friend may not be able to answer. Perhaps our right hon. and learned Friend the Secretary of State can answer when he replies to the debate. Some people feel that amendment (f) might have been inadvertently misdrafted. Perhaps we could have clarification on whether, if it is passed, the termination level would be unlimited, or whether it would be at the level that we previously would have agreed when we voted on the various weeks contained in earlier amendments. Perhaps we could have clarification of that before we reach the votes.

Mrs. Bottomley: I can make that clarification now, but then I must proceed with my speech so that other hon. Members can have the opportunity to make their speeches. Amendment (f) has no time limit, whereas amendment (g) introduces a time limit of 28 weeks in the case of grave permanent injury to the health of the woman.

My right hon. and learned Friend the Leader of the House has already provided hon. Members with a fair amount of written material which sets out the background to the subject, the nature of the new clause and the amendments to it that he and my right hon. and learned Friend the Secretary of State for Health have put down, and the main procedural issues which seem to us to arise when the time for decision-making comes. I urge all hon. Members to study that material carefully because it seeks to set out as clearly as possible the effect of the new clause and of my right hon. and learned Friends' amendments to it.

An attempt has been made to provide hon. Members with relevant material. It is nevertheless inevitably complex and difficult legally, over and above the moral and ethical complexities that the subject presents to us. It may help the Committee to go through the new clause in some detail, referring to possible variations which might be made in it and explaining at the same time how hon. Members may wish to reach a decision so as to avoid inconsistency and difficulty in practical matters. I apologise to the Committee in advance that in discussing the new clause and my right hon. and learned Friends' amendments I shall need to go into complex options and choices where action in one area may impinge on what is done in other areas. However, if the Committee permits I shall try in my speech to make the position as clear as I can. Copies of my speech will be available.

The main object of the new clause is to put specific time limits in the 1967 Abortion Act while leaving the system of the rebuttable presumption in the 1929 Infant Life (Preservation) Act to operate as well. I shall say more later about the 1929 Act. Unless changes are made in the 1929 Act to separate it from the 1967 Act completely, anything said about specific time limits needs to be qualified in respect of England and Wales by reference to the 1929 Act. If hon. Members do not wish to put time limits into the 1967 Act, they should vote against the new clause.

Subsection (1) of new clause 4 deals with the ordinary case where termination of pregnancy has to be approved by two doctors. That is to be distinguished from the emergency provisions in section 1(4) of the 1967 Act where the approval of only one doctor is needed, and to which I shall return later. The new clause sets out three separate grounds for abortion. Those are essentially the same as those in the 1967 Act, but have been rearranged to bring them out more clearly. The 1967 Act included two of them in one paragraph.

The first ground in new clause 4, subsection (1)(a), deals with abortion where two doctors consider that the continuation of the pregnancy would involve risk, greater than if the pregnancy were terminated, of injury to the physical or mental health of the pregnant woman, or any existing children of her family. I shall refer to this as injury to physical or mental health. That is by far the most common ground on which abortions are at present carried out, and accounted last year for 89 per cent. of the total. In such cases, the new clause would provide as a time limit that the pregnancy has not exceeded the 24th week.

Mr. A. E. P. Duffy (Sheffield, Attercliffe): Will the Minister give way on that point?

4.30 pm

Mrs. Bottomley: No.

Under the clause, the 1929 Act would still apply in England and Wales, so that it would not be legal to perform an abortion even at or below 24 weeks if the child was capable of being born alive. Twenty-four weeks was selected as perhaps the most commonly suggested limit, but my right hon. and learned Friend the Secretary of State has moved amendments to substitute other figures at two-week intervals from 18 to 28 weeks. Those are amendments (a) to (e), and they appear on the Order Paper in what is referred to as the "pendulum order".

If the new clause is accepted, the first of those amendments that is passed will set the time limit in the new clause. If no amendments are passed, the time limit will be the proposed 24 weeks. That may be so regarded by most people outside the House.

Paragraph (b) provides for abortions where the continuance of the pregnancy would involve risk to the life of the pregnant woman greater than if the pregnancy were terminated. That makes no change from the 1967 Act. There is little or no dispute that that provision should remain.

Mr. Duffy: Will the Minister give way on that point?

Mrs. Bottomley: Unlike all the other provisions, it is not affected by the Infant Life (Preservation) Act 1929, since the 1929 Act makes a specific exception for actions done in good faith

"for the purpose only of preserving the life of the mother."

Paragraph (c) of the new clause deals with cases where there is a substantial risk that if the child were born it would suffer from such physical or mental abnormalities as to be seriously handicapped. That is regarded as the "serious foetal handicap" category.

There is widespread recognition that such cases present particular difficulty for several reasons. A special factor is that foetal handicap may not be diagnosable until fairly late in the pregnancy, although we hope that new medical techniques will increasingly make earlier diagnosis of some of those abnormalities possible, a subject that we debated yesterday. A time limit of 28 weeks has been suggested. That is subject to the provisions of the 1929 Act.

My right hon. and learned Friend the Secretary of State for Health has put down amendments which, if selected, would give the options of a 24-week limit for that type of case, amendment (i), or no limit at all, amendment (j), as provided in the current Abortion Bill passed by another place. In either case, the amendments would be subject again to the overriding provisions of the 1929 Act, unless the House decides to remove those too. I refer to amendment (q).

The three criteria set out in the new clause and in the 1967 Act are not the only ones that can be proposed. As the first example of this, the new clause does not provide in abortions approved by two doctors for the special test of

"grave permanent injury to the physical or mental health of the pregnant woman".

That form of words is specified as a ground for abortion in the emergency provisions in section 1(4) of the 1967 Act to which I shall refer later.

My right hon. and learned Friend the Secretary of State has put on the Order Paper amendments to insert this as a ground, either with no time limit, amendment (m), or a 28-week time limit, amendment (g). Either would be subject to the 1929 Act unless, as I have made clear, the House decided otherwise, and that would be amendment (q).

Subsection (2) deals with what are generally referred to as the "emergency" situations where an abortion can be carried out by one doctor without the second opinion that is normally required. That is covered at present in section 1(4) of the 1967 Act on two grounds—to save the life of the pregnant woman, or to prevent grave permanent injury to her physical or mental health. On the first ground—that of saving life—there is at present no time limit, and the 1929 Act does not apply. No change is proposed here.

In the case of grave permanent injury, the effect of the 1929 Act in England and Wales is to apply at present a limit of, in effect, 28 weeks. That can be misunderstood. If time limits come to be applied in the Abortion Act to non-emergency abortion, it would seem logical that such time limits should also apply to this category of emergency abortions. The new clause proposes a limit of 24 weeks in line with the main limit. My right hon. and learned Friend refers to that aspect in his guidance for right hon. and hon. Members. In that area, in particular, it may be felt that the position should be different from the main limit.

My right hon. and learned Friend's amendments propose various alternatives. Amendment (k) would omit subsection (2) of the new clause altogether, thus leaving the situation as in section 1(4) of the 1967 Act, with the application of the 1929 Act as well. Amendments (l) to (p) set out other time limits for the emergency provision, varying from 18 to 28 weeks. My right hon. and learned Friend makes clear the importance of consistency in terms of the emergency and non-emergency limits. They should be taken in the same way as the similar changes proposed for the main limits.

It is necessary to say a further word about the Infant Life (Preservation) Act 1929, which applied only to England and Wales and for which no equivalent exists in relation to Scotland. Under the new clause and my right hon. and learned Friend's amendments down to and including (p), the 1929 Act remains, and it provides an overriding test of viability where the rebuttable presumption remains at 28 weeks.

My right hon. and learned Friend's last two amendments, (q) and (r), address that subject. Amendment (q) would separate the 1967 Act from the 1929 Act and would mean that any new time limits placed in the 1967 Act overrode the 1929 Act. That is proposed in the current Abortion Bill passed by another place. In other words, a main limit of 24 weeks, or for some other figure, would apply without consideration of whether or not the child was viable.

The 1929 Act would remain for abortions above those limits. Under amendment (q) by itself, the rebuttable presumption on viability would remain at 28 weeks. The 1929 Act does not apply to Scotland, and the effect of the new clause is setting out time limits on abortion would be the only one relevant to Scotland.

Amendment (r) amends the 1929 Act to make the rebuttable presumption apply at 24 weeks rather than 28 weeks. By itself, amendment (r) would simply mean that the 1967 Act and the 1929 Act both had to be taken into account but that the 1929 Act had a new and lower level for the rebuttable presumption.

If amendments (q) and (r) were both accepted by the Committee, the 1929 Act would apply only to abortions that were not covered by the specific limits in the amended 1967 Act but it would apply at the lower level of 24 weeks instead of the present 28.

In considering amendment (r), right hon. and hon. Members will wish to bear in mind difficulties that might arise if the levels set in the 1929 Act were lower than any of the levels set in the 1967 Act as amended, which were disapplied, unless amendment (q) were also passed to separate the operation of two Acts. For example, if the 1929 Act were reduced to 24 weeks, but the limit in the 1967 Act for serious foetal handicap was retained at 28 weeks, the resulting presumption that a child over 24 weeks is capable of being born alive would probably prevent abortions being carried out between 24 and 28 weeks for serious foetal handicap.

This explanation is inevitably rather complex. It may help the Committee to understand the basis of the new clause and the main possibilities for amendment which arise on it. The arrangement is that there will be a single debate on the new clause and on the various selected amendments together. That will be followed by a vote on the new clause. If it is accepted, there will be votes on the amendments selected.

Mr. Frank Doran (Aberdeen, South): I am sure that the Committee is grateful for the Minister's explanation, but I am mindful that all her remarks relate to the Infant Life (Preservation) Act 1929 and to the situation in England and Wales. Will the Minister clarify for the record the situation in respect of Scotland? She will be aware that the law there is very different from that in England and Wales. In Scotland, there is effectively no time limit—but the law is to be radically amended by new clause 11, apparently without consultation and in the absence of a Scottish Office Minister. Will the Minister confirm the precise impact of the new clause and of the amendments on Scotland?

Mrs. Bottomley: As the hon. Gentleman is well aware, the Infant Life (Preservation) Act 1929 Act does not apply in Scotland. That may be a subject for further discussion and the hon. Gentleman may wish to refer to it later. The Abortion Act 1967 applies, but the 1929 Act does not apply in Scotland. That is simple and clear.

Mr. Doran: Regardless of which amendment the Committee finally agrees upon and what time limit, what would be the effect on the Scottish position?

Mrs. Bottonley: The only time limits that would apply in Scotland would be those in the new clause. As I have made clear, the 1929 Act does not apply in Scotland. At a later date we may wish to tidy up the position to ensure that there is a coherent framework within which the law can operate. Certainly the position in Scotland will require careful consideration.

Ms. Dawn Primarolo (Bristol, South): Will the Minister give way?

Mrs. Bottomley: No.

Other new clauses and amendments to the Government's new clause will be moved and many issues will be raised during our debate today. They will cover a range of topics in addition to the strict time limits issue. For example, they will cover subjects such as the exemptions for rape or incest. They may specify the nature of the abnormality by the certfying doctor and alter the basis on which doctors may consent to a termination.

At the conclusion of today's proceedings, I hope that the Committee may be able to reach a clear, coherent and workable position either to leave existing legislation as it is or to make a series of amendments to it. However, in this complex situation, it may not be possible to reach a position in which all the loose ends have been tied up. I referred to that point in relation to the intervention made by the hon. Member for Aberdeen, South (Mr. Doran).

The Government will carefully consider the outcome of the debate to see whether what emerges satisfies the tests of coherence and workability. If necessary, amendments may be moved on Report, and it may be the wish of the House that that should be so.

In the end, the Committee will have made clear to the Government, to another place and to the large number of people outside the House who are deeply concerned about such matters, what the position is on the proper time limits for abortion in the light of current knowledge and experience. I hope that we can conduct our debate, in a way that is appropriate for such issues of individual judgment and conscience, always remembering that each individual instance where the question of abortion arises represents, whatever one's moral stance, a personal tragedy to all involved. I urge the Committee to support the new clause standing in the name of my right hon. and learned Friend the Leader of the House.

Ms. Jo Richardson (Barking): I doubt whether any Minister has ever had the task which the Minister for Health has had to carry out today in taking the Committee through such a complexity of amendments and their consequences. I am glad that she said that a copy of her speech would be in the Lobby. I only wish that I had had time to dash out of the Chamber and pick up a copy, because her speech was extremely hard to follow.

The method that the Government have used to arrange this important debate with new clause 4 as the core and amendments to it from every conceivable angle, is about as chaotic and crazy as the idea of attaching a clause on abortion to a Bill about embryology. We remain bitterly opposed to the inclusion of abortion in the Bill and we bitterly oppose the method of discussing it today.

The Government have come forward with this method in an attempt to buy off those who bring in restrictive abortion Bills every year. I have been involved in these issues for several years. Other hon. Members have been involved as well, notably the Father of the House. Over the years he has taken the opposite position from mine and he has highlighted abortion every year. I have had to suffer his antics each year when he sought to try to restrict women's rights to abortion.

Mr. Nicholas Bennett (Pembroke): Will the hon. Lady give way?

Ms. Richardson: No. Let me get going a bit first. I shall come back to the hon. Gentleman if I feel like it.

As far as I can guess, the deal is that if the anti-abortionists can have a vote tonight they will go away for a few years. That is absolute rubbish. If the hon. Members believe that, they are more stupid than I gave them credit for.

It may be all very well for one or two people to have given undertakings. I do not know whether that has happened, but if undertakings have been given, other hon. Members may appear with different ideas. For example, we are two years away from a general election and there may be new Members and other people who may not feel bound by any commitments that might have been given.

4.45 pm

The Secretary of State for Health (Mr. Kenneth Clarke): The hon. Lady has complained about the method by which we organised the debate. Does she accept that the fact that abortion law is within the scope of the Bill is a matter for the House authorities, not for the Government? That decision has been taken and we must address abortion in the Bill. The arrangements in the Order Paper, proposed by my right hon. and learned Friend the Leader of the House and myself, admittedly with some complexity because this is a complex subject, provide a wide range of opportunities to allow the Committee to have a properly conducted debate and to reach a decision after considering all the options.

Does the hon. Lady further accept that neither she, from the Opposition Front Bench, nor the hon. Member for Bolsover (Mr. Skinner) from the Opposition Back Benches, nor anyone else has put forward the slightest alternative or constructive suggestion as to how the debate might be arranged? When the Business Committee met to

[Mr. Kenneth Clarke]

discuss the matter, the sum total of the Labour party's contribution to marshalling debate was shown by the fact that not a single member of the Labour party selected for that Business Committee turned up for the meeting.

Ms. Richardson: We did not come to that Business Committee meeting because we did not want to be a party to such action.

It is all very well for the Secretary of State to say that the Government have tried to give the Committee every opportunity and every option. I appreciate that, but it has made the whole position tonight more complicated and more chaotic. If the Government believe that, by allowing abortion into the Bill through extending its long title, people who are per se anti-abortion will go away, they are wrong.

Miss Ann Widdecombe (Maidstone): The hon. Lady said that no hon. Member can give an undertaking that, if we were to achieve a significant result tonight, we would go away. While it is true that any private Member may present a Bill—no hon. Member would dispute that—the hon. Lady must appreciate that the grievous pressure from which Parliament has suffered as a result of a series of non-decisions over the years has been caused not simply by the fact that one hon. Member presented a Bill. Rather it has been caused by the huge feeling in the House that a decision had to be taken and because outside the House a great deal of pressure was being mounted by pro-life groups. That is what caused the pressure. A single private Member's Bill does not cause that pressure.

Therefore, even if an hon. Member decided to present a private Member's Bill, unless it was backed by the pro-life movement, it would not be a particular pressure on the House. What would be the benefit of returning to Parliament in a short while if Parliament has already taken a clear decision?

Ms. Richardson: In spite of what the hon. Lady has said, I still think that some hon. Member, perhaps not her—

Mr. Dennis Skinner (Bolsover): This one here, the hon. Member for Liverpool, Mossley Hill (Mr. Alton).

Ms. Richardson: As my hon. Friend says, that one there. Perhaps an hon. Member will present a Bill to the House with further restrictions. There may well be pressures from outside.

Mr. Alton *rose*—

Ms. Richardson: If the hon. Member for Liverpool, Mossley Hill (Mr. Alton) is going to ask me to give way, the answer is no.

The Government have plainly given in to what they believe is pressure. They have overlooked the fact that the overwhelming majority of people, particularly women, want to leave the Abortion Act 1967 as it is.

Mr. Nicholas Bennett *rose*—

Sir Bernard Braine *rose*—

Ms. Richardson: No, I shall not give way.

Sir Bernard Braine: Will the hon. Lady give way now?

Ms. Richardson: No, I shall return to the right hon. Gentleman later. I am sure that he will have some reason to rise later.

The Government's deal will achieve nothing. With the number of Divisions that we shall have tonight, we could even end up with very bad law,. The Minister rather suggested that we might come up with what she called "loose ends" that may have to be tied up. I believe that we shall come up with bad law, and perhaps with law that has been made by mistake. People may go into one Lobby believing that they will achieve their aim when they should go into another Lobby. The voting will be extremely complicated. There must be about a dozen idiots' guides, trying to advise people on both sides of the debate how to vote, going round the House.

Sir Bernard Braine *rose*—

Ms. Richardson: The pendulum system swings from 18 to 28 weeks, from 20 to 26 weeks and from 22 to 24 weeks. That could result in mistaken voting and we shall be then be stuck with the law, despite the Minister's promise to tie up the loose ends.

Sir Bernard Braine: The hon. Lady was kind enough to refer to me earlier. She and I have been in the House long enough to know that the House has given a Second Reading to abortion reform Bills, often by a substantial majority, yet those Bills have then been sabotaged by a relatively small minority of determined Members. As no Government were ready to give extra time, as was done with the Abortion Bill in 1966-67, all the other Bills failed. The will of the majority in the House was completely frustrated time and again by the hon. Lady, in her customarily charming way, and by numbers of her colleagues, contrary to the will of the British people.

Ms. Richardson: Plenty of private Members' Bills receive a Second Reading, but are blocked later.

Mr. Skinner: The hon. Member for Winchester (Mr. Browne) had one and look what happened.

Ms. Richardson: That is right. The Bill of the hon. Member for Winchester (Mr. Browne) was blocked. Bills are constantly blocked by the Government Whips, who do not even say who they are. It has always been considered that abortion would naturally fail within private Members' legislation. With private Members' Bills, one has to take one's chance with the procedures of the House.

We may end up tonight with a law that we shall be stuck with and that we do not want. More importantly, women outside will be stuck with it. It is an insult to women that the Government should bring forward this lottery system to decide a matter that will have such a long-term effect on women's lives.

New clause 4 is more restrictive than the Abortion Act 1967. Under the Act, for example, a registered medical practitioner may terminate a pregnancy if he or she is of the opinion that it is necessary to save the life of the woman or

"to prevent grave permanent damage to the physical or mental health of the pregnant woman."

In other words, a time limit does not operate. New clause 4 is said to be the main core of the proposal. Under new clause 4, a medical practitioner may act to prevent "grave permanent injury" to the "physical or mental health" of the pregnant woman only up to the end of the 24th week.

I realise that the new clause could be amended later, but the proposal is monstrous and the new clause must be amended back to the position under the 1967 Act.

Under new clause 4, after the 24th week, a woman suffering from, for example, serious and progressive kidney disease, serious and deteriorating lung disease or certain types of congenital heart disease, which may be aggravated by the stress of pregnancy, would not be able to have an abortion. Those conditions may not only worsen during pregnancy, but may be diagnosed during pregnancy. That is especially so in the case of the HIV positive mother, as health authorities are increasingly informing women of the risks of pregnancy and AIDS and more women may seek tests during pregnancy. We must consider those matters with the utmost seriousness to ensure that we get the law absolutely right.

There is one point—there are probably several others—on which, although I tried to follow the Minister's speech carefully, I am still not clear. There is a possibility that at least one of the amendments—amendment (f)—is misleading or defective. It is intended to ensure that there is no time limit when there is a threat of "grave permanent injury" to a woman's health. I have taken advice and it seems that amendment (f) may be affected by paragraph (a) of new clause 4, and would therefore be subject to the time limits for which hon. Members vote—in other words, 18 or 24 weeks, or whatever. I seek an assurance from the Secretary of State that amendment (f) would ensure that this ground was exempt from the time limits restriction.

As a result of the complexity of the procedure—the Secretary of State asked why I did not propose something different—I tried to construct amendments to be taken first, which would have formed a package. That package would have included 24 weeks, but would also have included the maximum number of exceptions for 28 weeks and the maximum number of exceptions with no time limit.

I tabled my amendments, which was difficult in the context of new clause 4. I now find that only two parts of my package have been included in your selection of amendments, Mr. Walker. I am not suggesting that you deliberately added to the complexity as I know that you would not want to do that. However, it is an illustration of what happens when we try to amend a new clause that we do not want by means of a package of amendments. I understand that you, Mr. Walker, from your position as Chairman of Ways and Means, may not have appreciated that my amendments were a package and should have been taken in that sense. We are stuck with our present selection, which makes everything more complicated.

Mr. Kenneth Clarke: I am not returning to the argument about procedure. It is a bit unsatisfactory if the answer to the hon. Lady's question waits until the end of the debate, thus leaving continuing doubt about amendment (f). Amendments (f) and (g) both relate to the new category of "grave permanent injury" to the health of the woman. Amendment (f) would follow the word "or" in line 6. It would not, therefore, be governed by the reference to the "twenty-fourth week" in paragraph (a). It is important to confirm that amendment (f) would have the effect of introducing no time limit in the case of "grave permanent injury" to health. Amendment (g) would introduce a time limit of 28 weeks. The House must make a choice between those or the 24 weeks in the new clause.

Ms. Richardson: I am grateful to the Secretary of State for clarifying that point. Again, the position is complex, as the Secretary of State has given us two options and we shall have to get our heads round that later.

I want hon. Members to look carefully at what we are doing. We are threatening the lives and futures of countless thousands of women who may need an abortion now or in the future. If we decide to bring down the present upper time limit from 28 to 24 weeks, we shall deny the possibility of an abortion to a very small, but important, number of women and young girls. In 1988, the latest year for which we have published statistics, only 23 women had abortions over 24 weeks.

There are young girls who become pregnant without knowing that they are pregnant. They may have had irregular periods, a not uncommon phenomenon in teenage girls. They may have unsupportive parents and be afraid of revealing that they are pregnant. They may feel unable to go to their GP or find it hard to locate a doctor—not just one, but two doctors—who will terminate their pregnancy. All such events lead to delays that may take them over the 24th week.

When discussing the failure of young girls to recognise pregnancy, we must not overlook the stance of some hon. Members, which suggests that they are against sex education in schools. If we had more such education, more girls and young women would be better able to appreciate their sexuality and the way in which their bodies function.

The Brook advisory centre points out in a paper the fear that many young women have at the discovery of an unwanted pregnancy. They fear the rejection of friends, families, boy friends and even school mates, remembering that some of them are still at school. For many, that rejection can mean homelessness, poverty and isolation. Are we to turn our backs, by reducing the upper time limit from 28 to 24 weeks, on that handful of young people?

5 pm

Ms. Short: I understand that the overwhelming majority of post-24 week abortions in recent years have occurred as the result of the late detection of severe foetal abnormality. We must also bear in mind in that context the categories of whom my hon. Friend has spoken, including very young girls, often having been sexually abused, who become pregnant and do not know it. Is my hon. Friend suggesting that if the Government's new clause is approved, girls as young as 11 and 12 might be forced to complete their pregnancies?

Ms. Richardson: Yes, that is my reading of the Government's proposal. I am greatly concerned that, at such a vulnerable age, young girls will not be protected.

Women in the menopause who become pregnant come within that small number who presented themselves in 1988 for abortion after the 24th week. Many women think that irregular periods are normal in the menopause, as they are, but sometimes they find that they are pregnant. They can then be horrified because their families may be settled, they may have grown-up children or they may need the money that they earn and be unable easily to leave work. They suddenly find that instead of being in the menopause, as they thought, they are pregnant.

I have given details of a case of a 42-year-old married woman with children aged 21 and 20. She had successfully used a diaphragm for 25 years and did not suspect that it had let her down. She missed four periods, did a test and

[Ms. Richardson]

was horrified to find that she was pregnant. She was opposed to abortion, but, because of her family circumstances—he also had aged and ailing parents for whom to care—she decided after several counselling sessions to request an abortion. Under the new clause, she and women in a similar position could not have an abortion. Many family circumstances lead people to decide to have an abortion, and the present social provision must be available.

Let us not forget the distress that has been caused through delay in the National Health Service. It often depends on the part of the country in which one lives—*[Interruption.]* I am amazed to see at least a couple of hon. Ladies on the Government Benches expressing dissent, even smiling, at that remark, as though it were an old wives' tale. I assure them that it is not.

People who live in the west midlands find it more difficult to get an abortion than those living elsewhere, in the north or in the south. Imagine finding oneself pregnant and being unable to find a doctor or hospital willing to treat one, or having little money and being unable to travel to a different part of the country to obtain an abortion.

Even if we reduce the time limit to 24 weeks, the same problems will arise—but for more women. The British Pregnancy Advisory Service, the Pregnancy Advisory Service and other organisations in the charitable sector are not permitted to do terminations after 24 weeks. Both those advisory services have compiled an interesting and moving dossier of cases that illustrate the problems that women face through delays or obstruction in the NHS, through doctors failing to diagnose pregnancy, through failure by patients to recognise pregnancy, through failure of methods of contraception or failed pregnancy tests, as the result of menopausal problems or because the females concerned are very young. I have cited some cases, but there are many more.

It is well known that many surgeons err on the side of caution because of the law—as they do not want to be caught by the law—and in practice allow a four-week or, at the least, a two-week margin. So in practice, 24 weeks become 20 or 22 weeks in terms of the operation that the surgeon will perform. Or a 20 or 22-week limit would become in practice an 18-week limit, and an 18-week limit —should the House agree to that tonight—could become a 14-week limit. That would greatly affect many necessitous women.

In an ideal world, there would be no need for late abortions. This is not an ideal world, and in 1988, 84 per cent. of all abortions were performed at under 13 weeks; 14 per cent. were performed at between 13 and 20 weeks; and, as I said, 1·7 per cent. were performed at over 20 weeks.

My hon. Friend the Member for Kirkcaldy (Dr. Moonie) tabled an amendment which I hoped the House would discuss and approve. The hon. Member for Torridge and Devon, West (Miss Nicholson) also tabled a new clause, which allows women to have an abortion up to the end of the 12th week without seeking approval from a second doctor. Those who support the Abortion Act 1967, and who would like to see it liberalised, would strongly support it because we believe that it is the best way to reduce the number of late abortions, by allowing women to ask a doctor—one doctor—to give permission for them to have an abortion without the need to seek approval from a second doctor. That practice is followed in many European countries with beneficial results. I regret that we shall not have an opportunity tonight to discuss those matters.

We must make provision for those women, some of whose cases I have described, including women who require an abortion after an amniocentesis test and who need time to decide whether to continue with a pregnancy. A woman will have an anmiocentesis test at 16 weeks. If it is discovered that she is carrying a mentally or physically handicapped child, she is given the offer of an abortion. If we set the limits too tightly, such a woman will not even have time to reflect on whether to have an abortion.

Miss Widdecombe: Is not that problem easily solved by doing what the hon. Member for Liverpool, Mossley Hill (Mr. Alton) and myself propose, which is now incorporated in the amendments tabled by my right hon. and learned Friend the Secretary of State, and exempting from the restrictions the severe disabilities that would be revealed by amniocentesis, so that for those women there is no change in the law?

Ms. Richardson: I shall look at that. It sounds all right, but why was it not in the new clause? The way in which the clause is presently phrased is ridiculous. We are leaving it to the lottery of whether an amendment is carried. That is the whole point. There may be some good amendments that we could carry, but will we carry them and will people know exactly what we are doing?

We do not want women who are carrying babies who turn out to be damaged to have a pistol at their heads and to be told, "You are going to have a physically or mentally handicapped baby and you must have an abortion tomorrow or you will not be within the time limit." That could happen if our attitude is too tight and not relaxed enough. We must ensure that it will turn out for the best for those women.

I hope that right hon. and hon. Members will think seriously about the effect of their votes tonight. Labour party policy is clearly to defend the 1967 Act. Some of my hon. Friends consider that that is a matter of conscience for them. If I were in that position, and I am not, I should also want to consider the difficulties in which many women find themselves—difficulties that are often inflicted on them by irresponsible men who do not have to face the traumatic consequences.

If I were to exercise my conscience, I should also want to ask myself whether my conscience was more important than considerations involving the quality of women's lives. There could also be a conscience consideration for women now and in the future, which hon. Members will overlook if they vote to restrict the law. I beg them to take that into account when they vote tonight. I know that such hon. Members who exercise a conscience clause on this sensitive issue have compassion. I hope that they will extend that compassion to unlucky or unfortunate women who may be precluded from much-needed medical assistance.

Last night there was a march through London to defend abortion rights. It was called at relatively short notice for a march. However, 2,000 to 3,000 women turned up to defend the 1967 Act. They were young, middle-aged and even older. They and their families represent the women who will be affected by our votes tonight. Their fears and anxieties must be reflected by us, as their only

way of expressing their fears is through us—they cannot speak for themselves or vote in this Chamber. We must not let them down.

I repeat that a vote for 24 weeks will effectively mean a 20 or 22-week limit in practice. A vote for a 22 or 20-week limit will mean a 20 or 18-week limit in practice. An 18-week limit will mean a 16 or 14-week limit in practice. Women will be denied an abortion if we vote for those reductions.

On the radio this morning the hon. Member for Maidstone (Miss Widdecombe) said, "We will save 3,000 women from an abortion." Those 3,000 women who want an abortion will have to resort to the back streets. That is not to put it in too terrifying a way.

I appeal to hon. Members to think carefully, to vote very carefully, to use the guidance that suits them and to ensure that we come out of the horrendous evening that faces us with law that we really can live with.

Miss Widdecombe: I am grateful for the opportunity to participate in the debate. I am grateful to my right hon. and learned Friend the Leader of the House for the way in which he has tried to give both sides an opportunity to put their views on the amendments. Had he merely approached the votes in an ascending or descending order, as we reached some compromise mid way, one section would have said, "But our opinions were never put to the test." The fact that my right hon. and learned Friend has devised what is called the complex pendulum has at least ensured that both sides have an opportunity to put their views to the test. That is desirable and I should like to record my gratitude.

5.15 pm

The aspect that I find most worrying is that in the two opening speeches there was mention of the rights of women, individual hon. Members', rights of conscience and of their beliefs, but no mention of the unborn child. It is as though we are determined to conduct the debate by turning away from the main issue, which is at what point, if at all——

Ms. Short: It is not the main issue.

Miss Widdecombe: It is the main issue. At what point, if at all, do the rights of the unborn child prevail over those of the mother?

Ms. Short: If at all?

Miss Widdecombe: I said "if at all"—that is the main issue.

It is distressing that we have not discussed the basis on which we can decide whether a child's rights prevail. The only test that has been mentioned, and it was mentioned largely in the context of the Infant Life (Preservation) Act 1929, is that of viability. We should look at the context in which some of us wish to move a change. There is already in our law a recognised limitation of a woman's rights over those of her child at a certain time. For example, if anything goes wrong at birth, as it did in a case of Christie Nolan, no matter how grievously handicapped the child, no matter how appalling the circumstances of the mother, no matter if the mother has recently been deserted by her partner, no matter what the awful circumstances are, at that point we recognise that the child has full human rights.

Under our current law—the 1929 Act rather than the 1967 Act—two months before that point is reached we say that the rights of the child prevail. Some hon. Members think that that is right. Some hon. Members think that the limit is too low, and some hon. Members think that it is much too high. We already have in our law a recognised limitation of the rights of the mother over the child. We must ask whether we have drawn the line in the right place or whether it needs moving. That is what the first six amendments address.

The line was set down in 1929, and it was a perfectly reasonable line to be imposed at that time. Before the 28th week there is a very low possibility of a child surviving. It needs considerable modern science and assistance to breathe and survive. In 1929, such aids were extremely rudimentary, so it was a reasonable limit at that time.

Since then, however, medical science has advanced considerably and we now have situations in which children can be kept alive very much earlier and sustain permanent survival. There are other criteria on which we would judge lower limits, but the issue is between the 22nd and the 24th week if we are talking about permanent viability, which I do not necessarily accept as a definition.

There seems to be some confusion. My hon. Friend the Minister of State has made considerable reference to 24 weeks being the point of viability. However, in a written answer to the hon. Member for Barking (Ms. Richardson) in January this year, the point of viability at which an infant could sustain survival was put at 22 weeks. Two issues are involved. First, if the Minister stands by that written answer, it makes no sense to talk about viability while in the same breath setting the limit at 24 weeks.

Secondly, laying aside the politics of this issue for a moment, the whole House wants the principle of this issue to be resolved for some time to come. Given that we can now keep children alive at 22 weeks, and given the gradual improvements and advances in technology, is it sensible to set a level above that at which the Minister has already admitted that there can be viability? If we are looking for a piece of good law——

Mr. Doran: Regardless of what the Minister may have said, I am sure that the hon. Lady is well aware that the Royal College of Obstetricians and Gynaecologists made a statement at the end of last year that made it clear that although technical advances may enhance the survival rate above 24 weeks, it is unlikely that there would be any possibility of extra-uterine survival below 24 weeks.

Miss Widdecombe: We are talking not only about probability but about what happens. The Minister would not have given an answer based on something conjured out of thin air. We know that it is possible to sustain viability——

Mrs. Mahon *rose*——

Miss Widdecombe: I should like to finish my point because I should like to answer the interventions of the hon. Member for Aberdeen, South (Mr. Doran).

Although admittedly in a small number of cases, it is possible to sustain viability below the 24th week. However, I should like to take the matter further. First, if the Minister is talking about viability, she must stick by the answer that was given by her Department. Secondly, setting a limit above that for viability does not make any sense in long-term law. Is "permanent viability" a good

[Miss Widdecombe]

method? Once again, there is a clear contradiction in our laws and in the interpretation of them. I think that the Minister will accept that until recently, the words
"capable of being born alive"
in the Infant Life (Preservation) Act 1929 were interpreted by the medical profession and the law as meaning "capable of sustaining survival". However, we have recently had the ruling of Mr. Justice Brooke, who put a different interpretation on the law and said, "No, if a child is capable"—

Mrs. Mahon *rose*——

Mr. Peter Thurnham (Bolton, North-East): Will my hon. Friend give way?

Miss Widdecombe: If I may finish my point, I shall then give way to my hon. Friend for Bolton, North-East (Mr. Thurnham), if he will remind me.

Mr. Justice Brooke said, "No, the point at which a child is capable of being born alive is the point at which it can survive independently of its mother, even if only for a short period." If we take that as a definition, we are no longer talking about 22 weeks—we are talking about something substantially lower.

Mr. Thurnham: The only point on which I agree with my hon. Friend is that there is too much abortion in this country. Where I differ from her is that she feels that the solution to that problem is to send doctors to prison. It is most important that she should not mislead herself and the House by getting her facts wrong. My hon. Friend spoke about the case to which she is now referring on 27 March —it is the case of Rance *v.* the Mid-Downs health authority. She told the House that Mrs. Rance had asked the doctors to abort her son and to their credit the doctors refused. That is wrong because as a result of administrative delays the doctors had not told Mrs. Rance that she had a pregnancy with a handicap in the foetus. Because it was running so close to the 28-week limit, the doctors decided not to tell Mrs. Rance. Therefore, she was not in a position even to have asked for the abortion. The hon. Lady is wrong. She should therefore withraw her allegation against Mrs. Rance and not mislead herself and the House with her argument.

Miss Widdecombe: During this debate I do not think that I have mentioned the lady that the hon. Gentleman has now named. I was specifically addressing myself to the terms of Mr. Justice Brooke's ruling. The crucial issue is whether that ruling now overtakes the previously accepted definition. The particular cases to which it might be applied do not matter until we have established the principle. Furthermore, neither now nor in any previous debate can I recall talking about locking up doctors. When we have changed the law, I believe that the doctors will abide by the law and in those circumstances, I see no good reason for locking them up.

Therefore, we have a problem with the definition of "viability", and with the definition of
"capable of being born alive".
We also have a problem about where to set any future limits. However, before turning to that, I should like to consider some of the problems that are occurring as a result of our present very muddled and in my view very bad abortion laws. At the moment——

Ms. Short *rose*——

Miss Widdecombe: I shall not give way because I should like to finish this point.

At the moment, a child in an incubator can be kept alive, loved and cherished with all the resources of medical science being devoted to saving it, while a child of identical age and identical gestation in the womb has no rights and can be destroyed. There is something wrong with a law which allows that degreee of inequity between two individuals who are exactly the same except that we can see one and we cannot see the other. That law has to be wrong. Therefore, we must bring about a situation in which there is at least equality. At present, we have a law which states that a child who is seen is protected but that a child at an identical stage who is not seen is not protected.

Perhaps the issue is not whether one can or cannot see the child. Perhaps at that stage the issue is whether the child is wanted or not wanted. If there is no objective criterion for saying that two children of identical development are different, bringing the issue down to a matter of human perception and saying, " I perceive this to be a human being because I want it" or, " I perceive this not to be a human being because I do not want it" is extremely dangerous on all ethical and social grounds, whether religious or not.

I do not want to raise the temperature of the debate by drawing difficult analogies, but there is a clear analogy to be drawn. The analogy is of racism everywhere, where one individual perceives another as less worthy of respect or less naturally possessed of rights because they are of a different colour——

Mrs. Mahon *rose*——

Miss Widdecombe: I will give way in a moment.
It is purely perception——

Mrs. Mahon *rose*——

Miss Widdecombe: I intend to give way to the hon. Lady because I want to hear her argument. If we are defining humanity in terms of individual perceptions, wants and not wants, that is dangerous.

Mrs. Mahon: The hon. Lady is aware that any baby born prematurely needs a great deal of care and attention, so why did she vote for the National Health Service and Community Care Bill, which will take resources away from such babies, and why she has never put to the House an argument for more resources for the hospitals which cannot take care of all the premature babies born at the moment?

Miss Widdecombe: If I take interventions about other laws and other measures, I shall be wasting my time. I do not intend to be distracted from the major issue today, which is the rights of the unborn child, because of the defence of Health Service reforms which I have made in the House on many occasions.

The law states that it is an offence to destroy a child who is capable of being born alive, yet in the NHS it is permitted to administer lethal injections to babies before an abortion to ensure that they are born dead. Therefore, I ask my hon. Friend the Minister of State and my right hon. and learned Friend the Secretary of State this question. If a doctor does not believe that the child whom he is about to abort is capable of being born alive, why seek to kill it with a lethal injection in the first place? Is

there any answer to that? Is it not an example of the extreme muddle of our laws? Quite apart from their ethical status, there is clearly a prize muddle.

Ms. Primarolo: Is the hon. Lady insinuating that doctors deliberately give lethal injections to foetuses so as to escape the current law that a foetus capable of being born and sustaining life after birth cannot be terminated? Is she making that accusation against the medical profession?

5.30 pm

Miss Widdecombe: I am making a straightforward statement that if a doctor believes that a child is not capable of being born alive, he has no need to give it a lethal injection, so one presumes that if he gives it a lethal injection he is trying to prevent a child capable of being born alive from being so born.

Mr. Alton: To help the hon. Lady on that point, perhaps I may inform her that today I received a letter from the Solicitor-General confirming that police investigations are being carried out into an incident described in correspondence between the Solicitor-General and us. The case involved a baby of 27½ weeks being stabbed to death through the wall of the womb with potassium chloride during so-called selective reduction. That took place in the City of London just a few weeks ago.

Miss Widdecombe: I am grateful to my hon. Friend for that further information. I understand from my hon. Friend the Under-Secretary of State for Health that that case is the subject of a formal inquiry and that the House will hear more of it when that inquiry comes to a conclusion.

Ms. Short *rose*——

Miss Widdecombe: I now wish to deal with a case which is established and has been the subject of affidavits, a coroner's inquiry, two debates in the House and ministerial statements. It is therefore absolutely sustainable and no detail has been left unturned. I refer to the case of the Carlisle baby.

Ms. Short: Will the hon. Lady give way?

Miss Widdecombe: I shall not give way for some time. I will take interventions later.

I wish to address myself to the case of the Carlisle baby. *[Interruption.]* The degree of disorder prevailing on the Opposition Benches makes me think that Opposition Members are frightened of something in the case of the Carlisle baby. There is something that they do not want to hear.

The Carlisle baby was aborted at 21 weeks' gestation. The grounds for the abortion were handicap, even though it was not certain that handicap was present. Nevertheless, under the 1967 Act the grounds were valid. It is important that hon. Members should understand that. We are talking not about some back-street abortion or something that was done improperly in the Health Service but about a supposedly legal, safe and decent abortion carried out by the NHS in Carlisle city general hospital.

That child of 21 weeks' gestation was born alive, so we may assume that the doctor had not given any lethal injection. When the child was born alive, the two nurses and the doctor on duty on the ward that night did not know what to do. They had not expected a live birth. Had it been a premature baby from an ordinary early birth, they would have known exactly what to do, but they were confused and distressed because they had expected what they would have termed a foetus and what they got was a baby which gasped and ran a pulse rate for three hours.

What distresses me about that case is that during the three hours for which that little scrap lived she was not in an incubator or in her mother's arms. She was not even —spare us—wrapped up decently in a warm cot. She was on a kidney dish in a side ward for three hours. During that time one of the nurses became so grievously distressed that she carried out a rudimentary baptism. After three hours the child was incinerated. The mother was not told that her child had lived. The child was not registered for birth, nor was she registered for death. Until one of the nurses could finally stand it no longer and took steps to make sure that the issue was brought into the public eye and before a coroner, nothing was done at Carlisle city general hospital about what happened.

I raise that case, not to introduce horror stories but to show that horror can result from our muddled laws. I repeat, had it been an ordinary birth, the doctor and nurses would have known what to do and there would have been no doubts about it. Anyone who can jeer at that case is not giving the matter the serious and humane consideration that it deserves.

Mr. Martin Flannery (Sheffield, Hillsborough): It is disputed.

Miss Widdecombe: The case, and the facts to which I have confined myself, are not disputed. If the hon. Gentleman wants proof, he can go now to the Vote Office and ask for the report of the debate on the Carlisle baby on 8 June last year, to which my hon. Friend the Under-Secretary of State for Health replied. He confirmed all the facts to which I have referred. A late abortion took place and the result was to be a foetus—the language used implies that when a child is wanted it is a baby, but when it is not wanted it is a foetus—and when the result was not a foetus but a baby there was no good practice in place to cope with the situation.

National Health Service guidance says that if abortions are carried out after 20 weeks, resuscitation equipment must be available. The Secretary of State will not license private clinics to carry out abortions after the 20th week if they cannot demonstrate that resuscitation equipment is available. In that case, the limit is 20 weeks. Does that mean that although resuscitation equipment must be available at 20 weeks, it need not be used because no rights are given until 22 or 24 weeks? At 20 weeks, the mother must be offered a funeral for the baby, so some status is given to the 20-week-old unborn child. Why must resuscitation equipment be available and a funeral be offered at 20 weeks when, if amendments allowing abortion after 20 weeks are passed, we shall not safeguard the lives to which we afford those dignities? We shall have a muddled law.

Ms. Short: The hon. Lady will be aware that in some terribly distressing cases foetuses much older than those to which she refers are killed because the mother would otherwise die. Does she think that that should be done or not? Should the woman be allowed to die? That is my first question. Secondly, will the hon. Lady be straight with the

[Ms. Short]

House? Does she think that any abortion should be legal, or not? We must know where her arguments are coming from.

Miss Widdecombe: I am delighted to answer the hon. Lady's questions. I was coming to the exemptions that should be allowed. Where the life of the mother is at risk, an exemption should be made—not because I deny that in that case the life of the child is being removed, but in that case I must face a choice between two lives.

Ms. Short: So the hon. Lady is not against all abortion.

Miss Widdecombe: I never have been. I am trying to answer the question. The hon. Lady does not seem to want to hear the answer. I have said that where two lives are at stake, one cannot say that one is pro-life if one immediately condemns one of them. If there are two lives in conflict, one cannot rule out the possibility of an abortion. I do not deny that people elsewhere may be against it, but no hon. Member is against abortion to save the life of the mother.

In answer to the hon. Lady's second question, I have never concealed my position on abortion. I made it clear to the hon. Member for Barking in a late night Adjournment debate some months ago. I believe that abortion should be available only in the most exceptional circumstances, such as where the life of the mother is at risk and perhaps in one or two other rare cases. That would certainly include cases in which the child suffers from a condition such as anencephaly and would not survive anyway. In those circumstances, I believe that it is humane——

Miss Emma Nicholson (Torridge and Devon, West): Will my hon. Friend give way?

Miss Widdecombe: I will give way in a moment. In those circumstances, I believe that it is humane to allow abortion.

The fact that I am anti-abortion is scarcely a great discovery today. It has been known for some time. We are drawing a line and fighting only late abortions for exactly the same reasons as a teetotaller will join a moderate drinker to combat abuse. Those who share my views are joining others who do not share those views so as to combat the worst abuses, which are encapsulated in the Carlisle baby case. This is tremendously serious. If any hon. Member is thinking of voting for a limit above the 21st week, I repeat that such a limit would not have saved the Carlisle baby.

Miss Nicholson: May I ask my hon. Friend to comment on two of her points? I would not want her to mislead the House. The purpose of a funeral for a 20-week-old aborted baby, whether a natural or unnatural abortion, is to help the mother cope with her grief, not to award rights to the child. She says that she would allow abortion in cases of anencephaly where the child cannot live. I must tell her that anencephaly is not necessarily a cause of death. A baby born with no brain in my constituency is nearly two and I know of another who was born without a brain who has already reached nine years. How can she cope with that statement?

Miss Widdecombe: I have to cope according to the advice that in some cases the child cannot survive either the full nine months of pregnancy or birth. All I am saying is that in such a case I am confronted not with a choice between life and no life, but between no life and no life, and I do not find that particularly difficult.

Mr. David Martin (Portsmouth, South): Will my hon. Friend give way?

Miss Widdecombe: I am sorry, but I wish to make some progress because I am aware that many hon. Members wish to speak.

The second difficulty with the definition of viability arises from the percentage of children surviving prostaglandin abortions where no lethal injection is administered.

Mr. Martin: Will the hon. Lady give way?

Miss Widdecombe: I am sorry—

Mr. Martin: I have never tried to intervene in any of the hon. Lady's speeches.

The Second Deputy Chairman of Ways and Means (Miss Betty Boothroyd): Order.

Miss Widdecombe: I must ask my hon. Friend to resume his seat. It may be for the convenience of the House if I say that I have given way a great deal and now intend to make rapid progress.

It is difficult to extract from the Department of Health information on the percentage of children born alive following prostaglandin abortions. When the prostaglandin tests were being done and prostaglandins were being introduced, the medical perception, as exemplified in many articles and writings, was the danger of live births. I ask the House to note the language used. The "danger" was that of live births. Tests run in the United States on prostaglandin abortions, where no lethal injection is involved, show a survival rate of up to 8 per cent.

Will the Secretary of State come clean about the survival rate for such abortions in this country? Does he perceive it to be a problem? If there is a survival rate and if Mr. Justice Brooke's ruling is accepted—that a child capable of surviving independently of its mother for a short period is capable of being born alive—is not prostaglandin abortion in clear opposition to the Infant Life (Preservation) Act 1929? Could that please be taken on board when the Minister replies?

Although there has been much discussion of absolute principles, this is a case of extremely bad law being applied and not even being policed in its own right. There is precious little will in the Department to ensure that the joint workings of the 1967 Act and of the Infant Life (Preservation) Act 1929 marry well and are implemented. It refuses to address the vital questions of lethal injections, of live births during prostaglandin abortions and of children under 24 weeks who survive, all of which need to be addressed in reaching our decisions today.

The exemptions are important. I did not want to exempt all severe disability from the requirement. However, in the Committee on the Bill of the hon. Member for Liverpool, Mossley Hill, (Mr. Alton), we took on board what had been said on Second Reading. Many hon. Members had said that they would vote for a lower limit if and only if severe disability which could be detected by the amniocentesis test was excluded. At the end of the Second Reading debate the hon. Gentleman undertook to address the concerns of the House during further stages.

On that basis he asked for, and was granted, a Second Reading. Since then we have always said that we believe in the exemption of severe handicap from whatever limits the House decides to impose, subject only to the requirements of the Infant Life (Preservation) Act.

5.45 pm

The hon. Member for Barking suggested that that was not covered in the new clause. I understand that paragraph (c), where the provision is:

"if the child were born it would suffer from such physical or mental abnormalities as to be seriously handicapped"

takes that point on board. However, it does not take it on board with the safeguards that my hon. Friend the Member for Mossley Hill, my right hon. Friend the Member for Castle Point (Sir B. Braine) and I would have wished. Although we shall support the exemption because we said that we would, we want to see the nature of the disability specified on the form, and we shall raise that again on Report.

On several occasions during the passage of his Bill, my hon. Friend the Member for Mossley Hill claimed that doctors were aborting for hare-lip and club-foot. Everyone said, "Oh, nonsense—the medical profession would not do that." Not long ago there was a great to-do in the national press because Guy's hospital advertised for mothers to come forward with children suffering from hare-lips and facial deformities to have pre-natal surgery, of which we are all in favour. They asked those mothers to come forward because they were considering abortions for those reasons. Did the Department of Health inquire whether abortions for such trivial reasons were encompassed by the 1967 Act? No—it was allowed to pass by.

If the disability must be declared on the form, we shall be able to see the difference between spina bifida and hare-lip. That must be so. We are pledged to keep our promise to exempt severe disability, so we shall vote for that exemption today, but on Report we shall wish to return to the matter merely to ensure that the disability is severe.

Ms. Harman: Will the hon. Lady make her position clear? She referred to new clause 4(1)(c) which provides for an abortion where it is suspected that a foetus would suffer from such physical or mental abnormalities as to be seriously handicapped. Is she saying that she will not support amendment (j), which would reduce the time limit for serious foetal abnormality to 24 weeks, when some foetal abnormalities cannot be detected? Will she vote for or against amendment (j)?

Miss Widdecombe: At present we are recommending that amendment (j) is supported. We have always said that these exemptions should be made subject to the requirements of the Infant Life (Preservation) Act. Even if the House tonight sets an 18-week limit, there will be exemptions up to that level determined by the Infant Life (Preservation) Act. We are trying to decide what that level should be. Currently it is 28 weeks, so we would say, "All right—exempt up to 28 weeks." If by any chance it comes down to 24 weeks, we would say, "Exempt up to 24 weeks." However, where there is a chance of grave permanent injury to the mother or where her life is in question, we support the emergency provisions to a much later stage.

I agree with the hon. Member for Barking that we have a complex series of amendments and we must judge each according to what has gone before. That is why I suport amendment (j). I do not do so because we want to reduce the limit artificially as I suspect that the Infant Life (Preservation) Act 1929 will be changed tonight. We made the pledge to accept exemptions from whatever limit we decide up to that imposed by the 1929 Act as well as exemptions regarding serious risk to the mother beyond that time limit. I gave way to the hon. Member for Peckham (Ms. Harman) as I believe that new clause 4(c) deserves further consideration, but I must now make some progress.

We also pledged that we would make an exemption to the time limit for cases involving rape and incest. When we examined the clause produced by the Secretary of State we found no reference to rape or incest. We therefore asked the Secretary of State if rape or incest was covered by new clause 4. The Department informed us that it was, but when we looked at it we were not happy and therefore we have introduced specifically amendment (s). That makes the exemption specific beyond all doubt, as it is not encapsulated in some other phrase about grave physical injury. We have made the exemptions specific and we have kept faith with the House by introducing those concessions asked of us which we believe we should make.

There has been a lot of misinformation, especially in the press in recent days, and it is important to stress that severe handicap is exempted beyond our limit and up to the 1929 Act limit. Rape and incest are also exempted under the specific amendment (s).

Mr. Alton: I congratulate the hon. Lady on the clarity with which she is taking the House through this difficult series of amendments. Some Members on the Opposition Benches have recently introduced a Bill to extend abortion up to birth, but that is not the issue before the House tonight. Although many of us may have difficulties with specific exemptions and may not agree with the particular principles, the issue before the House, to which the hon. Lady has rightly drawn attention, is the upper time limit. In that respect, will she repeat her intention to seek clarification on Report about what constitutes disability, as many people outside the House will be concerned because the Carlisle baby was aborted at 21 weeks gestation with a non-inherited and in no way life-threatening skin disorder?

Miss Widdecombe: I can confirm that we shall wish on Report merely to ensure that severe disability means just that. We shall not negative any clause exempting disability, but the specific agreement reached among those of us who feel strongly about this is that that disability should be specified. I do not believe that a doctor would put down the disability as spina bifida if it was a hare-lip, so we shall obtain some control of what is going on if the disability is specified.

I have addressed myself to the complex series of amendments before the House. It is true that we may, at the end of the debate, finish up with something which needs further refinement in terms of coherence, consistency and workability.

Mr. Doran *rose*——

Miss Widdecombe: I will give way, but this is the last time.

Mr. Doran: The hon. Lady has consistently used the word "we", and I am sure that she is not using it in the

[Mr. Doran]

same way as the Prime Minister. It would be helpful to us to know who she means when she speaks of "we". Earlier this year the hon. Lady gave an interview to *The Times* on this subject and she was asked about the abortion amendment being added to the Bill. She said, "We shall go away for a while if the Government concede the debate." Who does "we" mean, and what does "for a while" mean? How long will it be before we discuss the issue again?

Miss Widdecombe: We are not a grandmother——

Mr. James Pawsey (Rugby and Kenilworth): Yet.

Miss Widdecombe: Nor ever, I am afraid.

I am sure that most hon. Members understand that, when I said "we", I meant that group of hon. Members who have pioneered Bills on this issue and who have talked to other hon. Members who broadly support their approach. They have forged out what is and is [illegible] acceptable. I was referring to hon. Members including the Father of the House, my right hon. Friend the Member for Castle Point, the hon. Member for Mossley Hill, the hon. Member for Workington (Mr. Campbell-Savours), who regrettably is absent, the hon. Member for Sheffield, Attercliffe (Mr. Duffy) and many others who share similar views.

As to what is meant by "for a while", how long is a piece of string? A decent interval must mean just that. We, I or anyone may go to Government again to say that the House wants to take a decision on this matter and must do so, but if we simply get into the habit of coming back with a whole load of similar or different proposals, frankly we would not deserve the trust of Government, nor would I expect to receive it. Therefore, "for a while" means a decent interval.

So far I have devoted time to the various amendments and I have spoken about 20 weeks, 22 weeks and 24 weeks. Finally I should like to consider the question of 18 weeks. That limit has not been dreamt up as some sort of arbitrary line. When the hon. Member for Mossley Hill was considering the subject of late abortions, he had to ask himself, what is a late abortion and where does it start? The figure of 18 weeks had come up in the Lane committee and it is the period beyond which growth but no further development takes place. That figure seemed to be a few weeks away from the point that medical science had reached as being able to sustain viability. Looking forward to the future, and in the desire for long-term law, 18 weeks seemed a reasonable limit.

The Second Reading of the Bill promoted by the hon. Member for Mossley Hill was marked by excellent contributions from all sides and two arguments were presented against the 18-week limit—disability and the amniocentesis test. We have conceded the argument on disability and the amniocentesis test and they have been taken out of the debate. The other arguments against the 18-week limit related to menopausal women, young girls and rape victims. We have specifically introduced an amendment relating to rape in amendment (s) because we were not satisfied with the clause introduced by my right hon. and learned Friend the Secretary of State. When we looked at the statistics relating to abortions carried out on menopausal women and young children we found that the percentages were so low—0·4 per cent. and 0·5 per cent., respectively—that that argument was not worth pursuing.

It is important to remind the House of one fact. We are told that late abortions are principally due to delays in the National Health Service. Some 50 per cent. of abortions carried out after the 18th week are done on non-resident women who come here to get around the laws in their own countries.

Ms. Short: So what?

Miss Widdecombe: The hon. Lady may think that that is all right, but it is important to remember that those women have not been subject to delays in the NHS. The 8 per cent. of abortions conducted because of severe foetal abnormality will not be affected by the proposals that we have put forward. As great a variety of reasons are presented for the remainder of late abortions as there are for those at an earlier stage.

Given that we have exempted from the limit the major consideration of disability, and given that we need a law which will last and not need to be revised on the basis of some cataclysmic advance in medical science next week or next year, I ask the House to consider seriously the 18-week limit. Beyond that, the House should go no higher than the limit of 20 weeks, at which we give the dignity of a funeral and insist that resuscitation equipment be available.

Mr. Eric Martlew (Carlisle): Will the hon. Lady give way?

Miss Widdecombe: We have all sorts of protection at the 20th week. If we go for the 22nd week, we are doing no more than accepting the Secretary of State's statement about where viability starts.

Mr. Martlew: Will the hon. Lady give way to the Member representing Carlisle?

Miss Widdecombe: I urge hon. Members to think hard, when they vote today, about what it is that they are talking about. We are not talking about some abstract view of women's rights, nor even about conscience or religion, but about a living mortal in the womb whom we cannot see——

Mr. Martlew: On a point of order.

Miss Widdecombe: That living mortal is there in the womb. It cannot protect itself and it deserves the protection of the House.

Several hon. Members *rose*——

The Second Deputy Chairman of Ways and Means: Order. I have a point of order from the hon. Member for Carlisle (Mr. Martlew).

Mr. Martlew: On a point of order, Miss Boothroyd. Is it right that the hon. Lady can quote a case in my constituency at great length and not give way to me?

The Second Deputy Chairman: Whether or not she gives way is in the hands of the hon. Lady.

6 pm

Sir David Steel (Tweeddale, Ettrick and Lauderdale): It must be said in defence of the hon. Member for Maidstone (Miss Widdecombe)—*[Interruption.]*

The Second Deputy Chairman: Order.

Sir David Steel: I am trying to say a word in defence of the hon. Member for Maidstone, who today made a more moderate speech to advance her view than those which we have listened to and read about outside the House, for which we must be grateful. I have two quarrels with her, which I shall come to later. The first is that she still tries to set herself up as a medical authority, greater than others, on the time limit that the House should accept. Secondly, I would not accuse her of telling horror stories to the House, but I accuse her of telling the same horror story over and over again.

Mr. A. J. Beith (Berwick-upon-Tweed): It is a terrible story.

Sir David Steel: It is a terrible story, and it was a ghastly tragedy. But I do not believe that we should set the law based on the one ghastly tragedy of the Carlisle case. There is a raft of experience of the working of abortion law.

Mr. Martlew: That case has deliberately been used by the opponents of abortion. The case was a set-up. The doctor who refused treatment was a member of the Society for the Protection of Unborn Children. We accept that the foetus should have been put in an incubator and treated. The fact that the case has been used by the anti-abortionists is a slur on the good hospital and the good doctors in it.

The priest involved, who was not the chaplain of that hospital, received evidence about the case in confidence, and he broke that confidentiality. The organisation has used the case time and time again, despite the agony and distress that it caused to the woman involved. Does the House know that the woman was interviewed at great length by the police after the tragedy because of the actions of those involved, who exploited the case? I agree with the right hon. Member for Tweeddale, Ettrick and Lauderdale (Sir D. Steel) that it was a tragedy, but it has been used gratesquely by those opposed to abortion at any price, not at 18, 22 or 28 weeks, but altogether. They are using the same tactics again today.

Sir David Steel: I am grateful to the hon. Gentleman for giving way in his intervention. He made a helpful point, as the local Member of Parliament, about what happened in that hospital. His intervention underlines my point that we should not base future legislation on one experience, however tragic and unhappy. We should consider the totality of experience and the working of the 1929 and 1967 legislation when coming to our decisions tonight.

I hope that the Committee will consider it reasonably appropriate that, as the promoter of the 1966 legislation, I should address myself——

Miss Widdecombe *rose*——

Sir David Steel: I shall give way later, but the hon. Lady should let me get going and cover some of my points, in the hope that I can prevent unnecessary interventions.

We should survey what has happened to the practice of abortion since we changed the law in 1967. I start by reminding the House, particularly the hon. Member for Maidstone—she was not a Member of the House when we debated issues such as rape and incest and whether they should be included or excluded from the legislation—that there is nothing new in that argument. The House went over it time and again during the passage of that legislation.

More importantly, I should like to remind the House about the state of the law and the practice on abortion before 1967. We do not have the figures for abortion then, as we have since 1967. One of the stipulations of the 1967 Act was that every abortion had to be recorded and published. However, two surveys were done before 1967. I do not lay claim to their accuracy, but they were published in 1914 and 1940, and both estimated—I stress that it was only an estimate—that there were about 100,000 illegal abortions in this country. That compares with a figure, which many may feel is too high, of 182,000 in England and Wales last year.

There were high numbers of illegal abortions before 1967, and there were none of today's campaigning organisations against abortion in those days. Such organisations have campaigned only against safe, legal abortions, not the illegal ones that happened then. I do not have an exact figure of abortions, but I have some accurate figures from the Department of Health that give us a clue about the picture before 1967. The number of women discharged from hospital with post-abortion sepsis in 1965 was 3,050 and in 1982, just 300—10 per cent. of the pre-1967 figure. That gives an indication of the scale of abortion going on, about which we were supposed not to know.

In the three years from 1961 to 1963, 160 women were recorded, in this country as dying as a result of abortions. In the three years from 1985 to 1987, the figure was four. How can anyone say that it has not been a major social advance to have achieved the end of the scourge of illegal abortion in Britain?

The second argument of those who want to reduce the availability of abortion is that in this country we have an exaggeratedly high rate of abortion. I accept that some other countries have lower rates of abortions than we do, but a great many countries have high rates of abortion. I objected to an hon. Lady, who is not present, so I shall not mention her name, saying in the House some weeks ago that this country was a foetal dustbin. I resent and reject such phrases, because the figures do not bear out such claims.

The rate of abortion is measured internationally by the number of abortions per 1,000 women of child-bearing age. Last year, in England and Wales, the figure was 14·8 per thousand women. In Scotland, it was 8·9. The last year for which we have total international figures is, sadly, back in 1983-84, for which the figure for England and Wales was 12·8. In France, in the same period, the figure was 14·9, in East Germany, it was 26·6, in Italy it was 19, in Denmark it was 18·4, in Sweden it was 17·7, in Poland it was 16·5, in Norway it was 15·9, in Czechoslovakia it was 34·5 and in Bulgaria—presumably because of the lack of any family planning policy—it was an appalling 61·9 per thousand.

Let us set the British figures in the context of the legal abortion rate of other European countries. In this country, we are not carrying out an excessive number of abortions, judging by international standards. It is a slur on the practice of medicine in this country to go on repeating and conveying the impression that there is an outrageous level of abortion in Britain.

I think, if I caught her words correctly, that the hon. Member for Maidstone said that 50 per cent. of late abortions were carried out on foreign women. She said that that was not due to delays in the National Health Service, and of course it is not. It stands to reason that, if

[Sir David Steel]

people come to this country from other countries, that takes time. Presumably they have undergone processes elsewhere, and then come to this country.

In 1983, before the Spaniards changed their law, exactly 22,000 women from Spain came to this country for illegal abortions. They could not have them in Spain, and no doubt they were among the late abortion figures. Spain then changed its law, and the last figure I have, for 1988, was that that figure of 22,000 women from Spain had come down to 3,000. Figures change as other countries change their law and as the availability of abortion becomes uniformly more accessible throughout Europe.

Mr. Alton *rose*——

Sir David Steel: I shall give way when I have finished this point, and my hon. Friend may feel even more inclined to interrupt when he hears my next point. One figure that inflates British abortion figures is the number of women who have to come over from both parts of Ireland—from the Republic, the figure is 3,000 and from Northern Ireland, it is 1,500.

Mr. Alton: Of those women who have children in southern and Northern Ireland, those figures represent a tiny percentage. I hope that my right hon. Friend will tell the House that women came from more than 100 different countries to the United Kingdom last year, from as far away as Mongolia and South Africa. That does not suggest a uniformity of law, but that our laws are such that they come to this country because we allow later abortions than anywhere else. Does he agree that the assurance that he gave in the 1967 debates that his legislation would not lead to abortion on demand looks absurd when, at present, one in five pregnancies end in abortion?

Sir David Steel: I shall come to that wider argument in a moment. I have never accepted that the intention of the law in Britain is to provide some sort of worldwide service. The hon. Member for Maidstone made the point that 50 per cent. of the late abortions about which people complain are performed on foreign women who come here because of the accessibility of legal abortions in this country. I do not particularly like that. I should much prefer other countries—they are doing so gradually—to reform their own abortion laws so that women there can seek redress of their difficulties in their own lands. That is a matter for those countries, not for us, but, as my hon. Friend the Member for Mossley Hill knows, I have never liked the foreign trade in abortions.

What is the state of the law in other countries? It has not been mentioned much in this debate, but in previous debates opponents of the Abortion Act 1967 have repeatedly said—my hon. Friend the Member for Liverpool, Mossley Hill (Mr. Alton) said it again a moment ago—that we allow abortions later here than they do in other countries. That is true in some instances, but it is not the whole truth. Those who keep saying that some of our continental neighbours have upper limits of 10 or 12 weeks should quote the whole of their law. It is based on a completely different tenet: on the right of a woman to request an abortion at up to 10 or 12 weeks. If we changed our law to reflect that idea, as some hon. Members advocate, that would naturally cut out many of the delays that occur. But that is not our law; our laws are different, and we cannot compare them with those that provide obortion on request.

Our laws attempted in 1967 to strike a balance—to make a neutral statement—between the rights of the foetus and those of the woman, and left it to two doctors to judge in any given situation and in good faith whether an abortion was necessary. Hon. Members should not take bits of other people's laws and claim that, because other countries set a figure of 10 or 12 weeks, we allow abortions later than they do. Their whole systems are different. So if hon. Members want to argue for a crippling reduction in the availability of abortion here, they ought to follow through the logic and accept that early abortions should be available on request, as some would argue—although that has never been my argument.

It would be a great mistake—this is where I quarrel with the hon. Member for Maidstone—for the House to set aside the opinion of established medical bodies on the issue of setting a limit of 18 weeks. The survey published in *The Lancet* of 2 December 1989 showed that only 3 per cent. of members of the Royal College of Obstetricians and Gynaecologists favoured a reduction to 18 weeks; 75 per cent. favoured 24 weeks. The British Medical Associaton is also firmly against 18 weeks and says, correctly, that such a limit would have

"an inequitable and adverse effect on those most in need of having their pregnancies terminated".

The representative professional committee on foetal viability, to which the Minister referred, also stressed in 1985 the harmful effects of setting the limit too low. Its report stated:

"late attenders are usually the women in greatest need of help—the very young and socially deprived".

We are not entitled to cast aside all these opinions as though they did not matter, or to pluck out of the air a figure that we think might be better——

Miss Widdecombe: Will the right hon. Gentlemen acknowledge that in 1967 he went against a considerable body of medical opinion and presumably thought it right to do so?

6.15 pm

Sir David Steel: Certainly not; I do not accept that for a minute. I worked with the Royal College of Obstetricians and Gynaecologists and the BMA throughout the passage of the legislation——

Mr. Alton: They were opposed to it.

Sir David Steel: There were differences about bits and pieces of the legislation, but fundamentally these bodies were not opposed to it——

Mr. Alton: Yes, they were.

Sir David Steel: My hon. Friend is beginning to sound like a parrot. The fact is that they did not oppose it. They supported it throughout its passage, and they still do. That is why they study these matters and send recommendations to Members of this House. They are not asking for fundamental changes in the 1967 legislation.

There is concern about the rise in the number of abortions, particularly in the past two years. I rather share that concern, but I do not believe that any hon. Member can suddenly arrive at some correct number of abortions. How would one do that? Each case must be assessed under

the law and considered on its merits. In some cases, I or other hon. Members might not agree with the doctors that an abortion should have been allowed; in other cases, we might think that they made the wrong decision, but under the law, we leave that decision to two doctors acting in good faith.

My worry about the rise in the number of abortions in the past two years relates not to the practice of the Abortion Act but to the declining standards of availability of family planning in this country. The "World in Action" television programme last night had done a survey of health authorities and found that a third of authorities in England and Wales had been reducing the numbers of family planning clinics for cash reasons. It was said that, in one area, there was a waiting list of 18 months to have vasectomies on the NHS, and there have been instances of local authorities under financial pressure reducing their subscriptions to the Family Planning Association and to Brook Advisory Clinics. Moreover, the new core curriculum in secondary schools leaves little time for non-statutory subjects such as sex education, so the picture is one of a rise in unnecessary abortions.

If this were a less male-dominated House, we should have spent less time over the years debating abortion, and far more time discussing family planning facilities. I am convinced that there is a relationship between the unhappy cuts of the past couple of years and the unfortunate increase in the number of abortions. Whether we are caricatured outside this place as pro or anti-abortion—I do not accept the labels—it should be common ground in the House that Ministers and the Department of Health should pay more attention to that relationship.

Finally, I turn to the time limit, and——

Mr. Beith: My right hon. Friend has dealt with the two-doctor provision of the 1967 legislation. He must surely recognise that, under that provision, late abortions have taken place in circumstances that he would not have contemplated as part of that legislation; and that the provision has led to a wide range of assumptions, practised by different doctors, of what reasonable circumstances for an abortion are. If he does not recognise that, he does not recognise the significance that many hon. Members attached to the assurances that he gave in 1967.

Sir David Steel: I go this far with my hon. Friend: I certainly accept that there have been cases—I hinted as much a few moments ago—in which doctors have taken decisions on abortion with which I or my hon. Friend would not have agreed, but the fact is that the onus was put on the medical profession to act in good faith.

I may have said this before, but I distinctly remember going, during the passage of the 1967 Act, to see the secretary of the Royal College of Obstetricians and Gynaecologists perform an operation under pre-1967 legislation. When I saw the case notes in the clinic where he was operating, I told him that I had grave doubts about whether he was acting within the law.

Of course there is room for variation in opinion. All we can say is that we have to rely on the ethics of the medical profession to act in good faith. I accept that, just as there are bad Members of Parliament and clergymen, so there are bad doctors. I regret that, and I have never denied it, but in the main the great majority of doctors are carrying out the intentions of the House as enshrined in the 1967 legislation.

I turn now to the time limits, and I should like to deal in passing with the vexed issue of the situation in Scotland. With great respect to the Minister, I thought that she was not exactly comfortable with this part of her remarks. I stand to be corrected by the Member for Aberdeen, South (Mr. Doran), who is a Scots lawyer, but time limits in Scotland are and always have been a happier subject, legally speaking, than they have been in England. The Infant Life (Preservation) Act does not apply in Scotland; the common law of Scotland makes child destruction a crime. Fortunately, because no time limit has ever appeared in a Scottish statute, there is a degree of flexibility there which has been helpful as medical science has developed.

There has been no need for such a great debate north of the border. I looked up the figures and found that, in 1987, there were only two abortions at over 24 weeks in Scotland. In 1988, there was only one. The issue hardly arises there. This is a peculiarly English and Welsh problem. I do not wish to enter into nationalistic considerations, but I do not understand why that should be so. The problem does not exist in the law of Scotland, and we are wise to leave well alone there.

For England and Wales, we put the provisions of the 1929 Act into the 1967 one. It is right—the Minister put the point fairly—that medical science has moved on a great deal since 1929 and it is now possible with resuscitation equipment to keep alive at least a small proportion—we should not exaggerate this—of those born between the 24th and 28th week of pregnancy. That is why there has been such deep consideration of the workings of the Abortion Act and the time limit by, among others, the Lane committee, which recommended a reduction to 24 weeks. The Royal College of Obstetricians and Gynaecologists, the British Medical Association, the 1985 committee to which the Minister referred and the House of Lords Select Committee all recommended 24 weeks.

A wide section of expert opinion appears to have looked into the matter very carefully, and says that there is now a case for reducing the presumption of viability from 28 to 24 weeks. Before I finish on that matter, I again reiterate a point that is widely misunderstood. The fact that there is a presumption of viability in the law at 28 weeks does not mean the reverse. There is no presumption that a foetus is not viable before 28 weeks. That is important.

It is precisely because of that, as the hon. Member for Barking (Ms. Richardson) said, that the medical profession usually allows a two-week safety margin in its judgment below the level that the law states. That is because the profession can be in danger of prosecution even if it is shown that the foetus was below the 28th week of pregnancy. There is no presumption that below that level viability does not exist.

Let us be clear that, whatever decisions we reach, if we go for 24 weeks, which I will support because I think the law should now be changed, we are in practice introducing a clinical procedure in which 22 weeks will become the limit. If we go for 22 weeks the practice will be 20 weeks and so on. That is why I am wholly opposed to 18 weeks or any lower suggestion. That is nothing but a crude attempt to stop the availability of legal abortion to certain categories of women. There is no medical justification for it.

All the expert medical bodies have told us that, whatever the advances in medical science, it will not be

[Sir David Steel]

possible to sustain life at such a low limit, except in occasional cases such as the one that has been widely quoted, where it was suggested that a baby survived at 21 weeks. By and large, the general medical opinion is that it is not possible to get any significant number of babies to survive below the 24th week of pregnancy. That is the simple reason why I believe that that is the right term. Anything lower is simply arbitrary and designed to deny women their rights.

It is right that we should have this debate. Hon. Members have been plagued by endless pieces of mail, to put it politely. I in particular have been the target of an extraordinary resurgence of hate mail of the type that I thought I had last seen in the late 1960s. That is life. By and large, the House wishes to come to a conclusion. I shall support the new clause—with some of the amendments, because I do not think that the clause in itself is quite right. I hope that, at the end of the confusion, we will come to a decision and stick to it. There may not be another debate on abortion in this Parliament and, if there is not, the House must turn its attention to the issues of family planning and contraception facilities.

Mr. Cormack: It is a great privilege to follow the right hon. Member for Tweeddale, Ettrick and Lauderdale (Sir D. Steel). I do not agree with everything that he said, but I have always admired him and he has always sought to act from the best possible motives. Although the Act that he introduced has not been the signal success that I am sure he wished it to be, no one who has paid any attention at all to this matter could accuse him of having acted for anything other than the social good of the nation as he saw it at the time. I speak with some diffidence because the last time that the House devoted a fair amount of time to abortion, I had the difficult task of chairing the Committee that examined the Bill introduced by the hon. Member for Liverpool, Mossley Hill (Mr. Alton).

Ms. Richardson: The hon. Gentleman was a good Chairman.

Mr. Cormack: I am grateful for that intervention because it was a difficult task and one had to be impartial. I hope that I was impartial throughout the sittings of the Committee. Because I chaired that Committee, for two years I have refused to make any public utterance on this subject. I did not think it right to give any sign of sympathy for one side or the other. When I chaired that Committee I learned a great deal from both sides. One of the things that I learned was that people felt passionately and, on occasions, spoke with some intolerance and misunderstanding, sometimes deliberate, of other people's opinions, which did not advance either case very much.

I shall try to explain how I see the matter and how I shall vote. First, the interests of the mother are and must be paramount. If there is any question of a mother's life being at risk, then, faced with the ghastly choice of which life is to be ended, it is important to decide that the mother's life should be preserved.

On the second matter I cannot go all the way with the Roman Catholic Church, much as I admire the courage of the statements on moral absolutes that are made frequently by the Pope. Certain categories of women must always be granted abortions. There can be no debate about cases arising from rape and incest. If a woman or a girl has been violated by a member of her own family or by anybody else and a pregnancy that was never wanted or never sought has been thrust upon her, she must have the chance to have the pregnancy terminated.

If there is evidence of severe abnormality, the family must have the opportunity to take counsel, to consider, and, if necessary, to decide that termination is the right course. In what I would loosely call certain social categories, after careful consideration it might be in the interests of other members of the family for abortion to be contemplated.

However, we are not considering with sufficient care the sanctity of life. I was in the Members' Post Office on Saturday morning when all the parcels arrived and my initial feeling was of great sympathy for the staff. When I opened my parcel I found a legitimate and graphic piece of campaigning, because nobody disputes that that is what a 20-week-old foetus looks like. *[Interruption.]* If somebody had been able to produce medical evidence that this was a grotesque mock-up that was totally inaccurate and grossly misleading, it would have been the most obscene piece of campaigning that anyone could indulge in. However, nobody has suggested that. When I was in the Post Office yesterday an hon. Member came in, took his parcel, opened it and threw it in the bin. I could not help thinking that this is what happens to many foetuses.

Over the past 23 years, we have developed a new attitude towards the sanctity of life which accords ill with our constant talk about the need to preserve the quality of life. I do not make the ridiculous mistake of blaming the right hon. Member for Tweeddale, Ettrick and Lauderdale for that. That would be absurd. However, I say to him and to other hon. Members that the climate that was partly —and I choose my words carefully—influenced by his Act has degenerated over the past 20 years. People who would never have contemplated abortion then, would do so now.

6.30 pm

Mrs. Mahon: If I understand the hon. Gentleman, he is suggesting that there are more abortions now because abortion is legal. Can he explain why there were 1·2 million abortions in Romania in 1989, most of them illegal? Obviously, the rich can always buy safe abortions.

Mr. Cormack: For the sake of other hon. Members, I will not be sidetracked to Romania—a country which I have just visited and which is one of the saddest places that I have ever seen. I shall not talk about the obscene antics of the Ceaucescu regime and the actions that people were driven to during that time. I am talking about our attitude to life. I am trying to put my case with a degree of calmness and moderation—*[Interruption.]* I hope that the hon. Lady will accept that I understand how passionately she feels. I know that she was a member of the nursing profession and must have just as great a concern for life as I have—*[Interruption.]* We view these matters differently, but she must allow me to develop my speech. I hope that she will have the opportunity to make her speech later.

I was not defending back-street abortions. I understand why the right hon. Gentleman introduced his Bill—he wanted to combat a terrible social evil. The choice to have an abortion must always be traumatic, and the right hon. Gentleman wanted to introduce a Bill that would make abortion available under proper clinical conditions for

those who needed it. I am suggesting that, unwittingly, his Act has helped to create a climate in which people do not have so great a regard for the sanctity of human life.

Mrs. Mahon: Rubbish.

Mr. Cormack: I do not think that it is rubbish. This is what I mean by the intolerance that these arguments sometimes provoke. The hon. Lady cannot solve the problem or salve her conscience—or, indeed, anyone else's conscience—by shouting, "Rubbish." People now have a much less serious regard for the really important decisions of life. We must recognise that, which is why——

Ms. Mildred Gordon (Bow and Poplar): Does the hon. Gentleman agree that it is because mothers are concerned about the quality of life for their whole families that they have abortions? Women sometimes feel that they cannot continue with another child, so they have an abortion. The law does not make much difference to them, because history shows that, when abortion was not legal, they went to the back-street abortionists. They risked their lives and the freedom of those who helped them because of their desire to maintain the quality of life for their families.

I can count on my fingers the number of hon. Members who have carried a child to full term or who have had to face a decision on whether to have a foetus aborted. I know that it is hard for hon. Members to understand——

The Second Deputy Chairman: Order. The hon. Lady is making a speech, not an intervention. I shall do my best to call her later in the debate.

Mr. Cormack: I gave way because I know that the hon. Member for Bow and Poplar (Ms. Gordon) has strong feelings. She was on the Committee that I chaired. However, she was not here when I began my speech——

Ms. Gordon: I was.

Mr. Cormack: I was trying to be kind to the hon. Lady by suggesting that she might not have heard my earlier points. I said that there were certain social categories where abortion might be right. However, it must never be lightly entered into and the law must not make it easy for that to happen. Currently, the law makes it too easy.

On the question of how and at what point, I refer hon. Members to the model foetus that we were all sent. It showed a well formed, recognisable human body. When I intervened in my hon. Friend the Minister's speech, the substance of my question to her might not have been immediately clear. I asked how many women miscarried after 20 weeks. She said, quite honestly, that she did not know. My point, which I hoped hon. Members had understood, was that most women who carried a child up to 20 weeks went on to deliver that child. Most 20-week foetuses develop into healthy babies. That point was alluded to, very fairly, by the right hon. Member for Tweeddale, Ettrick and Lauderdale, and it needs emphasising.

It is often said that we live in a throwaway society, and we do. We are always throwing things away. We do not pay sufficient regard to our environment. When we are chided and upbraided by members of the Green party, many of us deserve it, and I do not exempt myself. However, we must not allow that throwaway mentality to extend to the most important areas of life and lead to the throwing away of life itself.

Sir David Steel: I do not deny that there is something in what the hon. Gentleman says, because the subject of abortion is now more open to discussion and, perhaps, is being treated too trivially. I hope that he will accept that there is a reverse side to the coin. It was well put to me by a friend who was a medical student at Edinburgh when I was a student there. He is now in general practice. He said that one of the effects of the 1967 legislation has been that people will come to his surgery and discuss abortion with him, whereas pre-1967 they would not have done so and he would have lost control of what was happening, and the patient might have ended up with a back-street abortion or going into a private clinic. That is the other side of the hon. Gentleman's argument.

Mr. Cormack: I entirely accept that. The right hon. Gentleman has made a fair point, and I acknowledge it. All the right is not on one side and all the wrong on the other. I know that the right hon. Gentleman is a devout and convinced Christian—so, I hope, am I. Because we are both Christians we both believe in sin and we are both sinners. Neither of us can be right all the time. I would never suggest that one must believe in no abortion if one is to be a Christian. That is nonsense. I must not refer to yesterday's debate or I shall be called to order. However, yesterday there was a tendency to polarise. In *The Times* yesterday there was an article by the Archbishop of York who, whatever else he might be, cannot be called anything other than a totally convinced, committed and devout Christian. He is a far better man than I am.

My beliefs make me feel that there is a less deep regard for the sanctity of human life than I would wish. I know that many people in the House and outside do not share the Christian beliefs held by the right hon. Gentleman and myself. However, we still live in a country that has an established Church——

Sir David Steel: I do not.

Mr. Cormack: The right hon. Gentleman does not, but there is an established Church in England and we still subscribe to the general Christian ethic. Many people who are not Christians also subscribe to that ethic. At the centre of that ethic must be a regard for the sanctity, the decency, the quality of human life. It is about those things that we are talking today.

Dame Jill Knight (Birmingham, Edgbaston): Is my hon. Friend aware that, when we debated the matter in the House 23 years ago, not even the keenest advocate of the new Bill claimed that any more than 100,000 babies, at the outside, were aborted each year? We know that the figure now is well in excess of 180,000 babies a year. Is my hon. Friend aware that those statistics back up his case?

Mr. Cormack: I am grateful to my hon. Friend. I am aware of that and that is why I have been trying to make the case, imperfectly I realise. Many of the things that most hon. Members would hold dear are held a little more tenuously than they were 23 years ago. I was not in the House then but I came shortly after. My hon. Friend was. One has to face the fact that marriage is no longer the central institution that it was. One has only to do some canvassing, as I did in Mid-Staffordshire recently—not that it did much good—to realise that for two people of different sex to live in the same house in different names is much more common that it was 20 years ago. One has only to consider the statistics for children born out of wedlock,

[Mr. Cormack]

or the increasingly powerful demands, which I shall not expand on at the moment because it would be out of order, from some sections of the community for women to be allowed to have children without any thought of marriage, to realise that there have been many changes.

No one could have been married for 23 years as I have —[AN HON. MEMBER: "Too long."] I hope that it is not too long; I hope that I can carry on—without realising that monogamy is not always the easiest state to sustain. The old words of the old prayer book about natural instincts being directed aright show that that has always been recognised.

We are talking about life and the quality of life and we in the House have a great duty, whatever our personal beliefs, to recognise that there is nothing more sacred than life.

Miss Emma Nicholson: Will my hon. Friend give way?

Mr. Cormack: No, I shall not give way any more. You are nodding, Miss Boothroyd, and in fairness to others, I should bring my remarks to a close. My hon. Friend may then have a chance to address the Committee.

We in the House have a great duty to sustain the concept of the sanctity of life. Whether or not we believe in the word "sanctity" is irrelevant. There is nothing more precious than a life. When two people come together and cohabit and create a third person they take on a great responsibility. The act of coming together should not be lightly entered into. The consequences of conception should not lightly be consigned to the flames, or anywhere else for that matter. Children should not be aborted, and that means killed, unless there is a paramount reason—the life of the mother, the circumstances of the conception or some overriding personal problem which can be assessed.

This evening we should tighten up the law and reduce the time limit—I shall vote for the 18-week limit—to make abortion more difficult, but not impossible. The one thing that I could never agree to is abortion on demand. That demeans everyone, most of all the person who demands. It is with that sort of thought in mind that we should conduct our debate. I hope that at the end of our proceedings, whether it is in the small hours or not, we shall have improved the law so that those with legitimate needs will have nothing to fear and those whose attitude to life is rather a casual one will have to think more seriously about the consequences of their actions.

6.45 pm

Mr. Doran: My main purpose in rising is to address the House on the uniqueness of the Scottish position, which has been ignored in all the amendments before the House. That was confirmed by the Minister's response to my intervention.

I oppose new clause 4, because I am in favour of the status quo. If the legislation were to be changed, I would want it liberalised and the Scottish position imported into the English legislation. For that reason, I shall be supporting new clause 3.

The Scottish position tends to be ignored and I am conscious that today's debate has concentrated on specific time limits. As a Scottish lawyer, that is an aspect of the English legal system which I have always found it difficult to understand. The English adherence to precedent and strict rules makes legislation complicated and forces one into the sort of debate that we have heard today.

The Scottish legal system is based on principle. The 1967 Act applies in Scotland, but the basic principle in the application of the Act is the medical decision on the viability of the foetus. When the 1967 Act came into force in Scotland, the limit of 28 weeks was accepted in exactly the same way as it was accepted in England and Wales, but it was accepted because that was the best medical view on the viability of the foetus. As medical technology has improved, so the limit has been lowered. Therefore, the effective limit in Scotland now is 24 weeks, but the limit progresses with medical technology and the ability of the medical profession to sustain the life of a viable foetus. It is on that basis that I present our principle to the House. It is much more flexible, it advances with the times and it would save us endless and interminable debates on the subject of abortion.

To illustrate how flexible the Scottish system is, it is important to consider what was happening in Scotland before the introduction of the 1967 Act. Throughout the rest of the United Kingdom abortion was illegal, but in Aberdeen, the city that I am proud to represent, National Health Service abortions were introduced by the then consultant in obstetrics and gynaecology at Aberdeen royal infirmary, Dugald Baird, who had learned his medicine in the slums of the Gorbals in Glasgow. He had seen working-class women who had produced children year after year, and many of them were worn out in their mid-30s.

With the legal authorities, Dugald Baird introduced the concept of an abortion where the pregnancy posed a risk to the health of the mother. With the procurator fiscal in Aberdeen, he devised a scheme whereby every case in which he as consultant considered that abortion was appropriate because of the risk to the health of the mother, was reported to the procurator fiscal and, if he was satisfied that an abortion was appropriate, it was carried out. The procedure was streamlined so that there were no delays, and many hundreds of abortions were carried out in Aberdeen before the introduction of the 1967 Act. That was possible because of the flexibility of the Scottish system, which declared abortion to be a crime but provided exceptions where, for example, there was a real risk to the mother's health.

The Government amendments threaten that flexibility. No consideration has been given to the uniqueness of the Scottish situation. There is no Scottish Office Minister on the Government Front Bench now, nor has there been for any of the debate—and I do not expect to see one there. There has been inadequate consultation in respect of the Scottish position. When the Minister responded to my earlier intervention during her own speech, she said that the situation in Scotland was at a loose end and that it had to be "tidied up." I hope that she views it as something more than that, and that we can return to that aspect on Report.

Sir David Steel: The hon. Member may be interested to learn that I discussed the matter with Sir Dugald Baird at the time of the Abortion Act 1967. He was much in favour of including Scotland in that statute, because during the time that he was carrying out the practice to which the hon. Gentleman referred, a particular Law Officer in Scotland wrote to him, warning in effect, "Watch it." Sir

Dugald replied, "The next time that I have a case, will you come and tell me whether or not I can carry out an abortion?" He did not regard the law in quite the ideal light that the hon. Gentleman suggests.

Mr. Doran: Few doctors regard the law in the same ideal light that it is regarded by Scottish lawyers, but I take the right hon. Gentleman's point. Although I never met Dugald Baird, I know from his colleagues that his views were not quite those that I would like to present. He was not totally in favour of the 1967 Act, although he was in favour of establishing a statutory position. I am sure that he would be in favour of the operation of such a law today. Sir Dugald's colleagues recently established a trust fund in memory of the work that he did. The Minister for Health indicates surprise. Perhaps I may write asking her to make a donation to that trust, if she supports its objectives.

Although Scottish law appears to be much more liberal than that of England and Wales, as the right hon. Member for Tweeddale, Ettrick and Lauderdale (Sir D. Steel) mentioned, the number of late abortions performed in Scotland is very small. In 1987, there were only two abortions involving pregnancies later than 24 weeks, and only one in 1988. In 1984, the United Nations undertook a survey of abortion rates in every European country where abortion was legal. The rate in Scotland was only eight per thousand, compared with 13 per thousand in England. That bears out the point also made by the right hon. Gentleman that National Health Service family planning services are well developed in Scotland.

Aberdeen's extensive experience of providing abortions on the National Health Service provides many other examples of the way in which abortion law operates north of the border. My local hospital, Aberdeen royal infirmary, has a well organised and streamlined system that aims at avoiding late abortions. No one favours abortion. Every abortion that is performed is a tragedy, but the Aberdeen system ensures that cases that fulfil the legal criteria set by the 1967 Act are dealt with, according to the woman's wishes, at the earliest possible opportunity.

When a woman visits her general practitioner for the purpose of arranging an abortion, he is instructed not to write a letter or postcard to the appropriate consultant seeking an appointment for her but to pick up the telephone and contact a named individual. An appointment is made for the woman there and then. Bureaucratic delays are avoided and the case can be dealt with at the earliest opportunity. I am not frightened by the prospect of an 18-week limit for my own constituents in Aberdeen, although I consider it undesirable for all the other reasons that have been advanced.

In Aberdeen, the latest date effectively for an abortion to be considered is 20 weeks, because the system is streamlined and all qualifying cases are picked up at the earliest stages. Virtually all Aberdeen GPs are tuned in to the system, having worked with it for many years. Even those opposed to abortion pass cases to their partners in the same practice.

There are exceptions to the rule, but the majority of abortions are dealt with within 18 or 20 weeks. That is an excellent example of the way that the National Health Service can restrict the number of late abortions without right hon. and hon. Members having to tug at their heart strings and being the recipients of obscene items—at least, I consider them obscene—through the mail, to persuade them to take a particular view.

Even those who support the 18-week limit accept that abortions should be provided on the National Health Service. That may be to distort some of their views, but I am entitled to place that interpretation on their support for the 18-week amendment. They should also be looking for ways of removing the trauma and stress that is suffered by all women who have to endure an abortion, for whatever reason.

Ways should also be found of taking the issue away from this House and interminable debate. I asked the hon. Member for Maidstone (Miss Widdecombe) what she meant by her statement of a few months ago that she and her supporters "would go away for a while". I do not believe for a minute that the issue will die once a decision has been made by this House. I certainly do not accept that the hon. Lady can guarantee that all those who share her view will stay in line.

We need to establish a principle that is related to the best medical practices. We should not have to debate the matter year in, year out, but should place our trust in medical practitioners and give them a legal framework within which they can operate and which the public can understand. That would bring an end to the debate, except among those who are totally opposed to the concept of abortion. We could then enter into a much more honest debate on the arguments for and against abortion, rather than have to tinker with time limits and risk the dishonesty that they might engender. For all those reasons, I support new clause 3 and shall vote against new clause 4.

Sir Bernard Braine: We can at least all agree that it is high time to legislate on this important issue. Right hon. and hon. Members who have been in this House for many years will recall repeated attempts by private Members to seek, in some cases, quite modest reforms of abortion law, who succeeded in securing substantial majorities in favour of such measures on the Floor of the House, yet were frustrated by a comparatively small minority who knew how to use our rules and regulations to prevent the House from reaching a final decision.

Whether or not one agrees with the views of my hon. Friend the Member for Maidstone (Miss Widdecombe) —and I do—hers was a remarkable speech, showing a great command of the subject. I listened to her with profit, and I hope that other right hon. Members, whether or not they agree with my hon. Friend, will acknowledge that hers was a remarkable performance.

Clearly, it seemed to the pro-life movement that the only way to resolve the matter once and for all was to persuade the Government of the day—in this case a Conservative Government—that embryo experimentation and abortion law reform should be incorporated in a Government Bill. The right hon. Member for Tweeddale, Ettrick and Lauderdale (Sir D. Steel) will be the first to recall that the Abortion Act 1967 would not be on the statute book had the Government of the day refused time for it. I do not complain about that. I complain about subsequent Governments who did not take a similar course, although there was an overwhelming majority in the House and in the country in favour of abortion law reform. I join my hon. Friend the Member for Maidstone, therefore, in congratulating the Government on facilitating this debate.

7 pm

The House has voted repeatedly to stop the scandal of late abortions and abortion on dmand, but we have been prevented from coming to a decision not by argument or reason or by a straight defeat in the Division Lobby, but by blatant filibustering, which is an open admission of defeat by the pro-abortionists. This debate, however, has been very different, precisely because those who used to use those practices know perfectly well that this is a Government Bill, that there is a time limit and that we are being given full facilities to express our views. I have listened with respect to the views advanced by those who fundamentally disagree with me. This has been a good debate for that reason, and we should thank the Government for making it possible.

We have an opportunity now to decide on a reasonable upper limit for abortions. We should take decisions tonight that will be valid for years to come. We should take decisions that bear a relationship to the present situation but, having regard to the advances in medical science, to the situation that is likely to develop in the next decade. That is why I ask hon. Members to consider very carefully which way they will vote tonight. I declare straight away that I am in favour of an upper limit of 18 weeks.

We must also recognise that we compare somewhat unfavourably in that regard, even if the Bill is enacted with the provisions that my right hon. and learned Friend the Secretary of State for Health has said that he is in favour of—namely, 24 weeks—with a good many countries in Europe. We are still way behind them and the details are available for hon. Members. Thus, the position in Germany and in France, to consider two of our nearest neighbours, is quite different from the position here, and it will be different again if the Bill is enacted with the recommendations made by my right hon. and learned Friend the Secretary of State.

Let us consider the position in this country with regard to late abortions. In 1988, the last year for which I have figures, 183,798 abortions were performed under the Abortion Act 1967. The overwhelming majority were performed for social or non-medical reasons. Handicap was given as a ground for abortion in 3,817 cases, and only 486 abortions were performed because the mother's life was at risk.

Down the ages, it has been acknowledged—it is not challenged now—that abortion is the only surgical operation involving two lives where one must die. It has been accepted down the ages by Christian societies that, where the mother's life is in danger, it is paramount. There is no argument about that.

In 1988, only five abortions were performed to prevent grave permanent damage to the mother. Of late abortions —for the purposes of this debate, I will take those to be at 19 to 20 weeks—3,406 were performed. The total of abortions at 21 to 22 weeks was 1,983; at 23 to 24 weeks, it was 1,107; and at 25 weeks and over, there were only 23. Under the provisions of the new clause tabled by my right hon. and learned Friend the Leader of the House, the number of lives that would be saved on 1988 figures, if the House voted for an 18-week limit, would be 5,977. If the upper limit was set at 20 weeks, that figure would be reduced to 2,914; at 22 weeks, it would be reduced to 2,027, and at 24 weeks to nil.

I was deeply moved by the speech made by my hon. Friend the Member for Staffordshire, South (Mr. Cormack). This debate is about life and death. Will we be voting to save the maximum number of lives? We must consider the figures. The pro-life movement readily concedes that there are certain tragic circumstances in which an abortion is justified. We are not absolutists on the subject. However, for God's sake let us consider the figures. When hon. Members vote, they should weigh the figures very carefully.

My right hon. and learned Friend's new clause is different from the amendment introduced by the hon. Member for Liverpool, Mossley Hill (Mr. Alton) in his Bill, in that an upper limit would apply at the end of the week that we decide upon. The new clause refers to a pregnancy which

"has not exceeded its twenty-fourth week".

The Bill sponsored by the hon. Member for Mossley Hill set the limit at the beginning of the 18th week. I would like clarification from my right hon. and learned Friend the Minister for Health as to whether the words, "has not exceeded" means the end of the week in question. Perhaps that can be clarified later.

We have clear choices before us. How many lives do we want to save? That is what the debate is about. How many unborn children do we condemn to death, and how many do we save? It is clear that 24 weeks is no decision at all. That is a fudge, because it would save hardly a single life. In a written answer to the hon. Member for Barking (Ms. Richardson), my hon. Friend the Minister for Health stated that the 22nd week is considered by doctors to be the earliest time that there is the possibility of a foetus being born alive. Wait a minute. We must remember that the Abortion Act 1967 does not have an upper limit. It refers to the Infant Life (Preservation) Act 1929, which makes it the crime of child destruction to destroy a child capable of being born alive. The prima facie case of capability of being born alive at that time was 28 weeks.

We should note that the 1929 Act does not require a child to be born alive and to survive, which no one can determine in advance, but only to be born alive. I recall that my hon. Friend the Member for Maidstone told us that Mr. Justice Brooke defined "capable of being born alive" as surviving for only a few minutes. Twenty-eight weeks was the figure agreed in 1929, but medical science has moved fast since then, and that limit is now totally out of date.

Does the Committee realise that, at this precise moment, an abortion carried out at 24 weeks is illegal and contrary to the 1929 Act if it turns out that the child could be born alive at 22 weeks? In short, a 24-week limit would put the clock back and legalise what at present is plainly illegal. Does the Committee realise that that would be the precise effect if we voted for a 24-week limit tonight?

Last December, the *Daily Mail* featured a delighted mother holding her baby and girl, who had been born at 22 weeks. She weighed just 20 oz. She was not only born alive, but she survived. How against that can anyone defend 24 weeks and think that he is voting for reasonable upper limit? Parliament will be enacting nonsense. A vote for 24 weeks tonight is a vote for a nonsense. When the country realises that, it will not easily forgive us. Medical science will continue to advance, and more and more babies born prematurely will survive. Surely we should legislate for the future and not for the past.

New Clause 1 does not apply a 24-week upper limit as it seems to do. I do not know whether my hon. Friends the Members for Bolton, North-East (Mr. Thurnham) and for Berkshire, East (Mr. MacKay), who tabled the new clause,

are aware of that. The new clause seems to allow abortion up to birth under the exceptions stated in paragraphs (2A) (a) and (2A) (b) of the new subsections. Those exceptions could be interpreted widely and the doctors performing such exceptional abortions could stand wholly unchallenged. They would not even be subject to the 1929 Act. I therefore urge hon. Members to oppose new clause 1.

Is my right hon. and learned Friend the Secretary of State aware of the effect of new clause 1? I am not seeking to draw my right hon. and learned Friend to his feet, and I do not expect a snap answer. The subject is too serious for that. However, I ask him to reflect on what I am saying and on whether I am right or wrong. God knows, there are moments when one prefers to be wrong. This is the moment of truth. As I said in respect of embryo research yesterday—although the vote did not reflect my advice—the buck stops here in Parliament. I ask my right hon. and learned Friend to consider arranging for a statement to be made before we vote.

It is now appropriate to describe the unborn child in the later stages of pregnancy. There have been several references to a package that hon. Members have received. I have not received one, and I am not especially in favour of such dramatic gestures. However, this is an adult House and hon. Members would not be here if they were not trusted by many of their fellow citizens. It is right to describe what we are discussing. Far from being an inanimate object and a mere clump of cells, the unborn child is sensitive to sound and touch. At 18 weeks, it is complete. All its organs are in place and what it needs between 18 weeks and birth is the correct environment in which to live and to grow.

What is the difference between an 18-week baby and a 28-week baby? It is only size and weight. The unborn child will move spontaneously, it will react to bright light shining on the uterus, and it can recognise and react to its mother's voice. In January 1980, the *British Medical Journal* published an article entitled, "What the Fetus Feels". In describing the reactions of a nine-week unborn child, the article said:

"the baby is well enough formed for him to bend his fingers round an object in the palm of his hand. In response to a touch on the sole of his foot he will curl his toes or bend his hips and knees to move away from the touching object. At 12 weeks he can close his fingers and thumb and he will open his mouth in response to pressure applied at the base of the thumb. At 11 weeks after conception the fetus starts to swallow the surrounding amniotic fluid and to pass it back into his urine. He can also produce complex facial expressions and even smile."

All these movements and reactions require a high degree of sense and organisation of the various bodily functions. That is the little creature about whom we are talking—a human being not yet born, yet with all the hope and expectation of life.

When we come to vote, let us not vote for a figure. Let us remember that we are voting for the preservation of the lives of future citizens. God knows the number of those who have been sacrificed as a result of abortion since the passage of the 1967 Act. There were, of course, abortions before that Act—I am not criticising the right hon. Member for Tweeddale Ettrick and Lauderdale (Sir D. Steel), but since its passage, 2·5 million to 3 million children have been lost, and the overwhelming majority, if they had been allowed to be born, would have been perfectly fit and healthy.

Where would they have been today? They would have been in our schools or at universities or at work, serving their country. That should be a matter of prime concern for every man and woman inside and outside the House. When we vote, let us remember that we are not voting about figures, but about unborn children who may one day make a contribution to our national life.

7.15 pm

I want to put another crucial question to hon. Members. Can the foetus feel pain? I am sure that we are all conscious of the need to safeguard the welfare of animals. How many of us are members of one of the animal welfare societies, go to dog shows in our constituencies and are revolted by cruelty to animals? Let us ask ourselves a question. Tonight, we shall decide whether a foetus should be allowed to live or die after the 18th, 20th or 22nd week, or later. Does this little creature feel pain?

The distinguished Australian, Professor Peter McCullagh who, I am glad to say, is one of the advisers to my all-party pro-life committee, state in his 1987 book entitled "The Foetus as Transplant Donor" that the brain cells essential for consciousness of pain in the adult are present in the 10-week-old unborn child. The sensory nerve fibres transmitting pain are present even before those capable of inhibiting perception of pain. Some hon. Members have had the privilege of hearing Professor McCullagh speak to us elsewhere in this building.

A study that appeared in 1987 in *Nature*, a well recognised and respected journal, stated that the unborn child's sensory neurones appeared to be more sensitive than those of an adult or a new-born baby. There can be little doubt that abortion is intensely painful for the child as well as for the mother. It is a gruesome business, but I doubt whether many people outside the House—or many in the House—know exactly what is involved.

I shall describe one of the most vivid accounts I have read of a dilatation and evacuation abortion performed at 22 weeks in a London hospial. The House should know exactly what happens before we vote tonight. I quote from the book "Abortion: The Whole Story" by the well-known journalist Mary Kenny. This is her account of what she saw:

"First came an arm, perfectly formed, a tiny baby's hand, fingers curled. A limb was extracted. Then two limbs lay in the bowl. . .The intestines, brain tissue, liver, lungs came away. Last of all—the most difficult part—was the cranium. The skin was torn, and there was not much more than a skull".

Who passed that account to me? It was passed to me by the organisation called Doctors Who Respect Human Life.

Many things have been said about the medical profession in the course of the debate. There has been the odd tribute here and there and people have said that the vast majority of doctors are honourable people who care for their patients, and so on. Thank God many doctors, men and women, take the view that such abortions are an obscenity and a crime that should be stopped. The quotation does not come merely from a journalist or someone who wants to tell an alarmist story.

Mrs. Maria Fyfe (Glasgow, Maryhill): Has the right hon. Gentleman read accounts of back-street illegal abortions or what happens when women attempt to abort themselves, with equally gruesome results, often resulting in the death of the women?

Sir Bernard Braine: Yes, I have. It has been claimed strongly since the passage of the 1967 Act that the legalisation of abortion rendered back-street abortions unnecessary. As the right hon. Member for Tweeddale, Ettrick and Lauderdale would tell the hon. Lady if he were in his place—I hope she will not shake her head in dissent before hearing my answer to her intervention—the rate of back-street abortions was on the decline before that Act came into being.

I am not arguing that there should not be effective control or that we do not have a responsibility, as a civilised society, to see that women who are in dire need and distress are cared for. Under French law, for example, a woman must be in a state of distress before an abortion can be granted. I am concerned about abortion on demand.

It is a pity that my hon. Friend the Member for Maidstone is not in her place. If she had been, I would have asked if she could recall the grounds on which the Carlisle baby was aborted. Hon. Members will remember the terrible story that she told. I am not absolutely sure, but I believe that the grounds were largely trivial and that, if there had been effective control——

Dame Elaine Kellet-Bowman: It was a skin disease.

Sir Bernard Braine: I thank my hon. Friend for pointing out that it was a skin disease, which is common enough among adults, some of whom do not even know that they have it.

Miss Emma Nicholson: Is my right hon. Friend aware that 84 per cent. of all women in the United Kingdom believe that women should have the right to choose?

Sir Bernard Braine: The right to choose what?

Miss Nicholson: The right to choose their own pregnancies.

Sir Bernard Braine: In most civilised countries, there is a requirement before an abortion is permitted that the woman—who, in such circumstances, will obviously be in a state of great distress—is counselled by a doctor. There is a pause during which she is given the opportunity to consider the situation. There is at least one organisation in Britain which not only gives counselling but which, if necessary, would help a woman in that situation to bear her child.

Miss Nicholson *rose*——

Sir Bernard Braine: No, I will not give way. My hon. Friend raised a trivial point—*[Interruption.]*—because a woman in that situation needs help. I am not saying that she should be denied help or that there are not circumstances in which abortion is not justified. I am not saying that, and have never said it. I am simply endeavouring to bring home to hon. Members, including my hon. Friend the Member for Torridge and Devon, West, what is involved in an abortion.

Ms. Short: Does the right hon. Gentleman think that she does not know?

Sir Bernard Braine: We should consider who benefits from late abortions. Who performs them? I am talking not about early but about late abortions. In a survey conducted by the Royal College of Obstetricians and Gynaecologists entitled, "Late Abortions", published in 1984, it was found that over 60 per cent. of very late abortions were performed, believe it or not, by just 11 private practitioners. That is killing for profit. Some would call it legalised murder.

I trust that whoever replies to the debate will say, since I am referring to 1984 figures, whether the Department of Health has investigated those 11 doctors, whether they have ever been found to have transgressed the so-called gentlemen's agreement between the Department and the clinics performing late abortions, and, even more important, whether their activities have been found to be contrary to, or in line with, the Infant Life (Preservation) Act 1929.

What happens in other countries, particularly in Europe? In West Germany, abortion is only allowed up to week 13 for social reasons and up to week 22 for reasons of handicap. In France, abortion is available up to the 10th week for a woman in distress, and after that only if the unborn child is handicapped or if there is serious risk to life or health. In Greece, abortion is available up to the 12th week and thereafter in limited conditions. Spanish law allows abortion up to 12 weeks for rape and up to 22 weeks for handicap. In Denmark, abortion is allowed on demand up to 12 weeks and after that on the authorisation of a special committee. The law is similar in Norway. Swedish law provides for abortion up to 18 weeks and after that only if the foetus is below the age of viability.

In terms of an upper limit, we in this country have one of the most permissive laws in Europe. That is a disgrace to our nation, with women travelling from other countries to have their abortions here.

There is a major difference between yesterday's debate and the matter that we are discussing today. On embryo research, many people honestly have doubts about when life begins. I am referring not to those who are certain about their uncertainties but to those who genuinely have doubts. But today we are concerned with the living unborn child who is capable of being born alive. Abortions carried out on such babies at 24 or 22 weeks are already illegal under the Infant Life (Preservation) Act 1929, which makes it an offence to destroy a child capable of being born alive.

We are dealing today, therefore, not with doubts or uncertainties but with the question whether the life of the unborn child is sacred or not. As I said in yesterday's debate, the buck stops here in the House of Commons. In my view, we have a solemn duty to protect those who cannot speak for themselves and to consider their interests when others manifestly will not.

Mr. Alton: The hon. Member for Barking (Ms. Richardson) concluded her remarks by talking about the role of irresponsible men in relation to the abortion argument. Although there are areas where she and I disagree, on that issue I agree with her. I accept that men are often the cause of women being pressurised into having abortions. That is a reason why, fundamentally, men along with women are involved in this issue.

However, abortion affects every member of the human race potentially, so this is not a question that divides men and women. It is an issue on which we are all entitled to have an opinion and about which we should show responsibility.

Ms. Richardson *rose*——

Mr. Alton: Although the hon. Lady refused while she was speaking to give way to me, I happily give way to her.

Ms. Richardson: I said—I may have said it badly—that women often suffered from men who did not consider them and who made them pregnant in an irresponsible way, not necessarily pressurising them into having abortions.

Mr. Alton: I accept that, too. Men will often use their sexuality in a way that demonstrates a greater sense of machismo than it does responsibility towards their partners. At the heart of the debate about contraception and family planning, the subject raised by my right hon. Friend the Member for Tweeddale, Ettrick and Lauderdale (Sir D. Steel), is the need to recognise that when love and a sense of responsibility is removed from sexual relations, there will always be tragedy. Sometimes that can result in men trying to pressurise women into what people often perceive as the quick fix of an abortion. They believe that that will solve the problem. Rather than solving the problem, it destroys a life and has consequences for the men, women and children involved and for the medical staff.

Actions that we take in life are bound to carry consequences for us as individuals, and as we discuss this issue, we must accept our responsibility as parliamentarians in drafting the law. We must also accept that society's attitudes must change and that the massive taking of life that has occurred in the past 23 years, with the authority of the law, can never be regarded as desirable.

Mrs. Fyfe: Does the hon. Gentleman recognise that another form of irresponsibility could occur? Far from pressuring a mother to have an unwanted abortion, a father could be quite happy to let her get on with it and take no responsibility for the child. What would the hon. Gentleman advise the woman to do in those circumstances?

7.30 pm

Mr. Alton: The hon. Member for Birkenhead (Mr. Field) has often put forward views on that subject, which I entirely support. Indeed, the Prime Minister has put forward views about the subject with which I agree also. Many hon. Members will agree that the man who is involved in the creation of life should be forced to take far greater responsibility for the child. Like the hon. Lady, I represent an area in an inner city with many single-parent families and many women who have been left by men. Our concern about life—we shall come to different conclusions—does not mean that we should assume that those who take my position do not also care about doing something about alleviating the distressing poverty and misery that many other people face.

I am sure that many Conservative Members share my view. I am not prepared to say that all Conservative Members are wrong and all Opposition Members right. I have never accepted that in any debate, let alone this one.

The hon. Member said that 2,000 or 3,000 women marched last night to protest against changes in the abortion law. I do not think that it comes down to a numbers count, but the hon. Lady will know that probably the biggest lobby in the life of this Parliament occurred when about 10,000 people came here just a few weeks ago to lobby their Members of Parliament sensitively over two days about this matter. For them this issue is a crucial human rights matter. For them it must be considered seriously by Parliament. On both sides of the argument many people feel deeply.

The hon. Lady also touched on a point that needs to be addressed. She said that if we draw a time limit of 20 weeks, it would really mean 18 weeks, and that 18 weeks would mean 16 weeks. Just a couple of weeks ago at the Royal Liverpool hospital I saw a scan of a baby of nine weeks and four days. I saw the computer printout on the scan of the exact gestational time. I do not accept that it is impossible to tell the point which a pregnancy has reached and, therefore, with some precision, to be able to come to conclusions about whether an abortion should be allowed.

I thank the Secretary of State for giving the House the chance tonight to vote on the amendments. Whatever the result, as a person who believes in democracy, I shall abide by it. In 1988, 296 Members torn from 10 political parties in the House—quite an achievement in itself—gave my Bill a Second Reading, by a majority of 45. It was the biggest post-world war two attendance on a Friday. We then had 30 hours in Committee, but it distressed me when we were not able to come to a conclusion on Report. We know why that was not possible—the Bill was talked out.

Given that, since 1974, every pro-life Bill that has come before the House has had a Second Reading majority, it is not acceptable to conduct our affairs on this crucial matter in that way, wherever we stand on the issue. The difference with this debate, knowing that we shall come to a conclusion tonight, is that there has been rather more tolerance and respect of each others' attitudes and beliefs in this climate than there ever is when people, whichever side of the argument they are on, try to block progress on a Bill by using the procedural tricks and devices that are open to hon. Members.

That is why, with the constitutional lacuna that clearly exists on a hybrid issue—it is neither public nor private legislation, because it was given 26 hours of Government time to make progress back in 1967—it is right that the House of Commons should be given this chance today, admittedly with a complicated series of amendments before it, to come to a conclusion on a matter about which the public and hon. Members feel deeply.

Ms. Primarolo: The hon. Gentleman made a point about not seeking to mislead the House with arguments that do not represent the truth as we best know it. He referred to identification of the date for termination and to the scan. The hon. Gentleman knows that, for fear of prosecution under the criminal law, doctors must protect themselves in some way, particularly given the pro-life zealots. Therefore, they are bound to reduce the time limit below that which is set by Parliament to protect themselves from prosecution. It is misleading to say that it is possible to pinpoint exactly and that a doctor will take that risk.

Mr. Alton: I was telling the House that just two weeks ago in the Royal Liverpool hospital I saw a foetal scan and the printout on the scan that said that the baby's gestational age was nine weeks and four days. That evidence would be perfectly acceptable in a court of law should it come to that, but I do not wish to see large-scale prosecution of anybody. I happen to believe that doctors and nurses will abide by the law as Parliament frames it. That is what we are here to do tonight.

[Mr. Alton]

The protagonists in the debate describe themselves as pro-choice or pro-life. I have met few people who would describe themselves as pro-abortion. I agree with the Minister, who said that every abortion—I extend that to whether it is legal or illegal—is a personal tragedy for all involved. Mostly, those who uphold the present abortion laws describe abortion as the lesser of two evils. That is the fundamental point of difference. For those of us who seek to reform the law, abortion will always be the greater of two evils. Once we accept, and I do, that after fertilisation the new person has entered the frame, it is not possible to remain indifferent to the position of the tiniest and most vulnerable member of our species. I shall never accept the argument of choice—that it is my right to choose to take another person's life. I believe that that is a modern heresy.

However sincerely the opposing views are canvassed in the debate, we shall not repeal the 1967 Act, nor do I think it likely that the House will be convinced by those such as the hon. Member for Bristol, South (Ms. Primarolo) who seeks to extend the Act to birth. I hope that, when looking at the uncoupling of the Infant Life (Preservation) Act 1929 and amendments (q) and (r), the House will give deep consideration to that point. The ILPA is a safeguard that is worth retaining, and it would be a profound mistake to uncouple the two pieces of legislation.

The present limit was not drawn in 1967. As we have heard, it is 61 years since the rule of thumb—capable of being born alive—was drawn at 28 weeks' gestation. That rule of thumb was included in the 1967 Act. That is what Parliament is being asked to vote on tonight. Is it any longer a responsible limit to sustain? That is the issue. Twenty-three years ago, let alone 61 years ago, there was no ultrasound scanning of the type that I have described, no electro-cardiograms for a foetus, and no appreciation of the complete sensory development of the unborn child or knowledge that the unborn baby feels pain—a point that was made by the right hon. Member for Castle Point (Sir B. Braine).

Given those quantum leaps in our knowledge, it is absurd to leave our laws in the dark ages. We have revolutionised our knowledge about the unborn child. Yesterday evening, hon. Members solemnly voted on another clause of the Bill that outlawed experimentation on the human embryo beyond two weeks' gestation. In that debate the Secretary of State said:

"At various stages, fresh rights are acquired."

He went on to say that two weeks' gestation

"is a logical point beyond which it would be unwise to engage in research."—[*Official Report*, 23 April 1990; Vol. 171, c. 34.]

Does it not strike the House as odd that, as matters stand at present, for the following 26 weeks it will remain legal to procure the abortion of that same embryo, foetus or unborn child, whom we properly say that it would be unwise to use for purposes of research or experimentation?

Not only has our knowledge of the unborn moved on apace, but we have moved hopelessly out of step with the rest of the world. As I said earlier, last year women from over 100 countries, from places as far away as Mongolia and South Africa, chose to come to this country for abortions and one third of late abortions, those after 18 weeks—in fact, 3,248 such abortions—were conducted on women from overseas. That makes the point far better than any amount of argument. Those statistics make the point that our abortion laws allow things to happen in the United Kingdom that are not allowed elsewhere.

If one looks at the rest of the European Community——

Mrs. Mahon: The hon. Gentleman is talking about women coming here from overseas. If he gets his way and the time limit for abortions is reduced to 18 weeks—or to whatever level the hon. Gentleman wants—does he recognise that British women will become somebody else's "foreign" women?

Mr. Alton: No, I do not believe that. The hon. Lady is mistaken. All over the world people are beginning to assess again their attitude towards abortion. People in this country are recognising that abortion is a destructive act; that it destroys a child and that it destroys women psychologically and physically. If the best that we can offer British women or overseas women is abortion, something is fundamentally wrong with our country.

In the rest of the European Community, social abortions are not allowed beyond an average of 12 to 14 weeks' gestation. As we talk about harmonisation of every other aspect of the law under the sun, let us be clear that the average European Community time limit for social abortion is 12 to 14 weeks' gestation. I hope that a modest change will be made tonight to reduce the time limit here to 18 weeks' gestation—I personally shall support that provision—which is a time limit that applies outside the European Community in another European country—in Sweden, hardly a country that has laws that are reactionary or damaging to women's rights.

I believe that we should make these changes because I believe that we need a system in which rights are balanced with responsibilities. Yes, exemptions will be voted upon tonight, and hon. Members will have the chance to vote on the hard cases of rape and incest; of disability and of damage to a woman's physical or mental health. In 1988, on the Second Reading of my Bill, I gave assurances that hon. Members would have the chance to vote on those questions both in Committee and on Report. I was as good as my word. We provided for that. That shows that, although I disagree on some of these issues, especially on the taking of life because of disability, I tried to move in the direction of those who hold diametrically opposed views so that we could try to reach a sensible arrangement about the upper time limits.

I refer to disability. At the outset of the passage of my Bill, a young Anglican woman, Ellen Wilkie, who had muscular dystrophy, wrote to me, giving me a great deal of encouragement. Her mother had been told that the child would have that incurable disease and Ellen wrote to say that no one was capable of saying what a disabled person would be capable of. I met Ellen and worked with her during the passage of my Bill. Sadly, she died last year at the age of 29, but in the course of her short life she had achieved a classics degree, had written poetry, presented radio and television programmes and written a biography entitled, "A Pocketful of Dynamite", which is to be published shortly.

In that book and in the many things that she said during those weeks, she kept pointing out that one cannot confuse words such as "kill" and "cure". She said that it is not our right to take life merely because that life will be disabled. She said that we should not impose quality

controls on life and that eugenics is the refuge of a society that has grown uneasy with disability. Disability is a challenge to each of us. We should seek to meet it with unconditional love, care and respect, not by choosing to take the disabled person's life.

7.45 pm

Mrs. Teresa Gorman (Billericay): Is not the point that the hon. Gentleman is making negated by the fact that that person lived and achieved so much because her mother had a choice and made her own decision? The legislation that is favoured by the hon. Gentleman and those who think like him would prevent a mother from having the right to choose.

Mr. Alton: The unborn child has no choice in these matters. Ellen had no choice in these matters. The part of the equation that troubles me the most is that unborn children have no say; if we do not speak for them here, who will?

Putting the disability issue to one side, because I know that the House is not convinced by it—I hope that it will be so convinced one day—the fact is that 98 per cent. of all abortions have nothing whatever to do with disability. Indeed, 92 per cent. of late abortions have nothing to do with disability. They involve perfectly healthy children.

Ms. Short: Is the hon. Gentleman aware that the majority of conceptions are destroyed by nature? Does he not accept that that demonstrates that he has got this matter wrong and out of all proportion? The majority of conceptions are wasted and never come to term to produce a child. The hon. Gentleman should take that into account and balance his argument.

Mr. Alton: What the hon. Lady says is true, but I believe that there is a plan for each of us in our lives. We are unique human beings. We are not expendable raw material; we are all important and irreplaceable. I agree with the hon. Lady's hon. Friend the Member for Sheffield, Attercliffe (Mr. Duffy), who said yesterday that each of us is sculpted in the image of our maker. I believe that that is a truth. It may well be true that some fertilised embryos are not to come to term and that that is not part of the plan of either God or nature—depending on which one believes in—for them, but the problem for the hon. Member for Birmingham, Ladywood (Ms. Short) and for me is that we can never know which would or might have come to full term. The difficulty is that, when one decides to take life in an abortion, one knows that that child would have come to term if we had not intervened.

Miss Widdecombe: Will the hon. Gentleman address another problem that was raised by the hon. Member for Birmingham, Ladywood (Ms. Short), who has tended to deal with the argument in terms of numbers and who has said that, because an awful lot of unborn children, and an awful lot of embryos and an awful lot of conceptions, are wasted by nature, they do not have protection? If one were to take that argument logically, one would have to say that where nature wasted the majority of born individuals, such as in the distressing circumstances of Calcutta or the Third world, those individuals do not have natural rights. Numbers have nothing whatever to do with it; all that has anything to do with this issue is the definition of life.

Mr. Alton: The hon. Lady will not be surprised that I entirely agree with that view. The issue that is dividing the House is the point at which one believes that life begins. If one believes in the sacredness and sanctity of human life, it is unlikely that one could sanction the taking of life.

Ms. Short: The hon. Gentleman has a serious problem. If he believes that life begins at conception and that God creates life, he must believe that God has created a system in which most of the lives that are created are destroyed. As I do not think that there could be such a silly God, the hon. Gentleman's argument is flawed.

Mr. Alton: The hon. Lady may well be putting in for the job, but I would rather trust in God than in the hon. Lady. I hope that she will not take offence at my saying that.

The natural process in which some embryos are lost shows that God works in important ways——

Ms. Short: In mysterious ways.

Mr. Alton: Yes, in mysterious and in important ways. Many of the embryos that are naturally discarded might well have carried a genetic disorder. This is one of the things that deals naturally with that problem, but handicap and disability are also put in our midst as a way of challenging us. Each of us in our own way is handicapped and disabled. We might conceal some of our disabilities better than others, but there is not a single hon. Member who does not have a disability. If there were to be a perfection test on life, many of us would have to watch out. Surely the House can never sanction quality tests and perfection tests on life.

I now refer to the way in which late abortions are procured. Two principal methods are involved. The hon. Member for Maidstone (Miss Widdecombe) referred to the method of using prostaglandins when she described the case of the Carlisle baby. That is a graphic case which illustrates the way in which our law works at present. It involved not an embryo that was discarded but a baby of 21 weeks' gestation with all its organs in place. It was thought that the baby might have a disability, so, under the disability section of the 1967 Act of my right hon. Friend the Member for Tweeddale, Ettrick and Lauderdale, it could be aborted. What was the disability? It was a non-inherited, in no way life-threatening skin disease. At 21 weeks' gestation, the baby was aborted. It was left to struggle for life for three hours before it was placed in a black sack and incinerated. The doctors and nurses on duty could not fight to save the life of the child because it was part of an abortion.

Here we have a dilemma—that doctors cannot fight to save the life of a child at 21 weeks' gestation. The county coroner said in reply to a letter on the matter that it was in the public interest that there should be an inquest. He was overruled by the Law Officers. That was a tragedy, because it is in the public interest that such cases should be examined.

Ms. Primarolo: Will the hon. Gentleman give way?

Mr. Alton: If the hon. Lady will let me make some progress, I shall give way in a little while.

About 300 other babies are probably in an identical position to that of the Carlisle baby every year. In private clinics, the prostglandin method is avoided because it involves inducing labour and poisoning the baby, and it is a long drawn-out process. As we have already heard, the preferred method in private clinics is dilation and evacuation. That method involves inserting a pliers-like

[Mr. Alton]

instrument into the uterus and crushing the baby's skull. That baby is then dismembered and removed piece by piece.

No anaesthetic is used on the child, even though, as the right hon. Member for Castle Point said, from seven weeks' gestation a baby can feel pain. In other words, the baby is writhing in agony during those procedures. Nothing short of that is true. The House must address those facts of life and death. That is what happens in late abortions by the prostaglandin and dilation and evacuation methods. That is what we sanction with the full authority of British law.

Another example of the way in which we go about abortion is selective reduction. That is one of the latest pieces of terminology to be coined. *The Lancet* had a letter recently from a doctor suggesting that it would be better to call it pregnancy enhancement. A few weeks ago, a baby of 27½ weeks' gestation was aborted. It was to be one of twins and the mother was told that it would suffer from a gene disorder that would leave it sterile for life. At 27½ weeks' gestation, the twin was aborted. It was done by injecting the child with potassium chloride—by stabbing it to death through the wall of the womb.

I wrote to the Law Officers about that case. I am glad that the Solicitor-General has said that there is to be an investigation into the incident. The fact that that could happen in this country is indicative of our sad state of affairs. It is also indicative that within two weeks, the other twin came early because of the trauma that it had experienced. That baby's life was put at risk and, ironically, exposed to the danger of handicap caused by premature birth, about which we heard earlier. That is an illustration of the nonsensical way in which the abortion laws are working.

Ms. Primarolo: I wish to make two points. First, returning to the Carlisle case, which is quoted continually as a horror story, the hon. Gentleman may or may not have been in the Chamber when the hon. Member for Carlisle (Mr. Martlew) spoke. He said that the doctor who undertook the termination was a supporter of SPUC. Presumably he was not a supporter of abortion, so there must have been a good reason for carrying it out. Secondly, we have heard many times this afternoon about the case that the hon. Gentleman has just reported. It is a horror story. The fact that the case is being investigated after an allegation has been made does not mean that the allegation is true. The hon. Gentleman should not present accusations as truth in the Committee, because it is misleading to do so.

Mr. Alton: I am grateful to the hon. Lady. I have received a letter from one of the medical staff involved that evening.

Mr. Flannery: A member of SPUC.

Mr. Alton: That member of staff is not a member of any organisation. The letter describes the details of the case of the King's college baby. I have the letter here and I have submitted it to the relevant authorities. No one doubts the authenticity of the events that are described. Although the hon. Lady says that such cases are horror stories, the truth is that what we allow in this country is horrific and barbaric. The reason why the House came to the conclusions that it did in 1967 was that it was told about some of the tragedies caused by back-street abortions. Without minimising what happens in back-street abortions, can anyone say that what we have replaced that with—the massive taking of life in the way that I have described—is an advance or progress?

The King's college baby, the Carlisle baby and the baby that I described in the dilation and evacuation at 18 weeks' gestation were 1 ft in length, pumping 50 pints of blood a day, with every one of their organs in place. They were as much a member of the human race as any person in the Chamber this evening.

Miss Widdecombe: I am sorry to interrupt the hon. Gentleman a second time. A point arose that I did not want to lose and I did not know whether the hon. Gentleman would answer it. I do not want the doctor in the Carlisle baby case to be introduced into the debate. He did not start the abortion. The hon. Gentleman will confirm that the abortion was started by a consultant who went home leaving a pro-life doctor and two Catholic nurses to pick up the pieces.

Mr. Alton: I was coming to that point next. Although, to the best of my knowledge, the doctor is not a member of any organisation, I have met him and I know that he has pro-life views. That is still not a crime in this country. Life is made difficult for members of the medical profession who are pro-life. I have talked to gynaecologists, doctors and nurses who have told me of their difficulties when they try to obtain promotion in their profession. It is difficult for them unless they are prepared to participate in abortion.

I refer the House to letters that I have received from members of the medical profession who have been placed in a dilemma. One is from midwives about a live birth during an abortion at 22 weeks:

"As midwives we are required to register any infant that lives and breathes independently of its mother for one minute as a livebirth, irrespective of its gestation. We received into our Unit one night twins of 22 weeks gestation accompanied by their grieving father. . .The second one survived for 10 hours or so. However, the obstetrician in charge said, 'What fool had those babies baptised?' From his point of view they were probably abortions, especially if at the other end of the corridor he had been conducting 7-month hysterectomies that day."

Another letter says:

"I myself nursed a baby who was judged to be between 20 and 22 weeks gestation who ten years ago made medical history by surviving. Surely we have come further in medical technology and in civilisation since then to say that these children have rights as well?"

Another letter from a nurse says:

"As an SRN I have nursed many young girls who have undergone 'termination of pregnancy'. . .Many of these girls I am sure will be scarred for life. Many seem to be almost innocent victims of a corrupt, greedy system. The Abortion Act is grossly misused. . .Our society seems to think so high-tech these days that they have lost the reality of what happens in an abortion. They are the sordid facts which people should know."

Another letter says:

"I am a junior doctor working in the Special Care Baby Unit. In the Unit we often spend all day and night battling to save the life of just one of these babies, and last week while we were successfully allowing a baby to go home, I realised that this same child could have still been killed under the 1967 Act, if unborn. I find it incredible that in the same hospital babies can be saved in one ward and killed in the next by the same profession."

That is the dilemma in which we place medical practitioners.

Recently a case came before the courts in Liverpool, which illustrates how far we have been conditioned by the thinking of the 1967 Act. A young mother eight months into pregnancy was run over on a pedestrian crossing by a drunken driver. The driver was sentenced to three months and given a £1 fine. In the court it was said that the baby did not count, yet it was eight months into gestation. That is where our attitudes and thinking have taken us.

Since 1967, some 3 million babies have been aborted, of which 184,000 were aborted last year. That is some 600 every working day. One in five pregnancies now ends in abortion. The legislators of the day—this evening we have again heard from my right hon. Friend the Member for Tweeddale, Ettrick and Lauderdale—said that if we passed the Bill, there would be no more child abuse, every child would be wanted and it would give women new rights. Sadly, despite the sincerity of those who made the claims, many of them ring hollow today.

Tonight's votes will not stop abortions or enshrine the right to life, but they will give the Committee the chance to address an assessment of human viability made 61 years ago. I urge the House not to vote for cosmetic change. As the 24-week clause is drawn, it would not stop a single one of the 184,000 abortions last year. I hope that the House will recognise that a time limit of 18 weeks is far more compatible with what we now know about viability and humanity.

Several Hon. Members *rose*——

The First Deputy Chairman of Ways and Means (Sir Paul Dean): Order. It will be evident to the Committee that many hon. Members wish to speak. Unless speeches are much shorter, many will be disappointed.

8 pm

Mrs. Gorman: Since I have been a Member of the House I have sat through most of our debates on this subject and have listened, as we all do, to the elaborations in great clinical detail about abortions. I have heard the hon. Member for Liverpool, Mossley Hill (Mr. Alton) rehearse his emotive arguments so often and others refute all those arguments that I do not intend to spend my time going over them again.

One thing always strikes me about these debates. Although superficially we are talking about medicine, science and when, where and whether we should stop abortion, emotions and deep passions bubble up from underneath. What motivates those who persist in trying to amend a woman's right in these affairs is theology. They make no bones about it. They persistently refer to their Christianity, their Christian values and their Christian views. That is the motive which subsumes what the so-called pro-life group is up to.

Those motives form one of the deepest, most misogynous strands in human society. For centuries, theologians have equated sex with sin and celibacy with grace. They have regarded women as little more than flower pots in which future generations of children, preferably boy children, are reared. Time and again we hear people pay lip-service to a woman's rights in this, yet when it comes down to it they legislate to give priority to the rights of the foetus that she carries. Whatever time limit they come up with, whether 18 weeks or some other, their motivation is to prevent a woman from controlling her fertility.

Christianity has always speculated in clinical and almost obsessive detail about sex, from Adam and Eve to the gynaecology of the virgin birth, which could be tolerated only by an elaborate mythology which eliminated the sexual act from procreation. The doctrine of original sin cultivates in pathological detail the central facts of life of human sexuality.

It is the advance of science in providing safe, sound contraception and now termination for women, together with the early legislation that decriminalised abortion, which have produced the furious reaction from the opponents of women's sexuality. We see the screaming, spitting harridans of both sexes outside the clinics where women go for termination, trying to prevent them from going in to exercise their legal right.

Many people who have contributed to these debates continue that deeply misogynous tendency which existed in the early Church. They love to deal in sordid detail with the concept of abortion and how it happens. Yesterday they tried to shock us by sending plastic models through the post. The concept of a woman having a right to control her sexuality, let alone enjoy it, is anathema to them.

If I were to take a hand count in the House of people who believe that a woman has a right equal to a man's to enjoy her sexuality, I should probably have all hands up, but if I asked whether a woman had the right to deal with the unforeseen consequences of the overwhelming passion which consumes her, as it does a man, it would be a different story and there would be talk of social abortions —when women conceive without being properly prepared, as it is usually described. We are told by the so-called humanist preachers of the pro-life movement that in those circumstances a woman has, to all intents and purposes, sinned and must bear the consequences. They may not use that old-fashioned biblical language, but that is what they mean.

If the Pied Piper of Mossley Hill had his way, he would lead the House and the country back to the time when women were the victims of their sexuality—perpetually pregnant, physically worn down, old before their time, unable to find time to develop the other talents with which they were born and always subservient to a man and to the demands of the family. The path that the hon. Gentleman would have us go down would lead us back to those dark days when the only contraception allowed to a woman was the right to say no to her sexuality when confronted with a natural situation to which she would be inclined to respond naturally.

The products of those unfortunate conceptions are the result of a man's sexuality as much as a woman's, but the man, of course, bears no responsibility for carrying through that product. Men laugh about it. They chuckle and sneer and talking about putting a woman in the club or whatever other expression they choose to use. They like the idea that a woman has to bear the unwanted progeny of a desirable or undesirable union. The number of men in these debates who repeat remarks which are fundamentally anti-feminist, dictating to a woman what she will do with herself as a result of those circumstances, sticks in my throat.

If hon. Members think that the scenario that I am painting is melodramatic, they have only to witness the situation in Romania, where another form of dogma has

[Mrs. Gorman]

denied women both contraception and abortion. There we see the tragedy of orphanages brimming over with unwanted children, women dying in large numbers because of the equivalent of back-street abortions, and rampant AIDS—the product of a perverted intercourse —from which many of the children in those orphanages are dying. That is the reality which would result from the doctrine embraced by the pro-life group.

The so-called pro-life group are not what they seem. In my view, they are pro-death—the death of women from illegal abortions or unwanted childbirth. They are also pro-death for the deformed and unviable little children who are born only to suffer and die soon after. They are pro-death for human love in families because of the stress caused by the unfortunate and sometimes tragic circumstances forced upon people as a result of the dogma embraced by the hon. Member for Mossley Hill. The pro-life group would seek to deny a woman, but not a man, the right to her biological nature, her sensuality, her sensitivity and the end result of it. That is what it is all about.

Speaking as a woman, I believe that the great majority of women in this country—and throughout history—would agree that they should have the right, as a man has, to enjoy their sexual nature, and they are grateful for the opportunity that progress and science has given them to control that nature. If the men in this House, and some of the women, are mindful to deprive women of part of their sexual nature, they should think carefully about their motivation. The scholars of the church, such as Albertus Magnus, one of the early fathers of the Catholic Church, declared that women existed simply for the sexual enjoyment of men. That attitude prevails today in judges who tell juries that women who say no do not necessarily mean it. That is the end product of such thinking.

We know that the Catholic Church wants to deny contraception and termination. We see the appalling consequences of that in the south of Ireland, where babies are dumped on beaches to drown, or left in dustbins. We even see the strength of the Catholic Church in Northern Ireland, where British women in part of the British Isles have to come to this country for a termination, so strong is the Church's influence in that part of our country. It is important to remember that things are not what they seem to be when considering this Bill.

Mr. Seamus Mallon (Newry and Armagh): When the hon. Lady talks about Ireland, north and south, she should be reminded that there is one thing at least that unites all the Churches—their stand on this topic. Rightly or wrongly, let us be consistent and accurate rather than, in the hon. Lady's terms attributing blame to one specific Church. They all agree on this issue.

Mrs. Gorman: I am grateful for that intervention, but two wrongs do not make a right.

Ms. Short: What my hon. Friend the Member for Newry and Armagh (Mr. Mallon) has said is true, but in Ireland women want advice on abortion but clinics which seek to give it are illegal. People who merely seek to assist women who want information so as to make a decision can be prosecuted in the courts. The Churches may agree with one another, but not all the people who live in those countries agree with the Churches.

Mrs. Gorman: I am grateful for that intervention.

Since the enactment of the Abortion Act 1967, which granted a woman, with the advice of her medical practitioner, the right to end a pregnancy for whatever reason she deemed essential to her happiness, that of her family or the interest of the child that she is carrying, we have been bombarded by attempts to remove that right. In so doing, the House is declaring that an individual woman should not be allowed to make that most fundamental decision for herself. Often men are trying to deprive her of the right to make that decision—time and again, we have to remind ourselves of the predominance of male opinion in this Chamber—on a matter that no man ever has to face.

8.15 pm

Miss Widdecombe: The hon. Lady has said a great deal about women's rights and sexuality, but the specific issue under discussion is a woman's right over the life of her unborn child. The hon. Lady's speech is not along those lines, but where does she believe that that right begins and ends? At what point does she give the right to the child?

Mrs. Gorman: The hon. Lady questions me in clinical detail. I have already said that I do not intend to spend time on such detail, but I would not limit the right of a woman—I would leave it to the woman, her medical adviser and her family to make the decision. It should not be a political decision. I would far rather trust the woman and her medical adviser than any Members of this House who think that they should have the right to make that decision for her.

Ms. Harriet Harman (Peckham): The hon. Lady may have noticed the snorts and derision which followed her statement that there should be no limit to the right of the woman and that the decision should be left to the woman and the medical adviser. Is the hon. Lady aware that in the Netherlands, which has much less restrictive time limits than our own and where the decision is more or less left to the woman and her medical adviser, the abortion rate is far lower than here? There are also fewer late abortions because there are good early referral systems and the family planning service has been sorted out.

Mrs. Gorman: I am gratified to know that there are countries—democracies—which have adopted a more civilised and reasonable attitude than ours.

The pro-life lobby has a perfect right to try to persuade people to its point of view, but it does not have the right to come to this Chamber time and again to try to deprive women of what has become part of their rights in this country. Persuasion is one thing, but inflicting one's views on others in such circumstances is reprehensible. I hope that those views will be rejected.

I hope that the majority of my colleagues, perforce mainly male, who do not have to bear the responsibility of an unwanted birth and pregnancy and who do not have to make such decisions, will not have the temerity, arrogance, inhumanity and insensitivity to make those decisions for women. As sure as eggs are eggs, women will continue to make such decisions for themselves—if not here, then somewhere else.

The grand illusion of the House is that one can legislate to force people into different patterns of behaviour. One can indeed suppress and repress, but that should not be our business. This is supposedly a liberal society and we

should accord to the women of that society the maturity and ability to make decisions about such matters for themselves. I hope that the House will leave the legislation as it stands.

Mrs. Mahon: I entirely agree with the description of the House given by the hon. Member for Billericay (Mrs. Gorman) when she said that it had a strongly misogynist streak running through it. It is overwhelmingly male, and it is important to remember that fact when discussing abortion. The fact that we are debating the subject of abortion at all today is a serious abuse of parliamentary procedure. Those who tabled the amendments have ignored the majority view, which supports the 1967 Act and believes it should stay as it is, and have caved in to religious and extremist organisations such as the Society for the Protection of Unborn Children and LIFE. If they were honest, they would admit that they are against all abortions.

The anti-abortionists are dishonest. They pretend to support a lowering of the time limit and to be satisfied with that when we know that they will not be satisfied. The hon. Member for Billericay was absolutely right—they represent a firmly fixed idea which involves controlling women's fertility, keeping them in their places and forcing them to have unwanted pregnancies. Conservative Members who support SPUC but also favour cuts which take away services for women, as they have recently done, are behaving in a highly hypocritical manner and clearly have double standards.

Mr. Flannery: If we had a democratic set-up, I could not imagine this debate taking place in this way. If there were a large number of women in the House, the problem would not arise in this form. I also find it alarming and vulgarly opportunist for people who are totally against abortion but will not admit it to pronounce, by their own definition, that they are willing to commit murder at 18 or 22 weeks. If that is not opportunism, I do not know what is. Those who think like that should go to confession.

Mrs. Mahon: I agree with my hon. Friend.

A report in today's press mentions reductions in family planning services. In some areas, such services have been cut by 50 per cent. We are debating restricting abortions still further when such a statistic exists and such cuts are taking place across the country. It is a disgrace to be suggesting today that abortion should be restricted still further.

Conservative Members who have spoken against all forms of abortion are the enemies of women. The same people who stand up today and talk about the sanctity of life will go through the Lobby to vote for hanging and for defence estimates involving large amounts of money to procure the weapons of mass destruction. Apparently the sanctity of life is precious when it relates to a group of undifferentiated cells, but not when it comes to frying men, women and children with nuclear weapons. I find that totally unbelievable.

Ms. Short: Moreover, 25 per cent. of the world's population go to bed hungry every night. Many are children who die because they do not get enough food. Yet Conservative Members have consistently voted for cuts in overseas aid and for changes in the international economy which have increased the number of children dying in a world which produces twice as much food as its population consumes.

Mrs. Mahon: My hon. Friend makes a telling and moving point, which is true.

Miss Widdecombe: I have made it clear throughout that my guiding principle is that of balancing a life against a life. Where there is no other life to be balanced, as in an ordinary social abortion, I want to retain the life of the unborn child. Where two lives are at issue, as in cases where the mother will otherwise die, I agree that one cannot insist on one life or the other. Without going into a great philosophical treatise, I support the death penalty because I believe that it saves lives and I support defence expenditure because I believe that the only way not to have brutal war is to be prepared against it.

Mrs. Mahon: The hon. Lady's explanation is staggering. Does she not accept that people have sometimes been hanged by mistake? Let her answer that.

Conservative Members convey the idea that abortion never happened before the 1967 Act. I said before, when I had been a Member for only a few months—I must be careful how I repeat it today because the Society for the Protection of Unborn Children made great play of it—that as a young student nurse before 1967 I had experience of back-street abortionists and what happened to women who used them. To pretend that abortion did not happen and that the 1967 Act somehow made it possible is a lie, and flies in the face of the truth. Many abortions took place before that time—mainly at weekends because women with two or three children needed their partners to look after those children while they went to the back-street abortionists. We therefore knew that we would be busy on Friday, Saturday or Sunday.

I am sorry that the hon. Member for Liverpool, Mossley Hill (Mr. Alton) is not present. He goes on and on about the Carlisle baby. I wish that he had seen the results of women forced to use the syringe and slippery elm bark method. In some cases, the bark penetrated the uterus and caused all kinds of horrendous complications. I wish that he had seen the consequences of women who took poison and those who were bowed down by childbirth and had no access to decent contraception. If people are concerned about nurses now, they should have seen some of the nurses who had to pick up the pieces then.

Another fact that I find unforgiveable is that we have evidence of what happened in Romania when a mad dictator, an insane man, decided to abolish not only abortion, but contraception. The Minister of Health in Romania estimated—records are kept there, and there is a health service—that in 1987 there were 300,000 live births and 1·2 million abortions, nearly all illegal. The rich could buy abortions, but the poor women, like those everywhere else in the world, could not. In Bucharest alone, 20,000 women were admitted to hospital in 1987 with complications following abortions because birth control was also banned. The average woman of 40 had between five and nine abortions. I am sorry that the hon. Member for Maidstone (Miss Widdecombe) does not even want to listen to what I am saying.

Ms. Short: It is her dream society.

Mrs. Mahon: That is true.

[Mrs. Mahon]

Another shocking statistic from the Minister for Health in Bucharest is that it is estimated that one quarter of fertile women in Bucharest have been damaged by visits to back-street abortionists. I wish to make the point strongly that those women were kept in poverty, harassed continuously and denied contraception and abortion. If even the Securitate's methods could not stop women who had decided that they could not have another child, Conservative Members must be living in cloud cuckoo land to think that interfering with the 1967 Act will stop abortion here, because it will not.

Have those who seek to criminalise women here ever asked themselves why women take the decision? It is not made lightly. It is a decision that women agonise about. They do not want abortions. If we had a better Health Service in this country and, as the hon. Member for Billericay said, if there was less hypocrisy about sex, there might be no need for them. If a woman decides that she cannot go through with a pregnancy, a decision that is never reached lightly, she will have an abortion. What Conservative Members and most male Members do not understand is that the instinct telling a woman not to go through with a pregnancy is, like abortion, as old as life itself and they will not stop that instinct.

I believe firmly that women should have the right to choose. I am pro-choice—I am not particularly pro-abortion. We should be debating how to fund our National Health Service and plan our health care so that late abortions will always be unnecessary, how to organise early referrals, how to make family planning freely available and accessible to all.

I for one would be much more convinced of the genuineness of some of the arguments that we have heard today if those who advanced them spent a fraction of the time that they spend trying to criminalise women on some of the real social ills of society, and if they spent some of their energies on increasing child benefit rather than voting to freeze it. They should spend their time providing nursery places and paying for clinics and for workers to help to abolish the real crime in society—that of neglected, sexually abused children who are not wanted. I hope that the House will not interfere with the 1967 Act and that some of the men with their heavy consciences will start weighting them in favour of women and children.

8.30 pm

Rev. Ian Paisley: This debate is about the preciousness and sanctity of life, by which I mean the life of the mother as well as that of the child. I doubt whether I will be accused in this debate of being Roman Catholic. Although many hon. Members may not agree with what I say, I take the traditional Protestant line on this issue. Where I might disagree with the Roman Catholics in the House would be about the priority that I would give to the mother, whose life, I believe, must come first in all circumstances. That has always been the traditional Protestant view.

Nothing could be more important to the House than discussing this preciousness and sanctity of human life. I am well aware that all such debates raise hackles. I was very interested in the remarks of the hon. Member for Billericay (Mrs. Gorman), who made a forceful and robust speech that would go down exceedingly well in parts of Northern Ireland. Perhaps when she is supporting some of her Tory friends in the coming elections she may help them stir up some fervour for their candidate, who will nevertheless lose his deposit. However, I am sure that we will welcome her to Portadown in the near future: she campaigned there in the previous European election against my Unionist colleague and myself. She did not do too well, but that is a story for another day.

We need to dwell on one question for a while tonight: should the life of the babe in the womb, at whatever stage, be protected, safeguarded and preserved? Or should it be destroyed—at times wantonly and ruthlessly? It is not enough for people to say that they do not like descriptions of what happens during an abortion; such descriptions are based on well-established facts. The most telling point that I have heard in this debate was made by the hon. Member for Maidstone (Miss Widdecombe), who pioneers this issue with great zeal. She said that if the baby was outside the mother's womb—say, in an incubator—and a member of the general public or of the medical profession came along and deliberately slaughtered it, such a person would be in breach of the law and would be tried for murder. Yet because the child is inside the mother's womb, we are asked to legislate tonight so that it can be slaughtered. All of us, no matter what our views, should think seriously about that.

A mother can make a decision. A woman can speak. She makes a choice about the sexual act that may bring about conception. She makes a further choice of whether to conceive a child, and so on, but the child itself has no choice. We are speaking about a child who feels, who can recognise its mother's voice, who can know pain and who is a member of the human family and has been given the unique gift of human life. We cannot get away from that. We might like to, but we should consider it seriously.

Who will plead the case of the child? That relates to the reason why some people misjudge the passion of those who feel strongly about the life of the child. They feel so because it cannot speak or make its own ideas known. Today, the hon. Member for Barking (Ms. Richardson) spoke of 3,000 women who wanted to put forward their views but were unable to come to Parliament and vote on the issue, but they could lobby their Members of Parliament and put forward their views in that way. Who will lobby for the child? Tonight we should listen to the plea of those who cannot make a plea and hear the voice of those who cannot speak. No matter how we vote at the end of the debate we should all realise that we are on solemn ground.

Mrs. Ann Clwyd (Cynon Valley): Is the hon. Gentleman aware of the only significant piece of medical research, done over a 21-year period in Aberdeen by the Medical Research Council, to have looked at the experience of women who had unwanted pregnancies? It discovered that a considerable proportion of the children born to mothers who did not want the pregnancies subsequently became battered children. Is not the hon. Gentleman concerned about those children, as he protests about the rights of the child?

Rev. Ian Paisley: Of course I am. Having been a minister of religion for 40 years in a very large parish with hundreds of families, I certainly know about all such tragedies. One cannot be a pastor in a large city and not know what human nature is. I certainly feel as much for such children as I do for the unborn child. It has been

forcefully argued that the children who are being aborted are largely those of married women who cannot face the prospect of another member in the family, but I notice different statistics in a document from the Library, dated 19 January 1988, which deals with research into abortion. It says:

"74 per cent. of abortions after 18 weeks are on single women, disproving the argument that many are on women who cannot face the prospect of another birth."

We must take that into account. I assure the hon. Member for Cynon Valley (Mrs. Clwyd) that I am concerned.

The former leader of the Liberal party, the right hon. Member for Tweeddale, Ettrick and Lauderdale (Sir D. Steel) said that many people did not care about back-street abortions. In my early days, all the Churches campaigned vigorously against such abortions. No one who is against legal abortion in the sense of trying to limit the number of abortions and deal with the matter of weeks and so on, could be accused of being in favour of back-street abortions. Such abortions were horrible, a curse on society. It is wrong to say that the Churches and other organisations closed their eyes to them. It may have been so in Scotland, where the right hon. Gentleman comes from, but it was not true in Northern Ireland.

Mr. Flannery: The hon. Gentleman is putting his view forcefully and honourably. Does he agree that if legal abortion is made more difficult, back-street abortions will flourish? That is the harsh reality that we have to face. Some hon. Members who are in the Chamber will not admit that they are totally against abortion, and they are the merchants who would create back-street abortions and bring them up to the level that we had in the Victorian era. That is what they are after.

Rev. Ian Paisley: I do not accept that everybody in the Chamber who will vote for a reduction in the number of weeks wants to see a return to back-street abortions. That is a blanket condemnation of decent people.

Mr. Flannery: That is what happened.

Rev. Ian Paisley: Why did it happen? I agree with Opposition Members who said that the men responsible should not have been dealt with in the way that they were. In Victorian society a man could have been a leech or a rascal, but he could move in the highest society and nobody pointed the finger at him. It was the poor woman who had to bear the brunt of his sexual appetite. I utterly condemn that, as did all the Churches. It should not be thought that the Churches closed their eyes to that.

Sir Russell Johnston (Inverness, Nairn and Lochaber): The hon. Gentleman has wide experience as a minister in Northern Ireland and must know about many of these cases. He must also know that simply preventing things, making them illegal, is likely to make the situation worse, not better, because people will find some way around the law. That will mean looking for back-street abortionists. The present proposition simply seeks to deal with something that it is impossible to prevent, and seeks to do that in a decent, legal and reasonable fashion.

Rev. Ian Paisley: That depends on how the House votes, and the hon. Gentleman'a vote is a matter for him. I was answering a point made by his former leader and colleague, and if he reads *Hansard* he will understand that. I resent the picture being painted of some hon. Members closing their eyes to back-street abortions.

8.45 pm

I have experience of people who have had abortions and it has not been the answer to their problems. I know of a young man and woman in a common-law marriage. The woman became pregnant and they came to me. She said that she wanted to have an abortion. I said, "I would not advise it, but you have to make your own decision. I am totally opposed to it. You know my view." She went ahead and had the abortion and the physical impact shattered her completely. Her common-law husband had a complete breakdown and committed suicide, and that young woman has been under constant pastoral and medical care ever since. It was not the answer in her case, and we should never pretend to anybody that abortion is an answer.

I agree with the many hon. Members who have said that the present law on abortion removed from people's minds the seriousness of what they were doing when they were going for abortions. I assure hon. Ladies in the Opposition that I did not vote for cuts in the Health Service. We need better health facilities, and more money needs to be spent in that area. There is a voice that should be loud in our ears and it utters a cry for protection. It says, "Let me live." I should like to take the part of those who say that.

The Bible is the most ancient of all books and I am old fashioned enough to believe that it is the Word of God. That will come as no surprise to any hon. Member. The book of Psalms is part of the Hebrew scriptures and therefore covers Judaism and Christianity. The Psalmist said:

"I will praise thee; for I am fearfully and wonderfully made: marvellous are thy works; and that my soul knoweth right well.

My substance was not hid from thee, when I was made in secret, and curiously wrought in the lowest parts of the earth. Thine eyes did see my substance, yet being unperfect; and in thy book all my members were written, which in continuance were fashioned, when as yet there was none of them."

That is the most beautiful description of life and the sacredness of human life. That is why I plead with hon. Members not to take upon themselves the destruction of God's handiwork. We should not take it upon ourselves to terminate that God-breathed vitality, nor should we lift our hand against the continuance of that special sanctity.

Clearly, there are circumstances when physical and health problems must be considered. That has always been the traditional view of the Protestant Church. I emphasise the priority of the mother whose life must come first in all circumstances. In ordinary physical circumstances, when a proper and normal birth can take place, it should take place.

Scores of families in my parish would love to have children. As the hon. Member for Newry and Armagh (Mr. Mallon) knows, many families in Northern Ireland cannot adopt children because of the proscriptions and the scarcity of children. I have been to Romania and tried to get some children there to Northern Ireland. Scores of families would love to take unwanted children.

Ms. Gordon: Does the hon. Gentleman agree that more than half the children born with handicaps have to live out their lives in institutions and that there are no happy homes waiting for them? I wish that there were. It is not always the people who call themselves pro-life who are the first to come forward to help handicapped people and handicapped children.

Rev. Ian Paisley: I have some handicapped children in my parish and they are happy because they have love, comfort and dedication. I have often said that the best can be brought of a father and mother who have a handicapped child. However, I should not like anyone to think that those who take my view would close their eyes to other important matters. It is essential that consideration is given to all matters when it is known that a child will be very seriously handicapped. Of course there is some division on that, but I take the same view on incest and rape. I may differ from some of my colleagues on those issues, but I feel strongly about them.

The number of weeks is important. How will we decide where to set the limit? The Father of the House made an important point when he said that the Government new clause suggesting 24 weeks does nothing. Those who are somewhat worked up about the new clause need not be so because it does nothing. It will not reduce the number of children who will be slaughtered in their mothers' wombs. There is a case for setting the limit at 18 or 20 weeks.

The hon. Member for Torridge and Devon, West (Miss Nicholson) said that the only reason why a mother was offered a funeral service for her 20-week child was to soothe her feelings. It is a terrible indictment upon any Christian minister who would soothe a mother with a lie. The law recognises that child as a human being. It should not be simply dismissed as though the Church was prepared to join in some falsehood to cover up what had happened. The solace given to a mother in those circumstances must be genuine. It is not speech that calms a person—it is the pressure of a hand, the silent tear, the communication of deep feelings when one weeps with that person in his or her hardship.

I should not want anyone to think that the majority of ministers, of whatever Church, would carry on some farce over a body that was 20 weeks old just to give some false comfort to the parent. That view should not be put forward as a genuine point in any debate on this important subject.

We need seriously to consider the amendments suggesting 18 weeks and 20 weeks. I should prefer 18 weeks. The Committee will decide. We have been told tonight that some of the pro-life supporters will come back to the House time and again. That is their democratic right. The hon. Member for Billericay said that women would not abide whatever limit we set. Although we must bow to what the House decides, after the Divisions everyone is still entitled to continue to campaign for his point of view. If people can get some other House of Parliament to agree with them, that is their right. That is democracy. Surely I have the support of both sides of the House in that.

Rev. Martin Smyth (Belfast, South): As a mere man, I am happy to be called, because I also represent women. People may say that men are making their opinions heard in the House, but they should recognise that many of those who lobby us either for or against any issue, and especially this issue, are women.

We have been lobbied at various levels. One interesting suggestion was that I should not vote tonight unless the Abortion Act 1967 is extended to Northern Ireland. I wonder whether that would be applicable to English and Welsh Members who deal with Northern Ireland issues although they do not live there. Does it, perhaps, reflect the fact that this House should not be making laws for Northern Ireland unless we are given the same rights of citizenship and representation as the remainder of the country? There are those who would even seek to limit further our representative capacity in this House. Tonight, we are representing part of this nation. We have been lobbied by people from throughout the country, both for and against the issue. I shall seek to make my comments accordingly.

I was amused by the revelation of historical perspective of the hon. Member for Billericay (Mrs. Gorman). Perhaps she appeared as a libertarian or an Amazon in her presentation tonight, but the harsh reality was her quotation from a father of the early Church. He was a medievalist, and certainly could not have been a father of the Church. I regret the fact that she extended her background into the debate without giving due consideration to the arguments——

Mr. Mallon: I found the remarks of the hon. Member for Billericay (Mrs. Gorman) disturbing and confusing, especially as she referred to the north of Ireland and to one specific religious denomination. The hon. Gentleman has a vast knowledge of the people of the north of Ireland. Does he agree that neither he nor the hon. Member for Antrim, North (Rev. Ian Paisley) could in any way be described as misogynistic, medievalist, Jesuitical Catholics?

Rev. Martin Smyth: I said that I regretted the fact that the hon. Member for Billericay transferred some of her background into the debate and completely misrepresented the issues. Perhaps we are misogynists—it depends on how we are viewed. Hon. Members tonight have referred to extremists. I was always taught that there were various extremes, so we must decide where we stand when calling someone else an extremist.

Ms. Short: There is no doubt when one looks at writings from the days of the early fathers of the Church that some of them are horrendous in its hatred of women, and rejection of their sexuality and any rights. That is all pre-reformation and forms part of the origins of the hon. Member's Church, as of the Catholic Church. It is part of the ancestry of the hon. Gentleman's religion and it does inform part of its Christian tradition.

9 pm

Rev. Martin Smyth: We are being asked to have a theological discussion, as the hon. Member for Billericay desired. The harsh reality is that some politicians in the House put forward their own position, and I pray to God that their position, whatever the subject matter may be, may never be immediately extended and attributed to the rest of us.

There are those in the early Church who, for their own reasons, took a particular line, but the line described tonight was certainly not one taken by the early fathers. I have no hesitation in welcoming a tradition that goes right back, particularly to those who turned to the scriptures and sought to order their lives. Calvin was one of the best quoters of the early fathers, and he did not allow himself to be misled.

One issue that has not been considered carefully enough is that, for whatever reason, pregnant women may be in a traumatic state, so that, when a medical adviser suggests that an abortion might be wise, the woman's thoughts immediately turn down that road.

Yesterday, the hon. Member for Greenwich (Mrs. Barnes) said that she had had to decide whether to go through with a pregnancy, having been advised that the child might be deformed. In the end, thank God, there was little deformity. In my pastoral experience, I have had similar experiences.

I am not, as some may be, an absolutist on abortion, but I have always found it difficult to counsel the taking of life. Therefore, I have had to consider the issues with those whom I have counselled, and stand by them. I can think of several who have decided to have an abortion and others who have decided to allow their pregnancies to go full term and, thankfully, they have never looked back, although I do not say that life has been easy for them.

I think of one young nurse who returned to Belfast from England for her confinement about a year ago, having been told that her unborn child might be deformed. She was advised to have an abortion, but she chose not to and she now has a delightful little girl, who was named Joy because of the joy that she brought to the family. Thank God again that, despite the prognosis of medical science, the handicap was not as severe as had been suggested.

That is why we must ask questions. Even with the advance of medical science, doctors, like the rest of us, make mistakes. It is not right to say that if, for example, there is a severe handicap, an abortion must automatically be considered. Therefore, I support the lowering of the time limit within which an abortion must be carried out.

It is 23 years since the 1967 Act., and 61 years since the 1929 Act. Despite the fears that some hon. Members have expressed tonight, that the matter will be brought up again next year and the year after, I suspect that it will be another 20 years before we have a debate of this nature in the House again. The way of politics is such that it is unlikely that we shall have another opportunity to come to a decision on such an issue in an open debate with a free vote.

Dame Elaine Kellett-Bowman: Does the hon. Gentleman agree that medical techniques are advancing so rapidly that, long before 20 years is up, we shall regard a termination within 20 weeks as ludicrous? By that time, medical techniques will be so good that a foetus will be viable much earlier than that.

Rev. Martin Smyth: I accept the hon. Lady's argument. It is the very one that I was about to come to. But no matter how fast medical science advances, I cannot imagine, with my limited knowledge of the House after eight years, that it will move with any speed to deal with the issue.

There have been advances in medical science over the past 20 years, and the House has been presented with opportunity after opportunity in the form of private Members' Bills to take them into account—but abuse of our procedures has made it impossible to do so. That is why I doubt that we shall have another opportunity to debate the matter for 20 years. I take the hon. Lady's point.

It would be wrong to let the limit remain at 24 weeks. We should look ahead and adopt the limit defined by the judge—who interprets the laws that we make—who said that life is viable after 18 weeks. The Committee now has an opportunity to go down that road.

Ms. Primarolo: If a judge pronounced that medical science is capable of developing a fertilised egg through all the stages of the embryo, separate from man or woman, does the hon. Gentleman think that that would be acceptable?

Rev. Martin Smyth: I was not making any such proposition. The hon. Lady has been long enough in politics to know that one should never answer a hypothetical question. I was speaking of a recent decision and of the prospects for medical science, and asking the Committee to consider carefully before making a decision to leave the limit at 24 weeks. I believe that it should be reduced to 20 weeks, and preferably to 18 weeks.

Part of the difficulty stems from the climate in society. The right hon. Member for Tweeddale, Ettrick and Lauderdale (Sir D. Steel) compared the attitude in Scotland with that in England and Wales. There is in Scottish common law a prohibition on killing. I wonder to what degree that has influenced the opinions held in Scotland. It was pointed out by the hon. Member for Aberdeen, South (Mr. Doran) that there have been fewer abortions in Scotland than in England and Wales since the 1967 Act. Perhaps that is a consequence of the attitudes that have grown from the 1967 Act rather than because of the Act itself. I refer to the attitude that human life is cheap, with the consequence that decisions are taken to dispose of a baby before thinking through all the consequences.

One is talking not just of the woman's choice—and one must remember that the foetus might be female. At times, the debate has resembled a contest between male and female. The tragedy is that the selective abortion techniques that are now available could be used not only to breed heirs for the Upper House but to reduce the number of women in a society that did not value them as much as our society does today.

Reference has been made to back-street abortions. Were they more horrendous in the way that they disposed of babes in the womb than the methods used by modern medical science?

Ms. Short: Yes, they were. They were much worse.

Rev. Martin Smyth: Well, I recognise the brutality of back-street abortions, but do not modern techniques also involve the battering of a babe—as described tonight by several right hon. and hon. Members? We should not allow ourselves to be conditioned in that way.

Sir Russell Johnston: What about the mother in that context?

Rev. Martin Smyth: I accept the point about the mother. However, someone talked about sticking pins into a foetus. The methods of abortion may be more refined today, but the attack on the baby is similar. I am puzzled because we do not have any hard evidence one way or the other to substantiate some of the conclusions that have been reached tonight, including the conclusion that there may be a return to back-street abortions in areas where abortion is not available. Even where abortions are available, women still take the lives of their babies or induce others to do so.

As we make laws in this House, one of our fundamental concerns must be to re-establish standards and values. I do not believe that anyone would suggest that, because people do not keep laws, we should not make them. That idea appeared in the arguments tonight. Our laws are guidelines for society.

[Rev. Martin Smyth]

When we consider older women who are seeking abortions, we must also consider the figures provided by the Library, which were quoted by the hon. Member for Antrim, North (Rev. Ian Paisley). Those figures show that a high percentage of abortions occur among single women. I wonder how far the attitude of men and of families affects younger women particularly and encourages them to take the easy way out to avoid the social scandal and stigma which still exist in our society whether we like to admit it or not. I wonder how far that attitude encourages the taking of human life when those children should be nurtured and their families and society enriched.

Mr. Andrew MacKay: It is always a pleasure to follow the hon. Member for Belfast, South (Rev. Martin Smyth) even though on this occasion he knows that I fundamentally disagree with him on this important issue. The House will be aware of my close involvement with the Province of Northern Ireland. I believe that the hon. Member for Belfast, South and all other Northern Ireland Members have every right to take part in and vote in this debate even though, as the hon. Member for Belfast, South pointed out, the present legislation in my view mistakenly does not cover the Province.

I hope that the hon. Member for Belfast, South and the hon. Member for Newry and Armagh (Mr. Mallon) will not take it amiss if I say that when I find that all the politicians agree in the Province, I am always a little worried. This is one of those occasions when they will clearly all be in the same Lobby.

Our very serious debate has been badly let down by the Society for the Protection of Unborn Children, which committed a gross act of bad taste yesterday when it sent a plastic model of a 20-week foetus to virtually every Member of the House. It is already a matter of record that at least one of our secretaries who had recently had a miscarriage found the prospect of that foetus highly offensive and deeply upsetting when she opened the parcel.

I hope that all those involved in sending the foetuses are thoroughly ashamed of themselves, and I hope that Mr. Godfrey Bradman will find a better use for his money in future. The only small silver lining to the incident is that it has clearly alienated a large number of right hon. and hon. Members on both sides of the House who were perhaps not entirely committed to voting in this important debate. It has illustrated to many the paucity of the arguments of the Society for the Protection of Unborn Children and of some of the people who organise it.

9.15 pm

I wish to reiterate to the House my position on this issue. I am neither in favour nor against abortion—I am in favour of women having the chance to decide, in most circumstances, whether they should have an abortion. It is a traumatic decision for the mother and father of the potential child to conclude that there should be an abortion, but that decision is not made easier by meddling and interference by politicians. The politicising of the abortion issue is deeply regrettable. I hope that after today, if there is some sensible voting in the early hours, the issue can be put to bed once and for all.

If we follow the anti-abortion lobby and make it difficult for women to have an abortion in this country, or if we make it illegal for them to have an abortion, which is what the SPUC supporters want, it will be the worst piece of class legislation that Parliament has ever allowed. My mainly affluent, middle-class electors would still be able to obtain an abortion, whether legal or not, and would not have to go to the back streets. They have the money and the wherewithal to know where to go.

The people most affected are the most vulnerable members of society, such as the young girl who does not realise that she is pregnant until late in the day. Such a young girl may have an IQ which is not so high as it might be. She may have unhelpful parents and an unhelpful doctor, and she may find herself driven to the back streets. I do not need to emphasise, because other hon. Members have done so, the traumas and horrors of back-street abortions. Do we really want to go back to that?

The problem was well illustrated by the hon. Member for Sheffield, Hillsborough (Mr. Flannery) and the hon. Member for Inverness, Nairn and Lochaber (Sir R. Johnston) when they rightly pointed out to the hon. Member for Antrim, North (Rev. Ian Paisley) that if we make it difficult for people to obtain abortions, abortions will still take place, but there will be increasingly large numbers of back-street abortions causing grave damage, mentally and physically, to the women on whom they are performed.

Mr. Thurnham: There is not only a problem of back-street abortion—there is the problem that the Bill threatens doctors with gaol sentences. Those who are opposed to abortion want to send doctors to prison rather than let them help women. The real problem is the million women in this country who are at risk of an unplanned pregnancy. In any year, one in three of those women becomes pregnant. Half then go through with an unplanned pregnancy and the other half go through the trauma of abortion.

Is it not better to look to the example of countries such as Holland, where there are more liberal laws, a far better awareness and understanding, and a culture which does not encourage unplanned pregnancies?

The Chairman of Ways and Means (Mr. Harold Walker): Briefly, please.

Mr. Thurnham: That is the way to seek a solution to the problem.

The Chairman: Order. Interventions should be brief.

Mr. MacKay: I realise, Mr. Walker, that you will not want me to take up every point raised by my hon. Friend. Nevertheless, I thank him for his intervention. One of the more regrettable aspects of the debate has been the anti-abortion lobby's attack on many members of the medical profession. We all acknowledge that there must be some bad doctors, as there are bad members of any profession, but the slanderous attacks in this debate on various doctors and the even stronger attacks by the Society for the Protection of Unborn Children have been disgraceful and do not add to its case.

My hon. Friend the Member for Bolton, North-East (Mr. Thurnham) is right to say that we should prefer to have fewer and earlier abortions. He is also right to say that doctors are concerned about breaking the law, and that seems to be the key to the voting today.

Many of my hon. Friends, and some Opposition Members, want a reduction in the time limit because of the advance of medical science. I share that view, and I am a

sponsor of the Houghton Bill which would put a 24-week limit on abortions, with medical exceptions. I would have moved an amendment—it was not selected—on the Alton measure two years ago to reduce the time limit to 24 weeks, taking into account the advances in medical science.

Many hon. Members ask whether it matters whether the limit is 24 or 22 weeks. In the way in which the amendments have fallen on the Order Paper, we shall be voting on 22 weeks before a decision is taken on 24. It might be helpful, therefore, if I explain why 22 weeks would be unsatisfactory.

Most surgeons allow a four-week or, at the least, a two-week margin on their diagnosis of gestational age so as to avoid inadvertently breaking the law. Therefore, if we vote for 22 weeks tonight, in practice there will be no more abortions after 18 weeks. If we were foolish enough to follow the advice of the hon. Member for Liverpool, Mossley Hill (Mr. Alton) and vote for 18 weeks, in practice we should be voting for 14 weeks, as the hon. Gentleman knows—that is what he wants, and he is on record as saying that he would rather there were no abortions at all.

If we vote for 24 weeks, as I encourage hon. Members to do, in practice that will be 20 or at the most 22 weeks, and we shall then have to vote for medical exceptions. Let it be clearly remembered that hon. Members who think that 22 weeks is all right should vote for 24 weeks.

Hon. Members on both sides of the argument deplore late abortions and believe that they should occur only in the most dire circumstances. With better family planning, a better educated population, and doctors who more readily refer pregnant women to abortion clinics for advice, we should have earlier abortions.

From all the talk about late abortions, one would imagine that a large number occur in Britain, but the figures for 1988, the last recorded for a full year, show that 84 per cent. of all abortions were performed at under 13 weeks and 14 per cent. between 13 and 20 weeks, leaving only 1·7 per cent. at over 20 weeks.

No woman wants or welcomes the need to terminate a pregnancy, still less to have a late abortion. Very late abortions are the most traumatic and usually the most needed. Broadly, they involve two categories who are the most vulnerable people in society. The first are those who find that they would have a severely or potentially severely or grossly handicapped child.

I have said before that I have every admiration for parents who feel that they can cope with a grossly disabled child. My wife and I took the decision twice when she was pregnant that we could not do that—that we were not sufficient people to cope with that—and if she and I had known that either of our children would be grossly handicapped or disabled, we would have sought an abortion at the first possible opportunity. I therefore believe that it is the right of parents to decide whether to have an abortion if the child would be grossly disabled. In most circumstances, that decision can only be taken quite late in pregnancy.

The second category of late pregnancies are, by and large, the young girls to whom I referred who, unfortunately, due to a lack of education are not aware that they are pregnant until late in the day. They are often scared and have no idea where to turn. They probably cannot turn to parents or family or to their local doctor. By the time they arrive at a consultant or an abortion clinic, they are very heavily pregnant and therefore need a late abortion.

Reducing the time limit for abortion below 24 weeks would penalise the two most vulnerable groups who require abortion—those who would have severely handicapped children and those, by and large young girls, who are not aware that they are pregnant. I remind the Committee that, in 1988, such late abortions represented no more than 1·7 per cent. of the total.

I take issue with hon. Members who are anti-abortion. They have perhaps been gently and inadvertently misleading in the Committee and in their press comments. They have given the impression or have trailed their coat to the effect that if we settle a 22-week limit they will go away, pack their bags and be quite happy—"We will not trouble you again. You will not have any more nasty mail from the awful SPUC people. All will be well. There will be no more ten-minute Bills and no more private Members' Bills. We will not demand more time from the Government." If we believe that, we will believe anything. It is absolutely clear that the SPUC anti-abortion lobby is against abortion in principle, and I do not begrudge that—it is a deeply held view which I respect but with which I totally disagree—but they should be honest enough to say so. They have referred to the ratchet effect—in other words, 22 weeks will be the first turn of the ratchet, moving downwards towards the aim of complete abolition.

For perfectly genuine reasons, my hon. Friend the Member for Maidstone (Miss Widdecombe) cannot be present at the moment. She told us that very story in the Sunday newspapers—"Don't worry. Vote for 22 weeks and we will all go away." Unfortunately, our hon. Friend the Member for Congleton (Mrs. Winterton) let the cat out of the bag when she said, "She has no right to say that—no right at all. We shall be back." I suspect that, on this occasion, my hon. Friend the Member for Congleton is being slightly more honest with the House.

I now refer to another lady, the national director of the Society for the Protection of Unborn Children—one Phyllis Bowman, who, on teletext today, after the embryo research result last night, was quoted as saying, "The campaign to reverse it starts today." Does anyone honestly believe that if the vote on abortion does not go their way tonight, Mrs. Bowman and her supporters will not be saying exactly the same thing? I think not.

I strongly urge hon Members to vote for 24 weeks with medical exceptions and to look carefully at what some of my colleagues have said about whether the issue will go away. Frankly, I do not believe them.

Several Hon. Members *rose*——

The Chairman of Ways and Means: I see seven hon. Members trying to catch my eye. We have roughly 60 minutes of debating time left. I hope that hon. Members will recognise the obvious arithmetic and play fair by their colleagues.

Ms. Primarolo: I shall try to be reasonably brief. To hear many hon. Members speak, one would think that only they possess a conscience and that the thousands of women who take the difficult and traumatic decision to have an abortion do not. That is a travesty of the truth and a massive insult to the women of this country, who are perfectly capable of exercising their consciences over what they do with their bodies.

If we are so concerned about abortions and about reducing the number of abortions, there is another solution that does not interfere with women's rights over

[Ms. Primarolo]

their sexuality; it interferes with men's rights over theirs. That way of reducing abortions is to have men sterilised. However, that is not the proposal that we are considering—perhaps that is because most hon. Members are men. I would not support such a proposal because I do not think that we have any more right to interfere in men's sexuality than we have a right to interfere in women's sexuality.

9.30 pm

It is interesting that it has been alleged, by implication, that women do not have consciences because we have abortions and we therefore have little regard for life. It is suggested that the lowering of the standard of the sanctity of life has been brought about by women exercising our rights to have abortions. It has also been implied that women are baby machines and that we have no rights over our bodies because of our sexuality and our biology. That view has to be refuted in the House. Women must say—hon. Members who are women must say—that we have consciences and that we exercise them daily as women and that women exercise their consciences when making choices about abortion. We do not need the men in the Chamber to borrow our consciences for us and to take that decision.

As a Parliament, we need to say whether we agree with the legal right to abortion. The debate would be a lot clearer and a lot more honest if it was about whether we agreed with that right to legal abortion. The time limit question is not relevant to the debate. The medical decision and the woman's decision are what is relevant. What is relevant is that it is against the law to terminate a pregnancy where the foetus is viable.

There is no upper time limit in Scotland, yet women in Scotland do not have less sense of responsibility or better consciences than the women in England and Wales when they exercise difficult choices about access to abortion. Whether or not a time limit exists is irrelevant.

Much play has been made about late abortions. The hon. Member for Berkshire, East (Mr. MacKay) pointed out that only a tiny proportion of abortions are late abortions. We need to remind ourselves of some of the circumstances in which very late abortions—post-24 week abortions—occur. I shall give just two brief examples. The first relates to a young woman who went to see her doctor when she was two weeks pregnant. She did not know that her doctor was an anti-abortionist. The doctor was a man and he did not declare his conscience. By the time that young woman finally managed to get through the bureaucracy and to have the abortion that she had sought at two weeks, she was 22 weeks pregnant. That happened through no fault of her own. Hon. Members who claim the sanctity of their consciences are seeking to impose constraints on the life of such young women because of delays that are no fault of their own.

My second example is that of a woman who took part in a television programme on abortion in which I, too, participated. She was a woman in her mid to late thirties. She and her husband desperately wanted a child. She had suffered 10 years of infertility. At 27 weeks into the pregnancy of a much-wanted child, it was discovered, even though all the tests had been done, that the baby was suffering from spina bifida of the upper spine. She was paralysed from the neck down, had only one kidney, a deformed chest cavity and no urinary system. That child was not capable of sustaining life separately from the mother. The time limit meant that that woman was forced to make a decision quickly about what was best for her child and for her. Without an upper time limit, the condition of that unborn foetus would give grounds for termination. But if we move the time limit it may not.

Not only Christians have a conscience and value life and the quality of life. Those of us who do not quote the Bible and are not Christians do not value life any the less. Many of us value the lives of the women who live now and struggle with inadequate and ever-decreasing family planning centres and related advice, and the fact that for many of us contraception is unsafe and threatens our health.

We need the right to access to abortion within the law as it is currently stated. We do not say that lightly or without using our consciences, but on the basis of what is best for our lives and those of others. it is appalling that hon. Members should insinuate or say directly that women do not live by those principles and do not have those basic understandings. We have heard slurs against doctors and accusations about their practices. The courts have been quoted in favour of deciding what the upper time limit should be and quoted the other way in the case of the woman run over on a zebra crossing when she was seven months pregnant.

Parliament must decide whether it agrees to legal abortion. If we do, who are the best people to decide on those abortions? It is the women and the doctors whom they consult. To terminate a viable foetus is against the law. That will not be changed. I support new clause 3 in my name, which proposes that the law in Scotland be adopted to create the same law in England and Wales so that there will be no upper time limit. Abortion is a medical decision and a woman's choice. We should examine the abortion law and recognise that, of course, abortion is not a legitimate form of contraception. It is a desperate measure for desperate situations. We must make sure that women have speedy, quick, efficient and safe access to legal abortion.

With, perhaps, a few exceptions, hon. Members are not medically qualified. They are not consultants and they are not the best people to make medical decisions. We should recognise that. We should not attempt to play God and impose our consciences on others. We should create an environment where women can excercise their consciences safely and legally.

Mrs. Audrey Wise (Preston): Has my hon. Friend also considered the difficult legal cases and controversies which may well result if time limits become restrictive, because it is not possible to prove beyond doubt when a pregnancy commences? It cannot be done by scans. Doctors do not always agree with their patients or believe them. Who will decide beyond all doubt when the pregnancy started? That is not necessary now because of the flexibility in the time limits. Has my hon. Friend considered that problem?

Ms. Primarolo: It makes my blood run cold to think that the courts may make that decision with such ill-qualified judges as the one who recently said in a rape trial that women did not know their mind when refusing sexual intercourse and that sometimes no meant yes. Presumably the courts would tell women that the women did not know when pregnancy started.

Women in Bristol feel strongly, as do all women, about the right which Parliament seeks to take from us. A large petition was collected in Bristol where the women have a clear view on this issue. The 1967 Act is working as well as it can within the definitions for controlling legal abortion. Abortions beyond 24 weeks are not conducted without grave reason. It is a travesty of the truth for hon. Members to read out horror stories and describe most horrific events to frighten Members of Parliament into an ill-judged, incorrect decision.

I hope that hon. Members will vote not to amend the 1967 Act, but to leave it as it is. If they want to improve it, they should vote for new clause 3 which removes all time limits and leaves the decision to the women and the doctors.

Several Hon. Members *rose*——

The Chairman of Ways and Means (Mr. Harold Walker): Order. I shall have another stab at my simple arithmetic. Seven hon. Members wish to speak and there are 49 minutes left, which is seven apiece.

Miss Emma Nicholson: It may seem to the House that we have already discussed every facet of abortion law tonight, but there is a new form of thinking to which we should address ourselves, which is more rigorous thinking about the whole Abortion Act 1967.

Tonight we have been placating our consciences by concentrating our attention, as always, on the upper time limit. That argument is close to the medieval debate on how many angels can dance on the point of a pin. In the same way, there is no real-life answer. On the other hand, if we look carefully at the worries that are troubling people outside the House, we might reach a rational and wholly different solution.

Although this is the tenth debate on this subject in 16 years, I do not think that there will not be another debate in a short time, because we shall not reach a practical solution tonight. I draw the attention of the Committee to new clause 5. Although we shall not vote on it, I feel strongly that hon. Members should consider it carefully to see whether it strikes a more realistic chord.

New clause 5 starts from the premise that we should separate social abortions from other abortions. After all, social abortions and other abortions are sought for two wholly different reasons. The hon. Member for Maidstone (Miss Widdecombe) talked of identical babies whose only difference at 20 weeks was that one was visible and the other invisible to the naked eye. That is not true because the baby invisible to the naked eye may be hideously deformed and if born and brought to life, may face a future of unimaginable suffering. It may be visible to the naked eye through modern machinery and perhaps it can be kept alive, despite its wretched existence, for many years.

Earlier I mentioned the case of a child born with no brain who has now reached the age of nine. In nobody's terms can that child be considered to have a life since the essence of human life is the brain. Abortions for medical reasons represent a different style of need to those abortions on what are broadly termed social grounds.

9.45 pm

The Committee should step away immediately from the fiction that the 1967 Act does not provide abortions on request—of course it does. The woman requests that abortion. Abortion on demand is just a more fearful way of describing abortion on request. General practitioners in my constituency and elsewhere tell me that it is virtually impossible for a doctor to refuse an abortion under the workings of the 1967 Act. However, the Act places a succession of minor hurdles in the way of the pregnant mother trying to obtain an abortion. I know of a good example of that. I hope that I will not fall into the same trap as many other hon. Members tonight who have taken extreme examples and used them to support a generality. My example is a straight, middle-of-the-road one.

A girl in the village next door to mine became pregnant. She was single and 18 and the boy who had made her pregnant did not marry her, nor did he want to. She started to seek an abortion at five weeks after she had missed her period. The general practitioner in that particular village is not sympathetic to abortions. She had no car and the rural bus service is appalling. In addition, the two general practices in the nearby market town are full. By the time she obtained two signatures, her pregnancy was visible to everyone in the village. Her credibility was wrecked, and more to the point for the purposes of this debate, it was 18 weeks before she got that abortion. That is the price paid by that woman for us salving our consciences here by pretending that we do not have abortion on demand. We do, but we draw it out in a cruel and lengthy way.

It is my view—I recognise the problem that it will cause to members of the Catholic Church whose views I recognise and honour, though I do not share—that up to 12 weeks the mother's wish, in conjunction with her general practitioner's decision, should be sufficient to allow her an abortion. Why should she have her GP's agreement? Solely so that society can satisfy itself that she is not using the medical profession as a source of late contraception. We should remember that this should not be a debate on the funding of the National Health Service since more than half of abortions are not carried out by the NHS. I am talking about the use of medical resources.

It is worth reminding hon. Members that the population of reproductive age in the United Kingdom are rapidly diminishing; they have become a significant minority. I believe that their quality of life and rights must be protected. Similarly, the mother's family, her life and her future must come first.

It is interesting to compare my proposal with the practice in the remainder of Europe, Scandinavia and north America. In this regard my right hon. Friend the Member for Castle Point (Sir B. Braine) was in some confusion. He told us quite correctly that in terms of late abortions after 12 or 13 weeks we scored badly with the rest of Europe, Scandinavia and north America. He omitted to tell the House, however, that since 1975 in France abortions up to 12 weeks have been available on demand and the same is true in Sweden.

Incidentally, once abortion was made available on demand in Sweden, up to 18 weeks, 95 per cent. of abortions since then have been carried out pre-13 weeks. If one eases up the bureaucracy at the beginning women have abortions earlier and that must be to the benefit of the NHS, the private health service and the mother. That is the time limit—about 12 weeks—around which most debates take place in other civilised countries. Beyond that time limit there must be specific criteria and a consultant's judgment should be required.

Therefore, I propose that, for up to 12 weeks, the judgment of the woman's own GP should be sufficient. That would hasten abortions and provide a large economy

of private emotion, and private and public money, and take out of the debate about the upper limit the simple social ground of abortion.

It becomes harder and harder for hon. Members to justify later abortions on purely social grounds. It will never become harder to say, unless one is a Catholic, when it is wholly understandable, that between 12 and 24 weeks, when grotesque deformities occur, abortion should not take place. I believe that it should. I have therefore listed a range of exceptions, including significant handicaps, the mother's severe disability, whether mental or physical, and the classic exceptions of rape, incest and under-age pregnancy. Between 12 and 24 weeks, such exceptions should suffice.

The pro-life group's calling card rests on its validation of the over-arching importance of life, but is that really so? Would some of those babies wish to be born alive had they the ability to tell us? In sone of those circumstances, I do not believe that life is such a gift if abominable handicaps and pain are to be the new child's predestined future. On those grounds I justify abortion up to 24 weeks, and until the birth, only if the mother would either die or have significant, permanent, acute disability if the birth were to go ahead.

I commend those points to the Committee. They are in line with the legislation of Europe, Scandinavia, North America and, oddly enough, with the House of Lords' report of the year before last.

Mr. Duffy: The debate amply demonstrates that no issue raises more agonies of doubt and conscience than abortion. On the one side there is the natural revulsion at the destruction of life, and on the other side, the certain tragedies of desperate women. For nearly 2,000 years of Christian civilisation, taking the life of an unborn child was regarded as a vile and heinous moral offence that degraded humanity. The Hippocratic oath that preceded that view forbade abortion. There is no more reactionary deed, because abortion turns life into death.

Every unborn child that is aborted is witness to our failure to have created a society in which every child can be received into our world with love and affection. Worst of all, abortion is a defeat for women. Far from offering an extension of women's freedom, it is often an enslavement, given the pressures that come from family and other quarters.

At bottom, every abortion is a grave issue of fundamental morality, not simply a matter of amoral social convenience. However, hon. Members do not like grappling with truly moral issues, whether they involve destructive embryonic experimentation, divorce, homosexuality or even hanging. It is the arguments of social utility, rather than essential morality, on which hon. Members ultimately prefer to rest their case. Even hon. Members who wish to reform the 1967 Act, too often shrink from making the assertion that lies beneath their unease, that abortion is a morally wrong act that can be justified, if ever, only by a greater moral imperative.

Dame Elaine Kellett-Bowman (Lancaster) *rose*——

Mr. Duffy: I shall give way, but I must watch the clock.

Dame Elaine Kellett-Bowman: Is the hon. Gentleman aware that research carried out in the United States shows that 82 per cent. of women who have had their pregnancy terminated suffer from post-abortion syndrome?

Mr. Duffy: Yes, I am aware of that, and I am glad that the hon. Lady has reminded the Committee of it.

Is it not illogical of Parliament to provide legal protection for human embryos from two weeks onwards yet not to be concerned for the future of that protected embryo at 18, 20, 24, 26 or 28 weeks? As in yesterday's debate on embryonic research, the issue today turns first on the question of when life really begins. Clearly the onus of proof lay yesterday with the embryonic researchers: they evaded it. Similarly, the onus of proof lies overwhelmingly tonight with those who want to terminate pregnancies. When do they say life begins? If at 28 weeks, why not at 27 or 20? If not at 20, why not at 40?

If, moreover, it is proper to defend the life of the unborn child when it is damaged in the womb by a drug such as thalidomide, why is it so illiberal to defend it against being aborted? Yet it would be an ignoble sort of Member who possessed no moral code about life or death or who failed to give that code precedence over social convenience.

The conscience of the nation is plainly uneasy. The once extremist goal of abortion on demand has long since been realised, at least for those with enough persistence or private funding. Deeming the decision to be one of medicine only stands revealed as the legal fiction it always was. The de facto ground for abortion in the great mass of cases is now that of serious inconvenience to the mother —nothing more or less.

Mrs. Wise: Will the hon. Gentleman give way?

Mr. Duffy: I will, but I remind the hon. Lady that I must watch the clock, so I shall not give way again.

Mrs. Wise: My hon. Friend has said that abortion takes place on grounds of serious inconvenience. He is therefore suggesting that women have an extremely frivolous attitude to the whole matter. Does he think that a woman who would undertake an abortion on such grounds would suitably be compelled to be a mother? If that is his opinion of women, I tremble for the children of this nation.

Mr. Duffy: My hon. Friend is responsible for the construction that she puts on my arguments, which I shall develop a little later in the light of experience in my own city of Sheffield.

As I have mentioned Sheffield, perhaps I could add that Dr. R. E. J. Ryder, now at the Hallamshire hospital in that city and a former senior registrar in medicine at the Northern general hospital, informs me that 18 weeks is the time when the mother commonly starts to feel her baby moving. Bonding begins, and abortion takes on a more traumatic character. Even if we still have doubts, Dr. Ryder insists that the case that the entity is not a living human being will always be shrouded with uncertainty. Thus, in our society, in which one is innocent until proved guilty, it must be wrong to kill a baby in utero if there is any possibility that it is a live human being.

Those who oppose any amendment do so because they fear that women will return to the back streets or because they fear that it will penalise married women who already have enough children. But back-street abortion deaths were dropping before the Abortion Act came into

operation. Surveys of class profiles show that the section of the population most opposed to abortion are working-class women; the section most in favour of it are upper-class men. Free and easy abortion is in the interests of men because it removes the problem of pregnancy, and women are well aware of that. As for penalising married women, the majority of abortions after 18 weeks are on single women and the largest number of abortions at this stage are upon women who have no children.

10 pm

Given the exemptions, the Bill deals with social abortions after 18 weeks, for the most part of perfectly healthy babies. Are they necessary? That is the issue before the House. The issue is not late referrals. In 1986, young girls and menopausal women accounted for only about 5 per cent. of late abortions. The report entitled "Late Abortions in England and Wales" which was published by the Royal College of Obstetricians and Gynaecologists in 1984 says on page 39 that it absolves NHS facilities and referring doctors from responsibility for a delayed abortion. It blames

"late presentation to a doctor by the women."

All that is borne out in my city of Sheffield, where, over the five years from 1984 to 1988, the number of abortions increased by 7 per cent. Over the period from 1980 to 1986, the increase was of the order of 14 per cent. Some 71 per cent. of Sheffield women having abortions are single, and that is well above the average in the Trent region and in England and Wales. The percentage of Sheffield women having abortions who are married is lower than in the rest of the region and in England and Wales. Within the National Health Service in Sheffield, abortion has increased from 54 per cent. to nearly 60 per cent. over the past five years.

My inference from the information that is available to me about present practices in Sheffield is that there have been no cases during the period that I have mentioned of abortions to save the life of the mother. In 1986, there were 10 handicap exemptions, which is less than 1 per cent. More than 80 per cent. involved women in the three age groups 16 to 19, 20 to 24, and 25 to 34 and, as I have said, almost 70 per cent. of them were single girls. That leaves approximately 10 per cent., which is accounted for by women over 35, and 4 per cent. by girls under 16.

It is not possible to ascertain how compelling or trivial are the social reasons that constitute ground 2 on which most of those abortions are now taking place in Sheffield and how many involved the same women. If the Minister had given way to me earlier in the debate, I would have asked her to help the House, because, although the medical statistics division of the Office of Population Censuses and Surveys is more helpful now than it was in recent years, it will still not entertain such questions.

Without more information, none of us, with the possible exception of the Secretary of State, can know what is happening to ground 2. It is certain that ground 2 covers the great majority of abortions in Sheffield and, presumably, involves healthy children. Abortions are making growing and unjustified claims on the National Health Service in Sheffield at a time of scarce medical resources.

Yesterday, the House discussed the problem of infertility and I mentioned the child work in the fertility clinic in Sheffield and in the corresponding department of the Jessop hospital for women, linked with the university. I described the pains that those responsible for that work in Sheffield are taking and the direction in which they are moving to get around some of the ethical objections voiced by hon. Members in yesterday's debate. It is plain that scarce resources are being used for ground 2 claims for abortion in Sheffield. Those resources might go to relieve the anxiety of infertile and childless couples.

In trying to assess the impact of the Bill on Sheffield, I can arrive only at approximate figures. It appears that some 80 babies will be affected by the 18-week limit: 40 by the 20-week limit, 20 by the 22-week limit; and hardly any by the 24-week limit. Not all those babies will be linked with Sheffield. Apart from exemptions, they will all be perfectly healthy children. What will be their future? That is the central question facing hon. Members when they vote. Has not the time arrived for the House to reconsider the time limits for abortion, and preferably to agree upon lower limits? I shall vote for the lowest limit.

Mr. David Amess (Basildon): This is the most important debate in which I have taken part since I became a Member of Parliament. It is about the sanctity of life and all that that means. I want to draw on my personal experiences. My wife has not suffered a miscarriage, nor has she suffered an abortion. We are very fortunate in having four healthy children. Indeed, our last baby was delivered only two weeks ago. I was present at the birth and also throughout the labour. I witnessed the miracle of life. Any hon. Member who has experienced that will recognise the emotion and the euphoria felt on the occasion of the safe delivery of a child.

When I look at our baby Alexandra, I clearly recall the stage when I and my wife went to our excellent hospital in Basildon for a scan. It was at the 18th week of gestation. We clearly saw a picture of the baby. We saw our baby's head moving, her arms moving, her legs moving, and then we saw our baby, at 18 weeks, sucking her thumb. There was no doubt in our minds that she was a human being. She was real: she was our baby. When she was delivered to my wife at 40 weeks, the only real difference was that she was larger. She looked exactly the same. I have a picture of that scan to prove it.

This is very much a debate about the sanctity of life. I am confused about how hon. Members square their views on these issues. I entered politics because I actually care about people's lives——

Ms. Short: That is why you are a Tory.

Mr. Amess: I shall comment on that remark in a moment.

I care about people's lives and I was sent here to represent the people of Basildon. I am not prepared to speak on behalf of the men of Basildon and I would not dream of saying that I speak on behalf of the women of Basildon. I was sent here to represent all the people in my constituency. We spend all our time discussing laws, education, defence and the economy, all of which affect people's lives. There is no dispute that we all regard life as precious. In fact, I should be surprised if there were any hon. Members who were not extremely glad to be here. At the time of their conception, there was no question about the right to choose.

The hon. Member for Birmingham, Ladywood (Ms. Short) referred to the fact that I am a Conservative. In an ideal world I would hope that abortion would be avoided in every case. I am not an idealist and that is probably why

[Mr. Amess]

I support the party that I do. I am a realist and I accept what I have to cope with in the House when we come to vote.

Therefore, despite the remarks that were made earlier about the Society for the Protection of Unborn Children and other organisations, all of which I regret because they rather spoilt the debate, I shall not be returning year after year. There is no plot among those who share my views to keep returning to the House. What are people frightened of? They are wrong to be frightened. Tonight we shall have the opportunity democratically to vote. Let us not personalise the debate.

I despair at the way in which the 1967 Act has worked in practice. I am sure that the right hon. Member for Tweeddale, Ettrick and Lauderdale (Sir D. Steel) introduced that legislation with the best intentions, but it has resulted in 170,000 abortions each year, 96 per cent. of which are undertaken for social reasons. I fully recognise that no woman would lightly undertake an abortion. There are no circumstances under which an abortion——

Mr. Frank Cook (Stockton, North): Will the hon. Gentleman give way?

Mr. Amess: It would be unfair to those hon. Members who are waiting to speak. I apologise.

I understand the arguments made earlier about a woman's right to choose, disability, the time delay in medical diagnosis, back-street abortions and every child being a wanted child. But I find it impossible to reconcile my respect for life with all the matters that have been raised. Twenty-three years after the 1967 Act, 22½-week-old babies are being kept alive in our special baby care units. I have heard the remarks about the NHS, but that is certainly the case at Basildon. How on earth can we have special baby care units fighting to keep babies alive at 22½ weeks while, for whatever reason, they can still be destroyed in the same hospital?

Sadly, we live in an aggressive and violent society. I meet aggression every day of the week. We see it on the tube. We experience it among drivers. There is no longer respect for humanity. That is highlighted by what the House has done since 1967.

I do not regard a reduction of four weeks in the time limit for abortion as a fair reflection of 23 years of advancement in medical science. Therefore, please let us take the opportunity tonight to restore the esteem of the House by recognising the dignity of life. Let us make this a proud day for Parliament and at least legislate to protect babies who are capable of being born alive.

Ms. Short: The problem throughout this deeply unimpressive debate—I say that in all seriousness—is that we are not discussing where the real division of opinion in the Committee lies. A substantial minority of hon. Members believe that abortion should never, ever be allowed. I disagree with that view, but I respect it.

I come from an Irish Catholic background. I was brought up in the Catholic Church. My mother lives with me and goes to mass every morning. She does not believe in abortion and I respect that position. I do not agree with her and neither do any of her other four daughters, but we all get along with and respect each other.

What I do not respect is a debate led by people of that view—the hon. Members for Maidstone (Miss Widdecombe) and for Liverpool, Mossley Hill (Mr. Alton), the Father of the House and my hon. Friend the Member for Sheffield, Attercliffe (Mr. Duffy)—who believe that abortion should never be allowed but who, instead of having the integrity, honesty and straightforwardness to put that position before the House and to argue for it, pretend to talk about time limits. Because they are absolute fundamentalists and hold the view that all abortions should be prohibited, the evidence that they present to the Committee is biased, and they distort fact and reality.

I pay tribute to Lord Houghton and to the quality of his reports, which many right hon. and hon. Members have not even read.

Viability is reached at 24 weeks. My local hospital has one of those wonderful baby care units in which precious and wanted babies are kept alive by tubes. The problem is that most of them do not survive, and those who do are brain-damaged for the rest of their lives. If one studies the development of a baby, it is clear that it cannot independently sustain life much before 24 weeks because its lungs are not formed. Those are the medical facts, but so-called right hon. and hon. Members, who really want all abortions to be made illegal, try to trick the Committee and the public into accepting a lower time limit than is defensible. They distort reality and put false information before the Committee. I do not respect that, and it does little credit to Parliament itself.

10.15 pm

Mr. Mallon: In fairness to the hon. Member for Sheffield, Attercliffe (Mr. Duffy) who spoke in yesterday's debate, and whose contribution is in *Hansard*, and to myself, we both made very clear the views that we hold. We were not hiding our light under any bushel, but making clear our belief that the destruction of a human being is wrong in any circumstances.

Ms. Short: I am sorry, but I have no respect for right hon. and hon. Members who hold that view and who do not have the guts to state their position. If there was a vote, they know that they would be overwhelmingly defeated. We could then have a rational debate on the proper framework of the law.

I do not believe that I have a right to make moral decisions for every individual in our society. What is needed is a sensible, defensible and serious legal framework within which individual women and families can make their own decisions—given all the pressures, aspects of morality and worries that confront them. Part of that defensible framework of law would be to say that once a foetus is capable of independent survival and no longer dependent on its mother, it has a right to live. That is the framework of previous law.

In current law, the time limit is 24 weeks, other than in exceptional cases. The law says that one cannot abort a foetus that is capable of being born alive. Because of advances in medical science, the limit has fallen to 24 weeks, and the number of post-24 week abortions is now minute. They relate to hard cases such as very late detection of severe abnormalities on the very young girl who has been sexually abused and did not know that she was pregnant. They are tiny in number. We already have a good framework of law that operates sensibly.

I also have no respect for the Government's action; they had no need to bring this clause before the House. As

a result of the lies presented in SPUC's case, which was designed to confuse public opinion and to suggest that there are many late abortions, the Government are trying to appease its supporters. The Government thought about and talked about tabling Lord Houghton's Bill in this House. I would have supported that very constructive move, but there were internal divisions in the Tory party, the SPUC supporters made their views known in the Whips' Office, and there were conflicts with the Secretary of State for Health. The result is the nonsense that is before the Committee tonight.

There will be a whole series of Divisions tonight from which many right hon. and hon. Members will be absent, while others will not really know what they are voting for. Rational decisions will not be made—[HON. MEMBERS: "Speak for yourself."] I am speaking for myself.

I agree with the hon. Member for Torridge and Devon, West (Miss Nicholson) that we should seek to improve our law and prevent preventable late abortions. It is sinful and unforgiveable that many women who come forward for abortions before 12 weeks have post-18 weeks abortions because of delays in our National Health system and because of delays caused by doctors processing their cases. That is outrageous and disgraceful.

If the rhetoric and regret about late abortions were true, the hon. Members for Maidstone and for Mossley Hill would be queuing up to demand the right of women to have an abortion up to 12 weeks with reference to one doctor. That is what they would do if they really wanted to prevent late abortions. Many preventable late abortions would then be prevented. Instead, those hon. Members are trying to trick and fib. They are trying to make all abortions illegal.

Whatever the outcome of our Divisions tonight, this will not be the end of the issue. The hon. Members to whom I have referred will be back. If it is not those hon. Members because they have made promises, it will be others. I am surprised that the Secretary of State for Health has involved himself in this shabby game, with such an irrational method of inviting the House to reach a decision.

The case of SPUC is encapsulated in the postcard that it used for so long. That postcard carried an attractive picture, which had been coloured, of a foetus which was supposedly sucking its thumb. Of course that picture was a complete lie. That 22-year-old picture of a natural miscarriage had been taken in a laboratory in Sweden. It had been tinted and coloured up. That is the SPUC case. It is misleading and pretending to the public that lots of late abortions are like that. That is not true.

Mr. Alton: Will the hon. Lady give way?

Ms. Short: I do not have time to give way. In fairness to other hon. Members who have been waiting to speak, I should not give way to the hon. Gentleman.

The present framework of practice in Britain is reasonable. Post 24-week abortions do not happen except in the most extreme and distressing cases. The only change that we need to that law is to speed up abortion at the early end so that young women who come forward early do not end up having late abortions. That change is not on offer to the Committee today and that is deeply regrettable.

Mr. Kevin Barron (Rother Valley): I do not want to detain the Committee, and perhaps another hon. Member can speak before the winding-up speeches.

I agree with my hon. Friend the Member for Birmingham, Ladywood (Ms. Short) that we have a very reasonable law with regard to termination. That law has stood the test of time for the vast majority of people. *The Lancet* reported in December last year that 75 per cent. of the people in this country are satisfied with the working of the Abortion Act 1967. However, I do not want to see restrictions on women's access to abortions. I want to see an improvement in financing and facilities to reduce the number of later abortions. I hope that all hon. Members would agree that we should be aiming for that.

Eighty-seven per cent. of late abortions in this country take place within 12 weeks of pregnancy, and less than 2 per cent. take place when a pregnancy is over 20 weeks. According to the 1988 figures, only 23 abortions in England, Wales and Scotland were performed over the present 24-week limit.

In a recent survey, the Royal College of Obstetricians and Gynaecologists found that only 3 per cent. of its members were in favour of an 18-week time limit, which appears in an amendment tonight. Organisations representing the medical profession have said that the limit for clinical practice—what doctors actually do—will be between two and four weeks lower than the legal limit, allowing for a margin of error in calculating the duration of pregnancy. People are saying to the House that, in effect, 14 weeks, 12 weeks or even less will be the time limit for the termination of pregnancy.

Those who talk about their despair about the Abortion Act 1967 and how it has been implemented do not recognise the despair caused by the fact that abortion is again on the agenda. People did not believe that the law would be changed, as is proposed. Some hon. Members will support the limit of 18 weeks tonight. When they have achieved that, they will attack another aspect of the 1967 Act and then another, until they have whittled away women's rights to abortion.

Those hon. Members doing this at a time when the deficiencies of the National Health Service are stark. We hear reports of delays of four weeks in reporting pregnancy test results. We see headlines in the newpapers, such as one in *The Guardian* on 2 April:

"Birth control hit by cash squeeze".

When the lack of contraceptive services, especially for young people, is becoming acute in some areas, we are being asked to support punitive measures.

The right hon. Member for Tweeddale, Ettrick and Lauderdale (Sir D. Steel) said that a survey reported on national television this week showed that one third of health authorities were reducing their family planning services. In 1982, a study by the Royal College of Obstetricians and Gynaecologists revealed that a significant number of abortions performed after 20 weeks were the result of avoidable delays by general practitioners and failures in the organisation of NHS services. In addition, women have no way of knowing, when they first visit their general practitioner, what that doctor's non-medical views on abortion are.

I wish that those hon. Members who threaten people who are in dire need and have been for many years would argue for the betterment within the National Health Service of counselling and contraceptive services, so that people are not led into wanting an abortion in the first place. Since the introduction of the 1967 Act, any retreat

[Mr. Kevin Barron]

to the back-street abortionist to whom women had to go before we had legal termination in this country must be avoided.

Ms. Mildred Gordon (Bow and Poplar): It has been difficult to listen with equanimity to some of the speeches today, particularly a speech which cast a slur on women by saying that since the Abortion Act 1967 their concern for the sanctity of life had been lessened. It is poverty which reduces the value of life, and those who voted for the freezing of child benefit might bear that in mind. Women are pro-life. They bear the children and take the main responsibility for bringing them up. They do the unpaid work of managing the family and they should make the decision on what is best for their family.

This has been a phoney debate. We have seen the opportunism of hon. Members who have made sanctimonious speeches but are prepared to compromise to get their foot in the door. They intend eventually not just to attack all abortion rights, but to attack contraceptive rights. They have already attacked the French contraceptive pill. If they really cared about doing away with late abortions and did their best to prevent the few late abortions that there are, they would be in favour of abortion on request. Unfortunately, we are unable to discuss or vote on that tonight. Those hon. Members would be in favour of improved sex education and of all the points outlined by my hon. Friend the Member for Rother Valley (Mr. Barron).

Above all, those hon. Members would want to improve social conditions. Instead of sending round plastic foetuses, why do they not think of the real world, where so many miscarriages take place in the first few months of pregnancy and where still-births take place at seven months because mothers are dragging babies and prams up flights of stairs or have to live on poor diets? Why do those hon. Members not concern themselves with saving lives by improving the conditions for such people?

Those who have been spearheading the SPUC campaign are concerned not so much with saving life as with control over women's lives. Let us remember that the women of Romania, in fighting for freedom, want above all the freedom to have legal abortions. That should be a lesson to us.

To reduce the number of weeks within which abortion is legal would be a form of cruelty to women. My generation and that of my mother remember the shadow that was cast over women's lives by the fear of pregnancy, particularly when they were not in a position to have more children and when their health and social conditions, already extremely low, could not tolerate larger families. Every month their relations with their partners were crippled and there were severe burdens on doctors, who either had to break the law or turn away desperate patients, and then deal with the mess of septicaemia and other causes of death resulting from back-street abortions, which a whittling down of the present law would bring back.

Women should have the right to choose. All women are pro-life. Women do not enter abortions lightly because their very nature bonds them to the life that they are carrying. They have the right to decide what is best for their families—and almost all women, given the chance, choose correctly.

10.30 pm

Ms. Harman: The votes that will take place tonight will be on the time limit up to which abortion can lawfully take place and the grounds on which it can be justified. But many hon. Members have spoken about the number of abortions that take place, and that is the subject with which I shall start.

Nobody believes that a high abortion rate is good, and of course it is desirable to reduce the number of abortions, but the matter must be put in perspective. As the right hon. Member for Tweeddale, Ettrick and Lauderdale (Sir D. Steel) said, the abortion rate in the United Kingdom is lower than the rate in France, Norway, Italy, Germany and numerous other countries. We are by no means high in the international league table of abortion rates.

I agree with those who say that it is still too high, but what divides us is the way in which we might reduce the number of abortions. Some argue that the rate should be cut by forcing women to continue with unwanted pregnancies. I argue that we should help women to avoid unwanted pregnancies. There are 200,000 unplanned and regretted pregnancies every year in this country. Contraception is no easy matter. An unwanted pregnancy is not the result of fecklessness on the part of a woman.

The battle for safe, effective, accessible contraceptive services is far from won. Yet across England, Scotland and Wales, family planning services are being cut. Cash-starved district health authorities, desperate to avoid closing another hospital or ward, desperate to avoid again reporting longer waiting lists to the Department of Health, are picking on family planning services as a soft option for cuts.

The scale of those cuts, year after year, has been disastrous: Sheffield, 31 per cent.; Gravesend, 50 per cent.; Chichester, 50 per cent.; Cheltenham, 55 per cent.; Mid-Essex, 48 per cent. cut. The list is endless. Unless the Government step in now, the cash crisis in health authorities will spell the destruction of family planning clinics and lead to more unwanted pregnancies.

Where has been the protest of those who say that they want to reduce the number of abortions? Those who, like us, want fewer women having to seek abortion, should join us in demanding that the Government call a halt to cuts in the family planning service, that they review the number of unplanned and regretted pregnancies, particularly among teenagers, and that they step up the contraceptive training of GPs and nurses, thereby developing a strategy for reducing the large number of unplanned and regretted pregnancies. Such action would reduce the number of abortions far more dramatically than would reducing the time limit to 20 or even 18 weeks.

Some health authorities have tried to take such steps, despite the current cash crisis. South Warwickshire health authority, for example, concerned about the high level of abortions in its district, has developed a strategy which it hopes will reduce the number of abortions by a quarter before the end of the century. It includes work with local schools to improve sex education, better advertising of family planning services and increased access to services. We should look at the Netherlands, for example, where there are fewer restrictions on time limits than we have, but, because there are better planning services there, there are far fewer unwanted pregnancies and fewer abortions as

a result. That is the way to cut the number of abortions, not by restricting access to abortion to those who find themselves with an unplanned pregnancy.

Concern has been expressed about the number of late abortions. The case has been put that cutting time limits will cut the number of late abortions, but that would solve the problem of late abortions at the expense of the women who seek them. As my hon. Friend the Member for Halifax (Mrs. Mahon) said, the way to reduce the number of late abortions is not to deny abortions to the women who need a late abortion but to try to deal with the cause of late abortions, and that is to improve services so that, when abortion is necessary, it can be carried out as early as possible in the pregnancy. It is not as though the Government do not know that. Countless reports have shown up the inadequacies of the Health Service as a substantial cause of late abortion.

In 1981 and in 1985 Isobel Allen of the Policy Studies Institute reported on delays caused by GPs and consultants. As the anecdote related by the hon. Member for Torridge and Devon, West (Miss Nicholson) about the girl in the next village demonstrated, in 1984 the Royal College of Obstetricians and Gynaecologists reported that one in five women who had abortions later than 20 weeks had approached their doctor asking for an abortion more than eight weeks earlier—before 12 weeks. What is needed in practical terms—if hon. Members are interested in practical ways of reducing the toll of late abortions—is better diagnosis of pregnancy, quicker referral for women who seek abortions and better abortion services throughout the United Kingdom. That is the way to cut late abortions, not by restricting access to abortion for those women whom the Health Service has failed.

However good our family planning services, however good our referral system, however good access throughout the country, there will still be some cases when women will seek abortion after 20 weeks, after 22 weeks, and even after 24 weeks. That is where the debate has become most heated. We are talking about only a small percentage of the total number of abortions, so I should like to put the matter in perspective. Eighty-four per cent. of all abortions were performed at under 13 weeks, 14 per cent. were performed between 13 and 20 weeks, and only 1·7 per cent were performed at over 20 weeks. In the whole of last year, only 22 abortions were carried out after 24 weeks.

Among later abortions we see the most tragic and the most difficult cases—first, young girls who at first do not realise that they are pregnant, and although desperate to end the pregnancy, are afraid to seek help and therefore do not go to the doctor until the pregnancy is 22 weeks, say, because they are afraid that they might be kicked out of the home and they do not know where to turn; and, secondly, women who develop pregnancy-induced hypertension, who continue with a planned pregnancy for as long as possible, but it becomes clear at 24 weeks, say, that the continuation of the pregnancy could mean kidney damage for the woman or even permanent blindness.

I should like hon. Members to consider the case of a woman called Meriel Gillman, whom I had the chance of meeting last week. She had a son and had been trying for another child for 10 years. When she finally became pregnant at 40, she and her husband were overjoyed. She told me, "No one could have wanted a baby more than we wanted that baby." Because she was 40, she was offered extensive ante-natal screening—blood tests, urine tests, corionic villus sampling, blood pressure tests, and all the tests were clear. But her blood pressure became raised at 27 weeks. It was then discovered, after exhaustive testing, that the foetus had severe spina bifida, urino-genital problems, a deformed rib cage, small lungs and numerous other problems. Seven doctors were involved in the diagnoses in that one day, and the following day she had an abortion.

I should not dream of casting a moral judgment on the painful choice that Meriel had to make and of saying that such an abortion was so morally wrong that it should be made a criminal offence. Nor would I dream of casting a moral judgment against a woman who is against abortion and decides that she will carry on with the pregnancy, despite knowing that the child will be born with a severe handicap. It must be for those women themselves to make that choice, and whatever choice they make, they deserve our compassion and our full support, not empty moral judgments from a distance.

If hon. Members share my view that there must be a choice for women such as Meriel and the other two cases that I have mentioned, they should vote for limits that are no more restrictive than the combination of the new clause and amendments, which together would give us the result that the House of Lords so recently supported in Lord Houghton's Bill, which commands wide support within the medical profession and, I believe, is anchored in public opinion.

Lord Houghton's Bill implements the unanimous recommendations of the House of Lords Select Committee on the Infant Life (Preservation) Act 1929. It lays down a time limit of 24 weeks. After that, abortion would not be legal as it is now up to 28 weeks, except that the Houghton Bill allows that, after 24 weeks a pregnancy may be lawfully terminated, if there is a risk to the life of the pregnant woman, or if two doctors believe that it is essential to prevent serious damage to the woman's health, or on the grounds of a substantial risk of such foetal abnormality as to involve serious handicap.

I should have thought that that could command a broad consensus. That formula is most nearly achieved by amending new clause 4 with amendments (b), (f), (i), (k), (m) and (q). I apologise for the publication of that list, but as hon. Members have said, it was not our choice that this procedure has been chosen.

The time limit of 24 weeks was not arrived at arbitrarily. When deciding on an abortion, doctors err on the side of caution and, in practice, a 24-week limit would mean something like a 22-week limit or even a 20-week limit. Medical opinion—and the view of the Department of Health—is that the chances of survival at 22 weeks are negligible. The presumption is that the foetus is not viable at 22 weeks, so a 24-week time limit would effectively be a 22-week time limit, at which, I repeat, medical opinion is agreed that the foetus is not viable. For the future, doctors believe that they can increase the chances of survival for babies after 24 weeks, but because of the insufficiency of development, they do not expect to be able to keep babies born at 22 weeks alive in the foreseeable future.

Making the time limit more restrictive than the present law or than Houghton would have another sad effect. It would increase the number of abortions on the grounds of foetal abnormality, because screening can show different things at different stages of the pregnancy. A blood test at 16 weeks can suggest the probability of an abnormality, but the doctors will advise the woman to hang on for a few further weeks because the child might be all right and a further conclusive test can then be carried out——

Miss Widdecombe *rose——*

Ms. Harman: Let me just finish this point about diagnostic tests.

The woman is then able—this is a regular occurrence—to continue with the pregnancy knowing that, if her worst fears are realised and there is a serious abnormality, she can still have the pregnancy terminated. If the possibility of a later abortion is taken away—as it would be, for example, under amendment (j), which I know that the hon. Member for Maidstone (Miss Widdecombe) will support—the chances are that that woman will seek an abortion earlier than she otherwise would.

Miss Widdecombe *rose——*

Ms. Harman: So those who seek—[HON. MEMBERS: "Give way."] No, I shall not give way.

Those who seek to cut the time limit to below 24 weeks for foetal abnormality will, paradoxically, have brought about a situation in which many more, possibly normal, pregnancies are terminated.

There has been vociferous lobbying on the matter, but I believe that public opinion is clear. Four out of five people are against reducing the time limit below 24 weeks. Most Members of Parliament have never found themselves, as a teenager, lonely, afraid and pregnant. Most hon. Members have never had a pregnancy which, if they carried it on, would threaten them with a brain haemorrhage, blindness or a nervous breakdown. Most hon. Members have never faced the prospect that every woman dreads, that there is something terribly wrong with their baby. But there are women in this country who face that dilemma and will face it in future. Hon. Members must not vote that women who are in a position that they hope never to be in themselves, should lose the choice of having that pregnancy terminated.

10.45 pm

Mr. Kenneth Clarke: I begin by agreeing with the hon. Member for Peckham (Ms. Harman) on the general point with which she started. The first thing that we should all agree on in the Committee is that we should do everything possible to reduce the number of unwanted pregnancies and late abortions and get to the root cause of the problem by making sure that as full and comprehensive as possible a range of family planning services, sex education and aid and support is available through the National Health Service so as to minimise the number of potential tragedies that all cases of abortion represent.

This is not the occasion for me to debate the comments of the hon. Member for Peckham about the changes taking place in the Health Service. However, I begin by making it clear that there is no difference of principle between us. The NHS provides free family planning services. About 4 million patients per year take advantage of those services. Certainly, the services are changing, but all our guidance makes it clear that we expect the health authorities to continue to provide a full range of service and a balanced service. The service is bound to change over the years—above all, I hope, because it must reflect the preferences of women and whether they wish to obtain that service from their general practitioner or family planning clinic.

We know that there is sometimes much local controversy when changes to the pattern of family planning clinics are proposed, but those changes should never be made purely on financial grounds. Sometimes they can be made on the basis of changes in patients' choice and the best use of resources. It is only since the 1970s that GPs have provided free family planning services. Now the majority go to their GP rather than to their clinic. It is inevitable that that gives rise to changes in some parts of the country.

For probably the only occasion in my speech, I must touch on the usual allegations that the hon. Member for Peckham made about a cash crisis, cuts in clinics, and so on. The cost to the NHS of family planning services was £33 million when we took over and £84 million for 1987-88, the last year for which we have figures.

The debate is not about family planning services, particularly as there is no difference of policy between the Opposition and the Government. It is about the Abortion Act 1967, whether the time has come to revise it and, if so, how. I arrived in the House just a year or two too late to vote for the 1967 Act. Ever since I have been a Member of Parliament, I have been an open and strong supporter of the Act. In my opinion, that Act was one of the more civilised and liberalising measures of the past few years and has made a profound change to our society which on balance has been beneficial.

I am sorry that an urgent appointment stopped me from listening to the speech of the right hon. Member for Tweeddale, Ettrick and Lauderdale (Sir D. Steel), but I have heard a summary of what he said. He went back to the underlying policy of the 1967 Act and no doubt repeated arguments with which, over the years, I have usually agreed whenever he has expounded the underlying philosophy of the 1967 Act.

In the past I have taken part in debates and voted in Divisions on abortion, and I have consistently been against the repeated attempts of many members of the pro-life lobby in the Committee to make changes to that Act. I remember voting against the Bill of the hon. Member for Liverpool, Mossley Hill (Mr. Alton) and voting with many hon. Members on both sides of the Committee who have spoken against the spirit of that measure today.

The reason why we are voting on abortion today, despite the history with which we are all familiar, is that a change has taken place in the past year or two. Hon. Members who have always fundamentally opposed the 1967 Act clearly wish to keep returning to it. However, in recent years many supporters of the 1967 Act have felt that the time has come to make some changes to the law. In particular, there has been growing uncertainty about whether the time limits are wholly satisfactory.

I listened with care to the speech of my hon. Friend the Member for Maidstone (Miss Widdecombe), but I am afraid that I do not always agree with her underlying philosophy, as she well knows. However, she is right about the unsatisfactory nature of the law and the relationship between the Infant Life (Preservation) Act 1929 and the Abortion Act 1967. It is time to review the present time limit in the 1929 Act and the House has been trying to do that. I think that for some years all hon. Members have wanted to change it, regardless of their views on the underlying Act.

Certainly it has been a serious matter ever since 1985, when the working party of the Royal College said that in practice 24 weeks was a much better guide which doctors should use when considering whether a baby could be born alive. I was the Minister of Health who introduced the

arrangement which made it clear to private clinics licensed for late abortions that we would probably not renew licences if they persisted with them after 24 weeks. That is why the few operations after that date have been carried out in National Health Service hospitals.

For a long time many of us have waited for a Warnock Bill and an attempt to tackle the subject of embryo research. I must confess that in contemplating the Bill I was not instinctively attracted to the idea of debating the abortion law at the same time as discussing the introduction of law on embryo research. Even in the past month or two I have genuinely changed my mind, and today's debate has confirmed that. These subjects are so closely related that this is a suitable opportunity for the House to have a day at the end of which it can come to a conclusion, which should last a long time, on the time limits and future operation of the 1967 Act and its relationship with the Infant Life (Preservation) Act.

My right hon. and learned Friend the Leader of the House and I have tried to provide the best framework for a judgment to be reached on what is inevitably an extremely complex series of interrelated aspects of time limits for abortion. It is futile, particularly for the hon. Member for Birmingham, Ladywood (Ms. Short) with whom I broadly agree on the underlying subject, to make all these attacks on the way in which we have devised the procedure.

It would have been difficult to start with Houghton because it is an extremely liberalising measure. It does not start down the middle of the strongly held passions that we have heard. It is more difficult to devise the range of options on both sides which hon. Members can use to construct their preferred solution if we start with Houghton rather than my right hon. and learned Friend the Leader of the House's new clause and all the amendments. If hon. Members follow the debate and the guides to voting, and contemplate their personal positions seriously, as we all will, the Government have provided a perfectly adequate and probably overdue opportunity for us to exercise our undoubted duty to make our best judgment according to our own conscience on the matter.

We are not debating or voting on the policy of having legalised abortion under the 1967 Act—*[Interruption.]* it seems that some people are—not surprisingly, people do not leave their views behind. During the debate we have heard impassioned views from one side and the other—my right hon. Friend the Member for Castle Point (Sir B. Braine), my hon. Friend the Member for Maidstone and the hon. Member for Liverpool, Mossley Hill (Mr. Alton) on one side of the argument, and my hon. Friend the Member for Billericay (Mrs. Gorman), who probably made the most dramatic intervention, from the other.

I do not agree with the position taken at either end of the argument. I am probably not the only hon. Member who on Saturday found my surgery being lobbied by two groups—the Socialist Workers party outside with a tannoy attacking Tory attempts to restrict a woman's right to choose, and the Society for the Protection of Unborn Children inside, presenting me with an embryo and demanding that we reduce the limit to 18 weeks.

My judgments are my own. I propose to make a complex series of judgments when voting for and against the various amendments. I shall not vote against my conscience and my judgments are not totally determined by what the majority of my constituents think. As it happens, I believe that the majority of my constituents —pleasant, provincial, rural and suburban people in Nottinghamshire—share my view. I believe that the vast majority believe that the present law is about right except that the time scales are wrong and need to be revised, and that we need to take some notice of the royal colleges' opinions. In a simple way, that represents the way in which I shall vote, although people will appreciate that the issues are more complex.

We are talking about late abortions and the time limit which should apply to the limited number of such abortions. How restrictive should we be in the generality of cases? What exceptions should we make to that restriction for what have been described as the hard cases where grave permanent injury might result to the mother should the pregnancy continue, severe foetal abnormalities are present, and so on. If we do not go too far in making change and if we keep close to the consensus of medical opinion, we shall improve the 1967 Act.

Some argue that there is no need for change and that, despite the working group and the opinion of the royal colleges, everything is all right as it is. Those who believe that can take a simple step by voting against new clause 4 being read a Second time. If they are successful, everything will remain as it is in England and Scotland regarding the Infant Life (Preservation) Act 1929 and the Abortion Act 1967.

If new clause 4 is passed, it is important to note the change that it will make to the law as it introduces time limits into the 1967 Act for the first time. Those new time limits for various purposes will exist alongside the Infant Life (Preservation) Act 1929, which will continue with the rebuttable presumptions either way, unless amended, at the 28-week stage.

Attendance in the Chamber is now reaching its peak and hon. Members will want to know how to vote correctly during the next couple of hours. I trust that as many as possible will remain, as the final Division will be the clause stand part vote on whatever the House has decided.

In the three minutes remaining, I shall not add to the information given. Lest people outside argue that whatever view is decided was reached in ignorance, hon. Members should ensure that they have their copy of the explanatory note from my right hon. and learned Friend the Leader of the House setting out what all the amendments mean. *[Interruption.]* For those who cannot understand it and, like me, believe that as a response to a request for an idiot's guide it did not quite fit the bill, the Government Whips Office will make available for the convenience of all hon. Members, regardless of views, a one-page document which simplifies the issues. It will be made available on application to my hon. Friend the Member for Derby, North (Mr. Knight). If used in conjunction with detailed, careful reference to the guide issued by my right hon. and learned Friend the Leader of the House, that document will explain clearly what every vote is about.

The opening speech of my hon. Friend the Minister for Health is also available and she set all the issues extremely carefully. People outside should also know that my hon. Friends the Members for Maidstone and Berkshire, East (Mr. MacKay) produced their own guides for those who share their respective opinions. We can therefore begin on the process of settling the matter for some time.

The starting point of new clause 4, which I expect to be carried if the majority believe that the present law requires

[Mr. Kenneth Clarke]

some change—there can be no change unless it is carried—is a 24-week limit for the most important grounds upon which legal abortions are permitted. I want to see a 24-week solution because I am persuaded by the opinion of the Royal College of Obstetricians and Gynaecologists that that is the best limit to which to move now and I know that the royal college holds that view strongly. Those who believe that will vote against the succeeding five amendments from (a) to (e), but the amendments are perfectly clear as to the alternative limits that they would substitute if people do not want 24 weeks. A clear look will show that there are higher limits to cover most other eventualities.

I hope that amendment (q) will be carried and that the Infant Life (Preservation) Act is not left standing alongside the Abortion Act. To have two sets of time limits would be confusing in practice. I therefore hope that there will be a single test, with the Infant Life (Preservation) Act applying only to non-Abortion Act cases.

We have had an adequate debate, with expressions of passion and desire, to settle the matter so that the public know that Parliament has given an up-to-date opinion as to what the law on this sensitive matter should be. I hope that in the next hour or two we can resolve the matter and live up to the high standards of debate that have prevailed for the past eight hours.

Question put, That the clause be read a Second time:—

The Committee divided: Ayes 409, Noes 152.

Division No. 168] **[11 pm**

AYES

Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael
Allason, Rupert
Alton, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Tom *(Hazel Grove)*
Ashby, David
Aspinwall, Jack
Atkins, Robert
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Batiste, Spencer
Battle, John
Beaumont-Dark, Anthony
Beggs, Roy
Beith, A. J.
Bell, Stuart
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Bermingham, Gerald
Bevan, David Gilroy
Blair, Tony
Blaker, Rt Hon Sir Peter
Blunkett, David
Body, Sir Richard
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, A *(Brighton K'pto'n)*
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Bright, Graham
Brown, Gordon *(D'mline E)*
Brown, Michael *(Brigg & Cl't's)*
Browne, John *(Winchester)*
Bruce, Ian *(Dorset South)*
Buchanan-Smith, Rt Hon Alick
Buck, Sir Antony
Buckley, George J.
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Chris
Butterfill, John
Campbell, Menzies *(Fife NE)*
Campbell, Ron *(Blyth Valley)*
Canavan, Dennis
Carlile, Alex *(Mont'g)*
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Cash, William
Channon, Rt Hon Paul
Chapman, Sydney
Clark, Hon Alan *(Plym'th S'n)*
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Clarke, Tom *(Monklands W)*
Clelland, David
Colvin, Michael
Conway, Derek
Cook, Frank *(Stockton N)*
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Corbett, Robin
Cormack, Patrick
Couchman, James
Cran, James
Crowther, Stan
Cummings, John
Cunliffe, Lawrence
Currie, Mrs Edwina
Dalyell, Tam
Davies, Rt Hon Denzil *(Llanelli)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dewar, Donald
Dickens, Geoffrey
Dicks, Terry
Dixon, Don
Douglas, Dick
Douglas-Hamilton, Lord James
Dover, Den
Duffy, A. E. P.
Dunn, Bob
Dunnachie, Jimmy
Durant, Tony
Dykes, Hugh
Eggar, Tim
Emery, Sir Peter
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Fallon, Michael
Faulds, Andrew
Favell, Tony
Fearn, Ronald
Field, Barry *(Isle of Wight)*
Field, Frank *(Birkenhead)*
Flynn, Paul
Fookes, Dame Janet
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forsythe, Clifford *(Antrim S)*
Fowler, Rt Hon Sir Norman
Fox, Sir Marcus
Freeman, Roger
French, Douglas
Fry, Peter
Gale, Roger
Galloway, George
Gardiner, George
Garel-Jones, Tristan
Gill, Christopher
Glyn, Dr Sir Alan
Godman, Dr Norman A.
Golding, Mrs Llin
Goodhart, Sir Philip
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gorst, John
Gow, Ian
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Sir Eldon *(Bury St E')*
Griffiths, Peter *(Portsmouth N)*
Griffiths, Win *(Bridgend)*
Grist, Ian
Grocott, Bruce
Ground, Patrick
Gryils, Michael
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hannam, John
Hardy, Peter
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Haselhurst, Alan
Hawkins, Christopher
Hayes, Jerry
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heath, Rt Hon Edward
Heathcoat-Amory, David
Heseltine, Rt Hon Michael
Hicks, Mrs Maureen *(Wolv' NE)*
Hicks, Robert *(Cornwall SE)*
Higgins, Rt Hon Terence L.
Hill, James
Hinchliffe, David
Hind, Kenneth
Hogg, Hon Douglas *(Gr'th'm)*
Hogg, N. *(C'nauld & Kilsyth)*
Holt, Richard
Home Robertson, John
Hood, Jimmy
Hordern, Sir Peter
Howard, Rt Hon Michael
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howe, Rt Hon Sir Geoffrey
Howell, Rt Hon David *(G'dford)*
Hughes, Robert G. *(Harrow W)*
Hughes, Roy *(Newport E)*
Hughes, Simon *(Southwark)*
Hume, John
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Irving, Sir Charles
Jack, Michael
Janman, Tim
Janner, Greville
Jessel, Toby
Jones, Gwilym *(Cardiff N)*
Jones, Ieuan *(Ynys Môn)*
Jones, Robert B *(Herts W)*
Jopling, Rt Hon Michael
Kaufman, Rt Hon Gerald
Kellett-Bowman, Dame Elaine
Kennedy, Charles
Key, Robert
Kilfedder, James
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Kirkwood, Archy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Lambie, David
Lamont, Rt Hon Norman
Lang, Ian
Latham, Michael
Lawrence, Ivan
Lawson, Rt Hon Nigel
Leadbitter, Ted
Lee, John *(Pendle)*
Lennox-Boyd, Hon Mark
Lester, Jim *(Broxtowe)*
Lightbown, David
Lilley, Peter
Livsey, Richard
Lloyd, Peter *(Fareham)*
Lofthouse, Geoffrey
Lord, Michael
Luce, Rt Hon Richard
Lyell, Rt Hon Sir Nicholas
McAvoy, Thomas
McCrea, Rev William
McCrindle, Robert
Macdonald, Calum A.
McFall, John
Macfarlane, Sir Neil
McGrady, Eddie
MacGregor, Rt Hon John
McKay, Allen *(Barnsley West)*
Maclean, David
Maclennan, Robert
McLoughlin, Patrick
McNair-Wilson, Sir Michael
McNamara, Kevin

Madel, David
Major, Rt Hon John
Malins, Humfrey
Mallon, Seamus
Mans, Keith
Marek, Dr John
Marlow, Tony
Marshall, David *(Shettleston)*
Marshall, John *(Hendon S)*
Marshall, Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Mates, Michael
Maude, Hon Francis
Mawhinney, Dr Brian
Maxwell-Hyslop, Robin
Mellor, David
Meyer, Sir Anthony
Michael, Alun
Michie, Mrs Ray *(Arg'l & Bute)*
Miller, Sir Hal
Mills, Iain
Miscampbell, Norman
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Moate, Roger
Molyneaux, Rt Hon James
Monro, Sir Hector
Montgomery, Sir Fergus
Moore, Rt Hon John
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Morrison, Sir Charles
Morrison, Rt Hon P *(Chester)*
Moss, Malcolm
Moynihan, Hon Colin
Mudd, David
Murphy, Paul
Nelson, Anthony
Neubert, Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Oakes, Rt Hon Gordon
O'Brien, William
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Page, Richard
Paice, James
Paisley, Rev Ian
Parry, Robert
Patten, Rt Hon Chris *(Bath)*
Patten, Rt Hon John
Pawsey, James
Peacock, Mrs Elizabeth
Pike, Peter L.
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Price, Sir David
Raffan, Keith
Raison, Rt Hon Timothy
Rathbone, Tim
Redwood, John
Reid, Dr John
Renton, Rt Hon Tim
Riddick, Graham
Ridley, Rt Hon Nicholas
Ridsdale, Sir Julian
Roberts, Wyn *(Conwy)*
Robertson, George
Robinson, Geoffrey
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion
Rooker, Jeff
Rossi, Sir Hugh
Rost, Peter
Rowlands, Ted
Rumbold, Mrs Angela
Ryder, Richard
Sackville, Hon Tom
Salmond, Alex
Sayeed, Jonathan
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Sheerman, Barry
Shelton, Sir William
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Sillars, Jim
Sims, Roger
Skeet, Sir Trevor
Smith, Sir Cyril *(Rochdale)*
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsfield)*
Smyth, Rev Martin *(Belfast S)*
Soames, Hon Nicholas
Speed, Keith
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Steel, Rt Hon Sir David
Steen, Anthony
Stern, Michael
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Stewart, Rt Hon Ian *(Herts N)*
Straw, Jack
Sumberg, David
Summerson, Hugo
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Ian *(Esher)*
Taylor, Rt Hon J. D. *(S'ford)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Teddy *(S'end E)*
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thornton, Malcolm
Thurnham, Peter
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Trippier, David
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Vaz, Keith
Wakeham, Rt Hon John
Waldegrave, Rt Hon William
Walden, George
Walker, A. Cecil *(Belfast N)*
Walker, Bill *(T'side North)*
Walker, Rt Hon P. *(W'cester)*
Wallace, James
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Warren, Kenneth
Watts, John
Wells, Bowen
Welsh, Andrew *(Angus E)*
Wheeler, Sir John
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Wilkinson, John
Wilshire, David
Wilson, Brian
Winterton, Mrs Ann
Winterton, Nicholas
Wolfson, Mark
Wood, Timothy
Worthington, Tony
Wray, Jimmy
Yeo, Tim
Young, Sir George *(Acton)*
Younger, Rt Hon George

Tellers for the Ayes:
Mr. John Brazier and
Mr. Edward Leigh.

NOES

Abbott, Ms Diane
Allen, Graham
Archer, Rt Hon Peter
Armstrong, Hilary
Ashley, Rt Hon Jack
Banks, Tony *(Newham NW)*
Barnes, Mrs Rosie *(Greenwich)*
Barron, Kevin
Beckett, Margaret
Benn, Rt Hon Tony
Bennett, A. F. *(D'nt'n & R'dish)*
Bidwell, Sydney
Biffen, Rt Hon John
Boateng, Paul
Boyes, Roland
Bradley, Keith
Brown, Nicholas *(Newcastle E)*
Brown, Ron *(Edinburgh Leith)*
Bruce, Malcolm *(Gordon)*
Buchan, Norman
Caborn, Richard
Callaghan, Jim
Cartwright, John
Clark, Dr David *(S Shields)*
Clay, Bob
Clwyd, Mrs Ann
Cohen, Harry
Coleman, Donald
Cook, Robin *(Livingston)*
Corbyn, Jeremy
Cousins, Jim
Cox, Tom
Critchley, Julian
Cryer, Bob
Cunningham, Dr John
Darling, Alistair
Davies, Q. *(Staml'd & Spald'g)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H'l)*
Dobson, Frank
Doran, Frank
Dunwoody, Hon Mrs Gwyneth
Eadie, Alexander
Eastham, Ken
Evans, John *(St Helens N)*
Ewing, Harry *(Falkirk E)*
Fatchett, Derek
Fields, Terry *(L'pool B G'n)*
Flannery, Martin
Foot, Rt Hon Michael
Foster, Derek
Foulkes, George
Fraser, John
Garrett, John *(Norwich South)*
George, Bruce
Gordon, Mildred
Gorman, Mrs Teresa
Gould, Bryan
Grant, Bernie *(Tottenham)*
Harman, Ms Harriet
Haynes, Frank
Heal, Mrs Sylvia
Henderson, Doug
Hoey, Ms Kate *(Vauxhall)*
Howells, Geraint
Howells, Dr. Kim (Pontypridd)
Hoyle, Doug
Hughes, Robert *(Aberdeen N)*
Illsley, Eric
Ingram, Adam
Johnston, Sir Russell
Jones, Barry *(Alyn & Deeside)*
Jones, Martyn *(Clwyd S W)*
Kinnock, Rt Hon Neil
Knox, David
Leighton, Ron
Lestor, Joan *(Eccles)*
Lewis, Terry
Litherland, Robert
Livingstone, Ken
Lloyd, Sir Ian *(Havant)*
Lloyd, Tony *(Stretford)*
McAllion, John
McCartney, Ian
McKelvey, William
McLeish, Henry
McWilliam, John
Madden, Max
Mahon, Mrs Alice
Maples, John
Marland, Paul
Marshall, Jim *(Leicester S)*
Maxton, John
Meacher, Michael
Meale, Alan
Michie, Bill *(Sheffield Heeley)*
Mitchell, Austin *(G't Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, M *(N'hampton S)*
Mowlam, Marjorie
Mullin, Chris
Neale, Gerrard
Nellist, Dave
O'Neill, Martin
Orme, Rt Hon Stanley
Patchett, Terry
Patnick, Irvine
Powell, Ray *(Ogmore)*
Prescott, John
Quin, Ms Joyce
Radice, Giles
Redmond, Martin
Rees, Rt Hon Merlyn
Rhodes James, Robert
Richardson, Jo
Rogers, Allan
Ross, Ernie *(Dundee W)*
Ruddock, Joan
Scott, Rt Hon Nicholas
Sedgemore, Brian
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Smith, J. P. *(Vale of Glam)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Steinberg, Gerry
Stott, Roger
Stradling Thomas, Sir John
Strang, Gavin
Thomas, Dr Dafydd Elis
Townend, John *(Bridlington)*
Tredinnick, David
Turner, Dennis
Viggers, Peter
Walley, Joan

Wardell, Gareth *(Gower)*
Watson, Mike *(Glasgow, C)*
Welsh, Michael *(Doncaster N)*
Wigley, Dafydd
Williams, Rt Hon Alan
Williams, Alan W. *(Carm'then)*
Winnick, David
Wise, Mrs Audrey
Woodcock, Dr. Mike
Young, David *(Bolton SE)*

Tellers for the Noes:
Ms. Dawn Primarolo and
Mrs. Maria Fyfe.

Question accordingly agreed to.
Clause read a Second time.

The Second Deputy Chairman of Ways and Means (Miss Betty Boothroyd): The first amendment is amendment (a), which seeks to make the 18th week the limit. I hope that all hon. Members are clear about that.

Amendment proposed to the new clause: (a), in line 3, leave out 'twenty-fourth' and insert 'eighteenth'.—*[Mr. Kenneth Clarke.]*

Question put, That the amendment be made:—

The Committee divided: Ayes 165, Noes 375.

Division No. 169] **[11.17 pm**

AYES

Alison, Rt Hon Michael
Alton, David
Amess, David
Amos, Alan
Arnold, Jacques *(Gravesham)*
Arnold, Tom *(Hazel Grove)*
Ashby, David
Aspinwall, Jack
Atkins, Robert
Battle, John
Beggs, Roy
Beith, A. J.
Bell, Stuart
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Bevan, David Gilroy
Blaker, Rt Hon Sir Peter
Bowden, A *(Brighton K'pto'n)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Braine, Rt Hon Sir Bernard
Brazier, Julian
Bright, Graham
Burns, Simon
Burt, Alistair
Butler, Chris
Canavan, Dennis
Cash, William
Channon, Rt Hon Paul
Chope, Christopher
Clark, Hon Alan *(Plym'th S'n)*
Clark, Sir W. *(Croydon S)*
Clarke, Tom *(Monklands W)*
Conway, Derek
Coombs, Simon *(Swindon)*
Cormack, Patrick
Cummings, John
Cunliffe, Lawrence
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dickens, Geoffrey
Dicks, Terry
Douglas, Dick
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Evennett, David
Faulds, Andrew
Favell, Tony
Fearn, Ronald
Fookes, Dame Janet
Forsyth, Michael *(Stirling)*
Forsythe, Clifford *(Antrim S)*
Fox, Sir Marcus
Freeman, Roger
French, Douglas
Fry, Peter
Gale, Roger
Garel-Jones, Tristan
Gorst, John
Greenway, Harry *(Ealing N)*
Griffiths, Peter *(Portsmouth N)*
Grylls, Michael
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Neil *(Tatton)*
Hargreaves, Ken *(Hyndburn)*
Hayes, Jerry
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Hicks, Mrs Maureen *(Wolv' NE)*
Hill, James
Hind, Kenneth
Hughes, Robert G. *(Harrow W)*
Hume, John
Hunter, Andrew
Irvine, Michael
Irving, Sir Charles
Janman, Tim
Jones, Robert B *(Herts W)*
Kellett-Bowman, Dame Elaine
Kilfedder, James
Kirkhope, Timothy
Knight, Dame Jill *(Edgbaston)*
Lamble, David
Latham, Michael
Leigh, Edward *(Gainsbor'gh)*
Lilley, Peter
Lloyd, Peter *(Fareham)*
Lofthouse, Geoffrey
McAvoy, Thomas
McCrea, Rev William
Macdonald, Calum A.
McFall, John
Macfarlane, Sir Neil
McGrady, Eddie
McLoughlin, Patrick
McNamara, Kevin
Malins, Humfrey
Mallon, Seamus
Mans, Keith
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Michael *(Arundel)*
Martin, Michael J. *(Springburn)*
Maude, Hon Francis
Mawhinney, Dr Brian
Mills, Iain
Molyneaux, Rt Hon James
Monro, Sir Hector
Montgomery, Sir Fergus
Morrison, Rt Hon P *(Chester)*
Moynihan, Hon Colin
Mudd, David
Murphy, Paul
Neubert, Michael
Nicholls, Patrick
Norris, Steve
Oakes, Rt Hon Gordon
Page, Richard
Paice, James
Paisley, Rev Ian
Parry, Robert
Patten, Rt Hon Chris *(Bath)*
Patten, Rt Hon John
Pawsey, James
Peacock, Mrs Elizabeth
Porter, David *(Waveney)*
Powell, William *(Corby)*
Redwood, John
Reid, Dr John
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion
Rossi, Sir Hugh
Sayeed, Jonathan
Shaw, David *(Dover)*
Shelton, Sir William
Sillars, Jim
Skeet, Sir Trevor
Smith, Sir Cyril *(Rochdale)*
Smyth, Rev Martin *(Belfast S)*
Speed, Keith
Speller, Tony
Stanbrook, Ivor
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Sumberg, David
Summerson, Hugo
Taylor, Teddy *(S'end E)*
Thorne, Neil
Thornton, Malcolm
Tracey, Richard
Trippier, David
Vaz, Keith
Waldegrave, Rt Hon William
Walker, A. Cecil *(Belfast N)*
Walker, Rt Hon P. *(W'cester)*
Waller, Gary
Watts, John
Whitney, Ray
Widdecombe, Ann
Winterton, Mrs Ann
Winterton, Nicholas

Tellers for the Ayes:
Mr. A. E. P. Duffy and
Mr. Toby Jessel.

NOES

Abbott, Ms Diane
Aitken, Jonathan
Alexander, Richard
Allason, Rupert
Allen, Graham
Arbuthnot, James
Archer, Rt Hon Peter
Armstrong, Hilary
Ashdown, Rt Hon Paddy
Ashley, Rt Hon Jack
Baker, Rt Hon K. *(Mole Valley)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Banks, Tony *(Newham NW)*
Barnes, Mrs Rosie *(Greenwich)*
Barron, Kevin
Batiste, Spencer
Beaumont-Dark, Anthony
Beckett, Margaret
Benn, Rt Hon Tony
Bennett, A. F. *(D'nt'n & R'dish)*
Bermingham, Gerald
Bidwell, Sydney
Biffen, Rt Hon John
Blair, Tony
Blunkett, David
Boateng, Paul
Body, Sir Richard
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, Gerald *(Dulwich)*
Boyes, Roland
Bradley, Keith
Brandon-Bravo, Martin
Brown, Gordon *(D'mline E)*
Brown, Michael *(Brigg & Cl't's)*
Brown, Nicholas *(Newcastle E)*
Brown, Ron *(Edinburgh Leith)*
Browne, John *(Winchester)*
Bruce, Ian *(Dorset South)*
Bruce, Malcolm *(Gordon)*
Buchan, Norman
Buchanan-Smith, Rt Hon Alick
Buck, Sir Antony
Buckley, George J.
Budgen, Nicholas
Caborn, Richard
Callaghan, Jim
Campbell, Menzies *(Fife NE)*
Campbell, Ron *(Blyth Valley)*
Carlile, Alex *(Mont'g)*
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Cartwright, John
Chapman, Sydney
Clark, Dr David *(S Shields)*
Clarke, Rt Hon K. *(Rushcliffe)*
Clay, Bob
Clelland, David
Clwyd, Mrs Ann
Cohen, Harry
Coleman, Donald
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Coombs, Anthony *(Wyre F'rest)*
Cope, Rt Hon John
Corbett, Robin
Corbyn, Jeremy
Couchman, James
Cousins, Jim
Cox, Tom
Cran, James
Critchley, Julian
Crowther, Stan
Cryer, Bob
Cunningham, Dr John
Currie, Mrs Edwina
Dalyell, Tam
Darling, Alistair
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Q. *(Stamf'd & Spald'g)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H'l)*
Dewar, Donald
Dixon, Don
Dobson, Frank
Doran, Frank
Dunwoody, Hon Mrs Gwyneth
Durant, Tony
Dykes, Hugh
Eadie, Alexander
Eastham, Ken
Eggar, Tim
Emery, Sir Peter
Evans, David *(Welwyn Hatf'd)*
Evans, John *(St Helens N)*
Ewing, Harry *(Falkirk E)*
Fatchett, Derek
Field, Barry *(Isle of Wight)*
Field, Frank *(Birkenhead)*
Fields, Terry *(L'pool B G'n)*
Flannery, Martin
Flynn, Paul
Foot, Rt Hon Michael
Forman, Nigel
Foster, Derek
Foulkes, George
Fowler, Rt Hon Sir Norman
Fraser, John
Galloway, George
Gardiner, George
Garrett, John *(Norwich South)*
George, Bruce
Gill, Christopher

Gilmour, Rt Hon Sir Ian
Glyn, Dr Sir Alan
Godman, Dr Norman A.
Golding, Mrs Llin
Goodhart, Sir Philip
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gordon, Mildred
Gould, Bryan
Gow, Ian
Grant, Bernie *(Tottenham)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Sir Eldon *(Bury St E')*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grist, Ian
Grocott, Bruce
Ground, Patrick
Hamilton, Hon Archie *(Epsom)*
Hanley, Jeremy
Hannam, John
Harman, Ms Harriet
Harris, David
Haselhurst, Alan
Hawkins, Christopher
Haynes, Frank
Heal, Mrs Sylvia
Heath, Rt Hon Edward
Heathcoat-Amory, David
Henderson, Doug
Heseltine, Rt Hon Michael
Hicks, Robert *(Cornwall SE)*
Higgins, Rt Hon Terence L.
Hinchliffe, David
Hoey, Ms Kate *(Vauxhall)*
Hogg, Hon Douglas *(Gr'th'm)*
Hogg, N. *(C'nauld & Kilsyth)*
Holt, Richard
Hood, Jimmy
Howard, Rt Hon Michael
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howe, Rt Hon Sir Geoffrey
Howell, Rt Hon David *(G'dford)*
Howells, Geraint
Howells, Dr. Kim (Pontypridd)
Hoyle, Doug
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Simon *(Southwark)*
Hunt, Sir John *(Ravensbourne)*
Illsley, Eric
Ingram, Adam
Jack, Michael
Janner, Greville
Johnston, Sir Russell
Jones, Barry *(Alyn & Deeside)*
Jones, Gwilym *(Cardiff N)*
Jones, Ieuan *(Ynys Môn)*
Jones, Martyn *(Clwyd S W)*
Jopling, Rt Hon Michael
Kaufman, Rt Hon Gerald
Key, Robert
King, Roger *(B'ham N'thfield)*
Kinnock, Rt Hon Neil
Kirkwood, Archy
Knapman, Roger
Knight, Greg *(Derby North)*
Knox, David
Lamont, Rt Hon Norman
Lawson, Rt Hon Nigel
Leadbitter, Ted
Lee, John *(Pendle)*
Leighton, Ron
Lennox-Boyd, Hon Mark
Lester, Jim *(Broxtowe)*
Lestor, Joan *(Eccles)*
Lewis, Terry
Litherland, Robert
Livingstone, Ken
Livsey, Richard
Lloyd, Sir Ian *(Havant)*
Lloyd, Tony *(Stretford)*
Lord, Michael
Luce, Rt Hon Richard
Lyell, Rt Hon Sir Nicholas
McAllion, John
McCartney, Ian
McCrindle, Robert
MacGregor, Rt Hon John
McKay, Allen *(Barnsley West)*
MacKay, Andrew *(E Berkshire)*
McKelvey, William
Maclean, David
McLeish, Henry
Maclennan, Robert
McWilliam, John
Madden, Max
Madel, David
Mahon, Mrs Alice
Major, Rt Hon John
Maples, John
Marek, Dr John
Marland, Paul
Marshall, Jim *(Leicester S)*
Martin, David *(Portsmouth S)*
Martlew, Eric
Mates, Michael
Maxton, John
Maxwell-Hyslop, Robin
Meacher, Michael
Meale, Alan
Mellor, David
Meyer, Sir Anthony
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Arg'l & Bute)*
Miller, Sir Hal
Miscampbell, Norman
Mitchell, Andrew *(Gedling)*
Mitchell, Austin *(G't Grimsby)*
Mitchell, Sir David
Moonie, Dr Lewis
Moore, Rt Hon John
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon J. *(Aberavon)*
Morris, M *(N'hampton S)*
Morrison, Sir Charles
Moss, Malcolm
Mowlam, Marjorie
Mullin, Chris
Neale, Gerrard
Neillist, Dave
Nelson, Anthony
Newton, Rt Hon Tony
Nicholson, Emma *(Devon West)*
O'Neill, Martin
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Orme, Rt Hon Stanley
Patchett, Terry
Patnick, Irvine
Pattie, Rt Hon Sir Geoffrey
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prescott, John
Primarolo, Dawn
Quin, Ms Joyce
Radice, Giles
Raffan, Keith
Raison, Rt Hon Timothy
Rathbone, Tim
Redmond, Martin
Rees, Rt Hon Merlyn
Renton, Rt Hon Tim
Rhodes James, Robert
Richardson, Jo
Riddick, Graham
Ridley, Rt Hon Nicholas
Roberts, Wyn *(Conwy)*
Robertson, George
Robinson, Geoffrey
Rogers, Allan
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Ruddock, Joan
Rumbold, Mrs Angela
Ryder, Richard
Sackville, Hon Tom
Salmond, Alex
Scott, Rt Hon Nicholas
Sedgemore, Brian
Shaw, Sir Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Sheerman, Barry
Sheldon, Rt Hon Robert
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shore, Rt Hon Peter
Short, Clare
Sims, Roger
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Smith, Sir Dudley *(Warwick)*
Smith, J. P. *(Vale of Glam)*
Smith, Tim *(Beaconsfield)*
Snape, Peter
Soames, Hon Nicholas
Soley, Clive
Spearing, Nigel
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanley, Rt Hon Sir John
Steel, Rt Hon Sir David
Steen, Anthony
Steinberg, Gerry
Stern, Michael
Stewart, Andy *(Sherwood)*
Stewart, Rt Hon Ian *(Herts N)*
Stott, Roger
Stradling Thomas, Sir John
Strang, Gavin
Straw, Jack
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Ian *(Esher)*
Taylor, Rt Hon J. D. *(S'ford)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Temple-Morris, Peter
Thomas, Dr Dafydd Elis
Thompson, D. *(Calder Valley)*
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(B'heath)*
Tredinnick, David
Trotter, Neville
Turner, Dennis
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Wakeham, Rt Hon John
Walden, George
Walker, Bill *(T'side North)*
Walley, Joan
Ward, John
Wardell, Gareth *(Gower)*
Wardle, Charles *(Bexhill)*
Warren, Kenneth
Watson, Mike *(Glasgow, C)*
Wells, Bowen
Welsh, Andrew *(Angus E)*
Welsh, Michael *(Doncaster N)*
Wheeler, Sir John
Wiggin, Jerry
Wigley, Dafydd
Wilkinson, John
Williams, Rt Hon Alan
Williams, Alan W. *(Carm'then)*
Wilshire, David
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Wolfson, Mark
Wood, Timothy
Woodcock, Dr. Mike
Worthington, Tony
Wray, Jimmy
Young, David *(Bolton SE)*
Young, Sir George *(Acton)*
Younger, Rt Hon George

Tellers for the Noes:
Mrs. Maria Fyfe and
Mrs. Teresa Gorman.

Question accordingly negatived.

Amendment proposed to the new clause: (b), in line 3, leave out 'twenty-fourth' and insert 'twenty-eighth'.—*Mr. Kenneth Clarke.]*

Question put, That the amendment be made:

The Committee proceeded to a Division—

Mr. Dennis Canavan (Falkirk, West) *(seated and covered):* On a point of order, Miss Boothroyd.

The Committee having divided: Ayes 141, Noes 382.

Division No. 170] **[11.31 pm**

AYES

Abbott, Ms Diane
Allen, Graham
Archer, Rt Hon Peter
Ashley, Rt Hon Jack
Banks, Tony *(Newham NW)*
Barnes, Mrs Rosie *(Greenwich)*
Barron, Kevin
Beckett, Margaret
Benn, Rt Hon Tony
Bennett, A. F. *(D'nt'n & R'dish)*
Bidwell, Sydney
Biffen, Rt Hon John
Boateng, Paul
Boyes, Roland
Bradley, Keith
Brown, Nicholas *(Newcastle E)*
Brown, Ron *(Edinburgh Leith)*
Bruce, Malcolm *(Gordon)*
Buchan, Norman
Buck, Sir Antony
Caborn, Richard
Callaghan, Jim
Cartwright, John
Clark, Dr David *(S Shields)*
Clay, Bob
Clwyd, Mrs Ann
Cohen, Harry
Coleman, Donald

Corbyn, Jeremy
Cousins, Jim
Cox, Tom
Cryer, Bob
Cunningham, Dr John
Darling, Alistair
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H'l)*
Dobson, Frank
Doran, Frank
Eadie, Alexander
Eastham, Ken
Evans, John *(St Helens N)*
Ewing, Harry *(Falkirk E)*
Fatchett, Derek
Fields, Terry *(L'pool B G'n)*
Flannery, Martin
Foot, Rt Hon Michael
Foster, Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Garrett, John *(Norwich South)*
George, Bruce
Goodson-Wickes, Dr Charles
Gordon, Mildred
Gorman, Mrs Teresa
Gould, Bryan
Grant, Bernie *(Tottenham)*
Harman, Ms Harriet
Haynes, Frank
Heal, Mrs Sylvia
Henderson, Doug
Hoey, Ms Kate *(Vauxhall)*
Howells, Geraint
Howells, Dr. Kim (Pontypridd)
Hoyle, Doug
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Illsley, Eric
Johnston, Sir Russell
Jones, Barry *(Alyn & Deeside)*
Jones, Martyn *(Clwyd S W)*
Kinnock, Rt Hon Neil
Leighton, Ron
Lennox-Boyd, Hon Mark
Lestor, Joan *(Eccles)*
Lewis, Terry
Litherland, Robert
Livingstone, Ken
Lloyd, Sir Ian *(Havant)*
Lloyd, Tony *(Stretford)*
McAllion, John
McCartney, Ian
McKelvey, William
McWilliam, John
Madden, Max
Mahon, Mrs Alice
Marshall, Jim *(Leicester S)*
Maxton, John
Meacher, Michael
Meale, Alan
Michie, Bill *(Sheffield Heeley)*
Mitchell, Sir David
Moonie, Dr Lewis
Morgan, Rhodri
Morris, M *(N'hampton S)*
Neale, Gerrard
Nellist, Dave
O'Neill, Martin
Orme, Rt Hon Stanley
Patchett, Terry
Powell, Ray *(Ogmore)*
Prescott, John
Radice, Giles
Redmond, Martin
Richardson, Jo
Rogers, Allan
Ross, Ernie *(Dundee W)*
Ruddock, Joan
Sedgemore, Brian
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Smith, J. P. *(Vale of Glam)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Steinberg, Gerry
Stott, Roger
Stradling Thomas, Sir John
Strang, Gavin
Thomas, Dr Dafydd Elis
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(B'heath)*
Tredinnick, David
Turner, Dennis
Viggers, Peter
Walley, Joan
Wardell, Gareth *(Gower)*
Watson, Mike *(Glasgow, C)*
Welsh, Michael *(Doncaster N)*
Wigley, Dafydd
Williams, Rt Hon Alan
Williams, Alan W. *(Carm'then)*
Winnick, David
Wise, Mrs Audrey
Woodcock, Dr. Mike
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mrs. Gwyneth Dunwoody
and
Ms. Dawn Primarolo.

NOES

Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael
Allason, Rupert
Alton, David
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Tom *(Hazel Grove)*
Ashby, David
Ashdown, Rt Hon Paddy
Aspinwall, Jack
Atkins, Robert
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Batiste, Spencer
Battle, John
Beaumont-Dark, Anthony
Beggs, Roy
Beith, A. J.
Bell, Stuart
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Bermingham, Gerald
Bevan, David Gilroy
Blaker, Rt Hon Sir Peter
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, A *(Brighton K'pto'n)*
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Brown, Michael *(Brigg & Cl't's)*
Browne, John *(Winchester)*
Bruce, Ian *(Dorset South)*
Buchanan-Smith, Rt Hon Alick
Buckley, George J.
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Chris
Butterfill, John
Campbell, Menzies *(Fife NE)*
Campbell, Ron *(Blyth Valley)*
Canavan, Dennis
Carlile, Alex *(Mont'g)*
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Cash, William
Channon, Rt Hon Paul
Chapman, Sydney
Clark, Hon Alan *(Plym'th S'n)*
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Clarke, Tom *(Monklands W)*
Conway, Derek
Cook, Frank *(Stockton N)*
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Corbett, Robin
Cormack, Patrick
Couchman, James
Cran, James
Crowther, Stan
Cummings, John
Cunliffe, Lawrence
Currie, Mrs Edwina
Dalyell, Tam
Davies, Rt Hon Denzil *(Llanelli)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dewar, Donald
Dickens, Geoffrey
Dicks, Terry
Dixon, Don
Douglas, Dick
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Dunnachie, Jimmy
Durant, Tony
Eggar, Tim
Emery, Sir Peter
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Fallon, Michael
Faulds, Andrew
Favell, Tony
Fearn, Ronald
Field, Barry *(Isle of Wight)*
Field, Frank *(Birkenhead)*
Flynn, Paul
Fookes, Dame Janet
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forsythe, Clifford *(Antrim S)*
Fowler, Rt Hon Sir Norman
Fox, Sir Marcus
Freeman, Roger
French, Douglas
Fry, Peter
Gale, Roger
Galloway, George
Gardiner, George
Garel-Jones, Tristan
Gill, Christopher
Glyn, Dr Sir Alan
Godman, Dr Norman A.
Golding, Mrs Llin
Goodhart, Sir Philip
Gorst, John
Gow, Ian
Graham, Thomas
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Sir Eldon *(Bury St E')*
Griffiths, Peter *(Portsmouth N)*
Griffiths, Win *(Bridgend)*
Grist, Ian
Grocott, Bruce
Ground, Patrick
Grylls, Michael
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hardy, Peter
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Haselhurst, Alan
Hawkins, Christopher
Hayes, Jerry
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heath, Rt Hon Edward
Heathcoat-Amory, David
Heseltine, Rt Hon Michael
Hicks, Mrs Maureen *(Wolv' NE)*
Higgins, Rt Hon Terence L.
Hill, James
Hinchliffe, David
Hind, Kenneth
Hogg, Hon Douglas *(Gr'th'm)*
Hogg, N. *(C'nauld & Kilsyth)*
Holt, Richard
Home Robertson, John
Hood, Jimmy
Hordern, Sir Peter
Howard, Rt Hon Michael
Howarth, G. *(Cannock & B'wd)*
Howe, Rt Hon Sir Geoffrey
Howell, Rt Hon David *(G'dford)*
Hughes, Robert G. *(Harrow W)*
Hughes, Simon *(Southwark)*
Hume, John
Hunt, David *(Wirral W)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Irvine, Michael
Irving, Sir Charles
Jack, Michael
Janman, Tim
Janner, Greville
Jones, Gwilym *(Cardiff N)*
Jones, Ieuan *(Ynys Môn)*
Jones, Robert B *(Herts W)*
Jopling, Rt Hon Michael
Kaufman, Rt Hon Gerald
Kellett-Bowman, Dame Elaine
Kennedy, Charles
Key, Robert
Kilfedder, James
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Kirkwood, Archy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Lambie, David

Lamont, Rt Hon Norman
Lang, Ian
Latham, Michael
Lawrence, Ivan
Lawson, Rt Hon Nigel
Leadbitter, Ted
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lester, Jim *(Broxtowe)*
Lightbown, David
Lilley, Peter
Livsey, Richard
Lloyd, Peter *(Fareham)*
Lofthouse, Geoffrey
Lord, Michael
Luce, Rt Hon Richard
Lyell, Rt Hon Sir Nicholas
McAvoy, Thomas
McCrea, Rev William
McCrindle, Robert
Macdonald, Calum A.
McFall, John
Macfarlane, Sir Neil
McGrady, Eddie
MacGregor, Rt Hon John
Maclennan, Robert
McLoughlin, Patrick
McNair-Wilson, Sir Michael
McNamara, Kevin
Madel, David
Major, Rt Hon John
Malins, Humfrey
Mallon, Seamus
Mans, Keith
Marek, Dr John
Marland, Paul
Marlow, Tony
Marshall, David *(Shettleston)*
Marshall, John *(Hendon S)*
Marshall, Michael *(Arundel)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Mates, Michael
Maude, Hon Francis
Mawhinney, Dr Brian
Maxwell-Hyslop, Robin
Mellor, David
Meyer, Sir Anthony
Michael, Alun
Michie, Mrs Ray *(Arg'l & Bute)*
Miller, Sir Hal
Mills, Iain
Mitchell, Andrew *(Gedling)*
Moate, Roger
Molyneaux, Rt Hon James
Monro, Sir Hector
Montgomery, Sir Fergus
Moore, Rt Hon John
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Morrison, Sir Charles
Morrison, Rt Hon P *(Chester)*
Moss, Malcolm
Moynihan, Hon Colin
Mudd, David
Murphy, Paul
Nelson, Anthony
Neubert, Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Oakes, Rt Hon Gordon
O'Brien, William
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Page, Richard
Paice, James
Paisley, Rev Ian
Parry, Robert
Patnick, Irvine
Patten, Rt Hon Chris *(Bath)*
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Pike, Peter L.
Porter, David *(Waveney)*
Portillo, Michael
Price, Sir David
Raison, Rt Hon Timothy
Rathbone, Tim
Redwood, John
Reid, Dr John
Renton, Rt Hon Tim
Rhodes James, Robert
Ridley, Rt Hon Nicholas
Roberts, Wyn *(Conwy)*
Robertson, George
Robinson, Geoffrey
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion
Rossi, Sir Hugh
Rowlands, Ted
Rumbold, Mrs Angela
Salmond, Alex
Sayeed, Jonathan
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shelton, Sir William
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Sillars, Jim
Sims, Roger
Skeet, Sir Trevor
Smith, Sir Cyril *(Rochdale)*
Smith, Sir Dudley *(Warwick)*
Smith, Rt Hon J. *(Monk'ds E)*
Smith, Tim *(Beaconsfield)*
Smyth, Rev Martin *(Belfast S)*
Soames, Hon Nicholas
Speed, Keith
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Steel, Rt Hon Sir David
Steen, Anthony
Stern, Michael
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Stewart, Rt Hon Ian *(Herts N)*
Straw, Jack
Sumberg, David
Summerson, Hugo
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Ian *(Esher)*
Taylor, Rt Hon J. D. *(S'ford)*
Taylor, John M *(Solihull)*
Taylor, Teddy *(S'end E)*
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thornton, Malcolm
Tracey, Richard
Trippier, David
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Vaz, Keith
Wakeham, Rt Hon John
Waldegrave, Rt Hon William
Walden, George
Walker, A. Cecil *(Belfast N)*
Walker, Bill *(T'side North)*
Wallace, James
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Warren, Kenneth
Watts, John
Wells, Bowen
Welsh, Andrew *(Angus E)*
Wheeler, Sir John
Whitney, Ray
Widdecombe, Ann
Wilkinson, John
Wilshire, David
Winterton, Mrs Ann
Winterton, Nicholas
Wolfson, Mark
Wood, Timothy
Worthington, Tony
Wray, Jimmy
Yeo, Tim
Young, Sir George *(Acton)*
Younger, Rt Hon George

Tellers for the Noes:
Mr. A. E. P. Duffy and
Mr. Toby Jessel.

Question accordingly negatived.

11.45 pm

The Second Deputy Chairman: The hon. Member for Falkirk, West (Mr. Canavan) has a point of order.

Mr. Canavan: On a point of order, Miss Boothroyd. My colleague the hon. Member for Liverpool, Riverside (Mr. Parry) asked me to nod him through during the Division that has just taken place. I took the trouble of checking with the Clerk, and the Clerk who was marking off the names on the register took the name of my hon. Friend the Member for Riverside, but there seemed to be some dispute with the Tellers as to whether my hon. Friend's vote had been recorded. I am hereby vouching for the fact that my hon. Friend, who suffered a car accident some time ago, is still suffering a disability and is incapable of continuously going through the Lobby tonight. I ask your guidance, Miss Boothroyd, on whether his vote was valid in the previous Division and whether it will be in subsequent Divisions.

The Second Deputy Chairman: Let me make the position clear to the House. Nodding through is not a rule of the House. It is usually done when an hon. Member has a medical problem, but it has nothing to do with the Chair. It is usually settled by the political parties concerned. In this case, it must be agreed by those who are organising the vote—that is, it has nothing whatever to do with the Clerks; it has to do with the Tellers. If they agree that an hon. Member can be nodded through, so be it. I hope that that makes the matter quite clear.

Amendment proposed to the new clause: (c), in line 3, leave out 'twenty-fourth' and insert 'twentieth'.—*[Mr. Kenneth Clarke.]*

Question put, That the amendment be made:—

The Committee divided: Ayes 189, Noes 358.

Division No. 171] **[11.48 pm**

AYES

Alison, Rt Hon Michael
Alton, David
Amess, David
Amos, Alan
Arnold, Jacques *(Gravesham)*
Arnold, Tom *(Hazel Grove)*
Ashby, David
Aspinwall, Jack
Atkins, Robert
Baker, Nicholas *(Dorset N)*
Banks, Robert *(Harrogate)*
Battle, John
Begg, Roy
Beith, A. J.
Bell, Stuart
Bellingham, Henry
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Bermingham, Gerald
Bevan, David Gilroy
Blaker, Rt Hon Sir Peter
Bowden, A *(Brighton K'pto'n)*
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Braine, Rt Hon Sir Bernard
Brazier, Julian
Bright, Graham
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Chris
Canavan, Dennis

Cash, William
Channon, Rt Hon Paul
Chope, Christopher
Clark, Hon Alan *(Plym'th S'n)*
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Clarke, Tom *(Monklands W)*
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cormack, Patrick
Cummings, John
Cunliffe, Lawrence
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dickens, Geoffrey
Dicks, Terry
Douglas, Dick
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Evennett, David
Fallon, Michael
Faulds, Andrew
Favell, Tony
Fearn, Ronald
Field, Frank *(Birkenhead)*
Forsyth, Michael *(Stirling)*
Forsythe, Clifford *(Antrim S)*
Fox, Sir Marcus
Freeman, Roger
French, Douglas
Fry, Peter
Gale, Roger
Garel-Jones, Tristan
Goodhart, Sir Philip
Gorst, John
Greenway, Harry *(Ealing N)*
Griffiths, Peter *(Portsmouth N)*
Grylls, Michael
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Neil *(Tatton)*
Hargreaves, Ken *(Hyndburn)*
Hayes, Jerry
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Hicks, Mrs Maureen *(Wolv' NE)*
Hill, James
Hind, Kenneth
Home Robertson, John
Hughes, Robert G. *(Harrow W)*
Hume, John
Hunter, Andrew
Irvine, Michael
Jack, Michael
Janman, Tim
Jessel, Toby
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Kellett-Bowman, Dame Elaine
Killedder, James
Kirkhope, Timothy
Knapman, Roger
Knight, Dame Jill *(Edgbaston)*
Lamble, David
Lang, Ian
Latham, Michael
Lawrence, Ivan
Lilley, Peter
Lloyd, Peter *(Fareham)*
Lofthouse, Geoffrey
McAvoy, Thomas
McCrea, Rev William
Macdonald, Calum A.
McFall, John
Macfarlane, Sir Neil
McGrady, Eddie
McLoughlin, Patrick
McNamara, Kevin
Malins, Humfrey
Mallon, Seamus
Mans, Keith
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Michael *(Arundel)*
Martin, Michael J. *(Springburn)*
Maude, Hon Francis
Mawhinney, Dr Brian
Mills, Iain
Moate, Roger
Molyneaux, Rt Hon James
Monro, Sir Hector
Montgomery, Sir Fergus
Morrison, Rt Hon P *(Chester)*
Moss, Malcolm
Moynihan, Hon Colin
Mudd, David
Murphy, Paul
Neubert, Michael
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Oakes, Rt Hon Gordon
O'Brien, William
Page, Richard
Paice, James
Paisley, Rev Ian
Parry, Robert
Patten, Rt Hon Chris *(Bath)*
Patten, Rt Hon John
Pawsey, James
Peacock, Mrs Elizabeth
Porter, David *(Waveney)*
Portillo, Michael
Price, Sir David
Redwood, John
Reid, Dr John
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion
Roesi, Sir Hugh
Rowlands, Ted
Rumbold, Mrs Angela
Sayeed, Jonathan
Shaw, David *(Dover)*
Shelton, Sir William
Sillars, Jim
Skeet, Sir Trevor
Smith, Sir Cyril *(Rochdale)*
Smith, Sir Dudley *(Warwick)*
Smyth, Rev Martin *(Belfast S)*
Speed, Keith
Speller, Tony
Stanbrook, Ivor
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Sumberg, David
Summerson, Hugo
Taylor, Teddy *(S'end E)*
Tebbit, Rt Hon Norman
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thornton, Malcolm
Tracey, Richard
Trippier, David
Vaz, Keith
Waldegrave, Rt Hon William
Walker, A. Cecil *(Belfast N)*
Waller, Gary
Watts, John
Whitney, Ray
Widdecombe, Ann
Winterton, Mrs Ann
Winterton, Nicholas

Tellers for the Ayes:
Mr. Edward Leigh and
Mr. A. E. P. Duffy.

NOES

Abbott, Ms Diane
Aitken, Jonathan
Alexander, Richard
Allason, Rupert
Allen, Graham
Arbuthnot, James
Archer, Rt Hon Peter
Armstrong, Hilary
Ashdown, Rt Hon Paddy
Ashley, Rt Hon Jack
Baker, Rt Hon K. *(Mole Valley)*
Baldry, Tony
Banks, Tony *(Newham NW)*
Barnes, Mrs Rosie *(Greenwich)*
Batiste, Spencer
Beaumont-Dark, Anthony
Beckett, Margaret
Benn, Rt Hon Tony
Bennett, A. F. *(D'nt'n & R'dish)*
Bidwell, Sydney
Biffen, Rt Hon John
Blair, Tony
Blunkett, David
Boateng, Paul
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Boyes, Roland
Bradley, Keith
Brown, Gordon *(D'mline E)*
Brown, Michael *(Brigg & Cl'ts)*
Brown, Nicholas *(Newcastle E)*
Brown, Ron *(Edinburgh Leith)*
Browne, John *(Winchester)*
Bruce, Ian *(Dorset South)*
Bruce, Malcolm *(Gordon)*
Buchan, Norman
Buchanan-Smith, Rt Hon Alick
Buck, Sir Antony
Buckley, George J.
Budgen, Nicholas
Caborn, Richard
Callaghan, Jim
Campbell, Menzies *(Fife NE)*
Campbell, Ron *(Blyth Valley)*
Carlile, Alex *(Mont'g)*
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Cartwright, John
Chapman, Sydney
Clark, Dr David *(S Shields)*
Clarke, Rt Hon K. *(Rushcliffe)*
Clay, Bob
Clelland, David
Clwyd, Mrs Ann
Cohen, Harry
Coleman, Donald
Colvin, Michael
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Cope, Rt Hon John
Corbett, Robin
Corbyn, Jeremy
Couchman, James
Cousins, Jim
Cox, Tom
Cran, James
Critchley, Julian
Crowther, Stan
Cryer, Bob
Cunningham, Dr John
Currie, Mrs Edwina
Dalyell, Tam
Darling, Alistair
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Q. *(Stamf'd & Spald'g)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H'l)*
Dewar, Donald
Dixon, Don
Dobson, Frank
Doran, Frank
Dunwoody, Hon Mrs Gwyneth
Durant, Tony
Dykes, Hugh
Eadie, Alexander
Eastham, Ken
Eggar, Tim
Evans, David *(Welwyn Hatf'd)*
Evans, John *(St Helens N)*
Ewing, Harry *(Falkirk E)*
Fatchett, Derek
Field, Barry *(Isle of Wight)*
Fields, Terry *(L'pool B G'n)*
Flannery, Martin
Flynn, Paul
Foot, Rt Hon Michael
Forman, Nigel
Foster, Derek
Foulkes, George
Fowler, Rt Hon Sir Norman
Fraser, John
Galloway, George
Gardiner, George
Garrett, John *(Norwich South)*
George, Bruce
Gill, Christopher
Gilmour, Rt Hon Sir Ian
Glyn, Dr Sir Alan
Godman, Dr Norman A.
Golding, Mrs Llin
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gordon, Mildred
Gould, Bryan
Gow, Ian
Grant, Bernie *(Tottenham)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Sir Eldon *(Bury St E')*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grist, Ian
Grocott, Bruce
Ground, Patrick
Hamilton, Hon Archie *(Epsom)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, John
Harman, Ms Harriet
Harris, David
Haselhurst, Alan
Hawkins, Christopher
Haynes, Frank
Heal, Mrs Sylvia
Healey, Rt Hon Denis
Heath, Rt Hon Edward
Heathcoat-Amory, David
Henderson, Doug
Heseltine, Rt Hon Michael
Hicks, Robert *(Cornwall SE)*
Higgins, Rt Hon Terence L.
Hinchliffe, David
Hoey, Ms Kate *(Vauxhall)*
Hogg, Hon Douglas *(Gr'th'm)*
Hogg, N. *(C'nauld & Killsyth)*
Holt, Richard
Hood, Jimmy
Howard, Rt Hon Michael
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howe, Rt Hon Sir Geoffrey
Howell, Rt Hon David *(G'dford)*
Howells, Geraint
Howells, Dr. Kim *(Pontypridd)*

Hoyle, Doug
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Simon *(Southwark)*
Hunt, Sir John *(Ravensbourne)*
Hurd, Rt Hon Douglas
Illsley, Eric
Ingram, Adam
Jackson, Robert
Janner, Greville
Johnston, Sir Russell
Jones, Barry *(Alyn & Deeside)*
Jones, Ieuan *(Ynys Môn)*
Jones, Martyn *(Clwyd S W)*
Jopling, Rt Hon Michael
Kaufman, Rt Hon Gerald
Key, Robert
King, Roger *(B'ham N'thfield)*
Kinnock, Rt Hon Neil
Kirkwood, Archy
Knight, Greg *(Derby North)*
Knox, David
Lamont, Rt Hon Norman
Lawson, Rt Hon Nigel
Leadbitter, Ted
Lee, John *(Pendle)*
Leighton, Ron
Lennox-Boyd, Hon Mark
Lester, Jim *(Broxtowe)*
Lestor, Joan *(Eccles)*
Lewis, Terry
Litherland, Robert
Livingstone, Ken
Livsey, Richard
Lloyd, Sir Ian *(Havant)*
Lloyd, Tony *(Stretford)*
Lord, Michael
Luce, Rt Hon Richard
Lyell, Rt Hon Sir Nicholas
McAllion, John
McCartney, Ian
McCrindle, Robert
MacGregor, Rt Hon John
McKay, Allen *(Barnsley West)*
MacKay, Andrew *(E Berkshire)*
McKelvey, William
Maclean, David
McLeish, Henry
Maclennan, Robert
McWilliam, John
Madden, Max
Madel, David
Mahon, Mrs Alice
Major, Rt Hon John
Maples, John
Marek, Dr John
Marland, Paul
Marshall, Jim *(Leicester S)*
Martin, David *(Portsmouth S)*
Martlew, Eric
Mates, Michael
Maxton, John
Meacher, Michael
Meale, Alan
Meyer, Sir Anthony
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Arg'l & Bute)*
Miller, Sir Hal
Miscampbell, Norman
Mitchell, Andrew *(Gedling)*
Mitchell, Austin *(G't Grimsby)*
Mitchell, Sir David
Moonie, Dr Lewis
Moore, Rt Hon John
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon J. *(Aberavon)*
Morris, M *(N'hampton S)*
Morrison, Sir Charles
Mowlam, Marjorie
Mullin, Chris
Neale, Gerrard
Nelliet, Dave
Nelson, Anthony
Newton, Rt Hon Tony
Nicholson, Emma *(Devon West)*
O'Neill, Martin
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Orme, Rt Hon Stanley
Patchett, Terry
Patnick, Irvine
Pattie, Rt Hon Sir Geoffrey
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prescott, John
Primarolo, Dawn
Quin, Ms Joyce
Radice, Giles
Raffan, Keith
Raison, Rt Hon Timothy
Rathbone, Tim
Redmond, Martin
Rees, Rt Hon Merlyn
Renton, Rt Hon Tim
Rhodes James, Robert
Richardson, Jo
Riddick, Graham
Ridley, Rt Hon Nicholas
Roberts, Wyn *(Conwy)*
Robertson, George
Robinson, Geoffrey
Rogers, Allan
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Ruddock, Joan
Ryder, Richard
Sackville, Hon Tom
Salmond, Alex
Scott, Rt Hon Nicholas
Sedgemore, Brian
Shaw, Sir Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Sheerman, Barry
Sheldon, Rt Hon Robert
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shore, Rt Hon Peter
Short, Clare
Sims, Roger
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Smith, J. P. *(Vale of Glam)*
Smith, Tim *(Beaconsfield)*
Snape, Peter
Soames, Hon Nicholas
Soley, Clive
Spearing, Nigel
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanley, Rt Hon Sir John
Steel, Rt Hon Sir David
Steen, Anthony
Steinberg, Gerry
Stern, Michael
Stewart, Andy *(Sherwood)*
Stott, Roger
Stradling Thomas, Sir John
Strang, Gavin
Straw, Jack
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Ian *(Esher)*
Taylor, Rt Hon J. D. *(S'ford)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Temple-Morris, Peter
Thomas, Dr Dafydd Elis
Thompson, D. *(Calder Valley)*
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(B'heath)*
Tredinnick, David
Trotter, Neville
Turner, Dennis
Vaughan, Sir Gerard
Viggers, Peter
Wakeham, Rt Hon John
Walden, George
Walker, Bill *(T'side North)*
Walley, Joan
Ward, John
Wardell, Gareth *(Gower)*
Wardle, Charles *(Bexhill)*
Warren, Kenneth
Watson, Mike *(Glasgow, C)*
Wells, Bowen
Welsh, Andrew *(Angus E)*
Welsh, Michael *(Doncaster N)*
Wheeler, Sir John
Wiggin, Jerry
Wigley, Dafydd
Wilkinson, John
Williams, Rt Hon Alan
Williams, Alan W. *(Carm'then)*
Wilshire, David
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Wolfson, Mark
Wood, Timothy
Woodcock, Dr. Mike
Worthington, Tony
Young, David *(Bolton SE)*
Young, Sir George *(Acton)*
Younger, Rt Hon George

Tellers for the Noes:
Mrs. Teresa Gorman and
Mrs. Maria Fyfe.

Question accordingly negatived.

Amendment proposed to the new clause: (d), in line 3, leave out 'twenty-fourth' and insert 'twenty-sixth'.—*[Mr. Kenneth Clarke.]*

Question put, That the amendment be made:—

The Committee divided: Ayes 156, Noes 372.

Division No. 172] **[12.03 am**

AYES

Abbott, Ms Diane
Allen, Graham
Archer, Rt Hon Peter
Armstrong, Hilary
Ashley, Rt Hon Jack
Banks, Tony *(Newham NW)*
Barnes, Mrs Rosie *(Greenwich)*
Barron, Kevin
Beckett, Margaret
Benn, Rt Hon Tony
Bennett, A. F. *(D'nt'n & R'dish)*
Bidwell, Sydney
Biffen, Rt Hon John
Boateng, Paul
Boyes, Roland
Bradley, Keith
Brown, Nicholas *(Newcastle E)*
Brown, Ron *(Edinburgh Leith)*
Browne, John *(Winchester)*
Bruce, Malcolm *(Gordon)*
Buchan, Norman
Buck, Sir Antony
Caborn, Richard
Callaghan, Jim
Cartwright, John
Clark, Dr David *(S Shields)*
Clay, Bob
Clwyd, Mrs Ann
Cohen, Harry
Coleman, Donald
Corbyn, Jeremy
Cousins, Jim
Cox, Tom
Cran, James
Cryer, Bob
Cunningham, Dr John
Darling, Alistair
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H'l)*
Dobson, Frank
Doran, Frank
Eadie, Alexander
Eastham, Ken
Evans, John *(St Helens N)*
Ewing, Harry *(Falkirk E)*
Fatchett, Derek
Fields, Terry *(L'pool B G'n)*
Flannery, Martin
Foot, Rt Hon Michael
Foster, Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Garrett, John *(Norwich South)*
George, Bruce
Goodson-Wickes, Dr Charles
Gordon, Mildred
Gorman, Mrs Teresa
Gould, Bryan
Grant, Bernie *(Tottenham)*
Harman, Ms Harriet
Haynes, Frank
Heal, Mrs Sylvia
Hicks, Robert *(Cornwall SE)*
Hoey, Ms Kate *(Vauxhall)*
Howells, Geraint
Howells, Dr. Kim *(Pontypridd)*
Hoyle, Doug
Hughes, Robert *(Aberdeen N)*
Illsley, Eric
Ingram, Adam
Johnston, Sir Russell
Jones, Barry *(Alyn & Deeside)*
Jones, Martyn *(Clwyd S W)*
Kinnock, Rt Hon Neil
Leighton, Ron
Lestor, Joan *(Eccles)*
Lewis, Terry
Litherland, Robert
Livingstone, Ken
Livsey, Richard
Lloyd, Sir Ian *(Havant)*
Lloyd, Tony *(Stretford)*
McAllion, John
McCartney, Ian
McKay, Allen *(Barnsley West)*
MacKay, Andrew *(E Berkshire)*
McKelvey, William
McWilliam, John
Madden, Max
Mahon, Mrs Alice
Maples, John
Marland, Paul
Marshall, Jim *(Leicester S)*

Maxton, John
Meacher, Michael
Meale, Alan
Michie, Bill *(Sheffield Heeley)*
Miscampbell, Norman
Mitchell, Sir David
Moonie, Dr Lewis
Morgan, Rhodri
Morris, M *(N'hampton S)*
Mowlam, Marjorie
Neale, Gerrard
Nellist, Dave
O'Neill, Martin
Orme, Rt Hon Stanley
Patchett, Terry
Patnick, Irvine
Powell, Ray *(Ogmore)*
Prescott, John
Quin, Ms Joyce
Radice, Giles
Redmond, Martin
Rees, Rt Hon Merlyn
Rhodes James, Robert
Richardson, Jo
Rogers, Allan
Ross, Ernie *(Dundee W)*
Ruddock, Joan
Scott, Rt Hon Nicholas
Sedgemore, Brian
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Smith, J. P. *(Vale of Glam)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Steinberg, Gerry
Stott, Roger
Stradling Thomas, Sir John
Strang, Gavin
Thomas, Dr Dafydd Elis
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(B'heath)*
Tredinnick, David
Turner, Dennis
Viggers, Peter
Walley, Joan
Wardell, Gareth *(Gower)*
Watson, Mike *(Glasgow, C)*
Welsh, Michael *(Doncaster N)*
Wigley, Dafydd
Williams, Rt Hon Alan
Williams, Alan W. *(Carm'then)*
Winnick, David
Wise, Mrs Audrey
Woodcock, Dr. Mike
Wray, Jimmy
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mrs. Gwyneth Dunwoody
and Ms. Dawn Primarolo.

NOES

Aitken, Jonathan
Alexander, Richard
Allason, Rt Hon Michael
Allason, Rupert
Alton, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Tom *(Hazel Grove)*
Ashby, David
Ashdown, Rt Hon Paddy
Aspinwall, Jack
Atkins, Robert
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Batiste, Spencer
Battle, John
Beaumont-Dark, Anthony
Begga, Roy
Beith, A. J.
Bell, Stuart
Bellingham, Henry
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Bermingham, Gerald
Bevan, David Gilroy
Blaker, Rt Hon Sir Peter
Body, Sir Richard
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, A *(Brighton K'pto'n)*
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Brown, Michael *(Brigg & Cl'l's)*
Bruce, Ian *(Dorset South)*
Buchanan-Smith, Rt Hon Alick
Buckley, George J.
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Chris
Butterfill, John
Campbell, Menzies *(Fife NE)*
Campbell, Ron *(Blyth Valley)*
Canavan, Dennis
Carlile, Alex *(Mont'g)*
Carlisle, John, *(Luton N)*
Carrington, Matthew
Cash, William
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher
Clark, Hon Alan *(Plym'th S'n)*
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Clarke, Tom *(Monklands W)*
Colvin, Michael
Conway, Derek
Cook, Frank *(Stockton N)*
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Corbett, Robin
Cormack, Patrick
Couchman, James
Crowther, Stan
Cummings, John
Cunliffe, Lawrence
Currie, Mrs Edwina
Dalyell, Tam
Davies, Rt Hon Denzil *(Llanelli)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dewar, Donald
Dickens, Geoffrey
Dicks, Terry
Dixon, Don
Douglas, Dick
Douglas-Hamilton, Lord James
Dover, Den
Duffy, A. E. P.
Dunn, Bob
Dunnachie, Jimmy
Durant, Tony
Dykes, Hugh
Eggar, Tim
Emery, Sir Peter
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Fallon, Michael
Faulds, Andrew
Favell, Tony
Fearn, Ronald
Field, Barry *(Isle of Wight)*
Field, Frank *(Birkenhead)*
Flynn, Paul
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forsythe, Clifford *(Antrim S)*
Fowler, Rt Hon Sir Norman
Fox, Sir Marcus
Freeman, Roger
French, Douglas
Fry, Peter
Gale, Roger
Galloway, George
Gardiner, George
Garel-Jones, Tristan
Gill, Christopher
Glyn, Dr Sir Alan
Godman, Dr Norman A.
Golding, Mrs Llin
Goodhart, Sir Philip
Gorst, John
Gow, Ian
Graham, Thomas
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Sir Eldon *(Bury St E')*
Griffiths, Peter *(Portsmouth N)*
Griffiths, Win *(Bridgend)*
Grist, Ian
Grocott, Bruce
Ground, Patrick
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hannam, John
Hardy, Peter
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Haselhurst, Alan
Hawkins, Christopher
Hayes, Jerry
Heathcoat-Amory, David
Henderson, Doug
Heseltine, Rt Hon Michael
Hicks, Mrs Maureen *(Wolv' NE)*
Higgins, Rt Hon Terence L.
Hill, James
Hinchliffe, David
Hind, Kenneth
Hogg, Hon Douglas *(Gr'th'm)*
Hogg, N. *(C'nauld & Kilsyth)*
Holt, Richard
Home Robertson, John
Hood, Jimmy
Hordern, Sir Peter
Howard, Rt Hon Michael
Howarth, G. *(Cannock & B'wd)*
Howe, Rt Hon Sir Geoffrey
Howell, Rt Hon David *(G'dford)*
Hughes, Robert G. *(Harrow W)*
Hughes, Roy *(Newport E)*
Hughes, Simon *(Southwark)*
Hume, John
Hunter, Andrew
Irvine, Michael
Jack, Michael
Janman, Tim
Janner, Greville
Jessel, Toby
Jones, Gwilym *(Cardiff N)*
Jones, Ieuan *(Ynys Môn)*
Jones, Robert B *(Herts W)*
Jopling, Rt Hon Michael
Kaufman, Rt Hon Gerald
Kellett-Bowman, Dame Elaine
Kennedy, Charles
Key, Robert
Kilfedder, James
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Kirkwood, Archy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Lambie, David
Lamont, Rt Hon Norman
Latham, Michael
Lawrence, Ivan
Lawson, Rt Hon Nigel
Leadbitter, Ted
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lester, Jim *(Broxtowe)*
Lightbown, David
Lilley, Peter
Lloyd, Peter *(Fareham)*
Lofthouse, Geoffrey
Lord, Michael
Luce, Rt Hon Richard
Lyell, Rt Hon Sir Nicholas
McAvoy, Thomas
McCrea, Rev William
McCrindle, Robert
Macdonald, Calum A.
McFall, John
Macfarlane, Sir Neil
McGrady, Eddie
MacGregor, Rt Hon John
Maclennan, Robert
McLoughlin, Patrick
McNair-Wilson, Sir Michael
McNamara, Kevin
Madel, David
Major, Rt Hon John
Malins, Humfrey
Mallon, Seamus
Mans, Keith
Marek, Dr John
Marlow, Tony
Marshall, David *(Shettleston)*
Marshall, John *(Hendon S)*
Marshall, Michael *(Arundel)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Mates, Michael
Maude, Hon Francis
Mawhinney, Dr Brian
Mellor, David
Meyer, Sir Anthony
Michael, Alun
Michie, Mrs Ray *(Arg'l & Bute)*
Miller, Sir Hal
Mills, Iain
Mitchell, Andrew *(Gedling)*
Moate, Roger

Molyneaux, Rt Hon James
Monro, Sir Hector
Montgomery, Sir Fergus
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Morrison, Sir Charles
Morrison, Rt Hon P *(Chester)*
Moss, Malcolm
Moynihan, Hon Colin
Murphy, Paul
Nelson, Anthony
Neubert, Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Oakes, Rt Hon Gordon
O'Brien, William
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Page, Richard
Paice, James
Paisley, Rev Ian
Parry, Robert
Patten, Rt Hon Chris *(Bath)*
Patten, Rt Hon John
Pawsey, James
Peacock, Mrs Elizabeth
Pike, Peter L.
Porter, David *(Waveney)*
Portillo, Michael
Price, Sir David
Raison, Rt Hon Timothy
Rathbone, Tim
Redwood, John
Reid, Dr John
Renton, Rt Hon Tim
Ridley, Rt Hon Nicholas
Roberts, Wyn *(Conwy)*
Robertson, George
Robinson, Geoffrey
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion
Rossi, Sir Hugh
Rowlands, Ted
Rumbold, Mrs Angela
Salmond, Alex
Sayeed, Jonathan
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shelton, Sir William
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Sillars, Jim
Sims, Roger
Skeet, Sir Trevor
Smith, Sir Cyril *(Rochdale)*
Smith, Sir Dudley *(Warwick)*
Smith, Rt Hon J. *(Monk'ds E)*
Smith, Tim *(Beaconsfield)*
Smyth, Rev Martin *(Belfast S)*
Soames, Hon Nicholas
Speed, Keith
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Steel, Rt Hon Sir David
Steen, Anthony
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Sumberg, David
Summerson, Hugo
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Ian *(Esher)*
Taylor, Rt Hon J. D. *(S'ford)*
Taylor, John M *(Solihull)*
Taylor, Teddy *(S'end E)*
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thornton, Malcolm
Tracey, Richard
Trippier, David
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Vaz, Keith
Wakeham, Rt Hon John
Waldegrave, Rt Hon William
Walden, George
Walker, A. Cecil *(Belfast N)*
Walker, Bill *(T'side North)*
Wallace, James
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Warren, Kenneth
Watts, John
Wells, Bowen
Welsh, Andrew *(Angus E)*
Wheeler, Sir John
Whitney, Ray
Wilkinson, John
Wilshire, David
Winterton, Mrs Ann
Winterton, Nicholas
Wolfson, Mark
Wood, Timothy
Worthington, Tony
Yeo, Tim
Young, Sir George *(Acton)*
Younger, Rt Hon George

Tellers for the Noes:
Miss Ann Widdecombe and
Mr. David Amess.

Question accordingly negatived.

Amendment proposed to the new clause: (e), in line 3, leave out 'twenty-fourth' and insert 'twenty-second'.*[Mr. Kenneth Clarke.]*

Question put, That the amendment be made:—

The Committee divided: Ayes 255, Noes 301.

Division No.173] **[12.17 am**

AYES

Alison, Rt Hon Michael
Alton, David
Amos, Alan
Arnold, Jacques *(Gravesham)*
Arnold, Tom *(Hazel Grove)*
Ashby, David
Ashdown, Rt Hon Paddy
Aspinwall, Jack
Atkins, Robert
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Batiste, Spencer
Battle, John
Beaumont-Dark, Anthony
Beggs, Roy
Beith, A. J.
Bell, Stuart
Bellingham, Henry
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Bermingham, Gerald
Bevan, David Gilroy
Blaker, Rt Hon Sir Peter
Boscawen, Hon Robert
Bowden, A *(Brighton K'pto'n)*
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Chris
Butterfill, John
Canavan, Dennis
Carrington, Matthew
Cash, William
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher
Clark, Hon Alan *(Plym'th S'n)*
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Clarke, Tom *(Monklands W)*
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Cormack, Patrick
Cummings, John
Cunliffe, Lawrence
Currie, Mrs Edwina
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dickens, Geoffrey
Dicks, Terry
Douglas, Dick
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Tony
Eggar, Tim
Evennett, David
Fallon, Michael
Faulds, Andrew
Favell, Tony
Fearn, Ronald
Field, Frank *(Birkenhead)*
Forsyth, Michael *(Stirling)*
Forsythe, Clifford *(Antrim S)*
Fox, Sir Marcus
Freeman, Roger
French, Douglas
Fry, Peter
Gale, Roger
Garel-Jones, Tristan
Goodhart, Sir Philip
Gorst, John
Gow, Ian
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hannam, John
Hardy, Peter
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Hayes, Jerry
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Hicks, Mrs Maureen *(Wolv' NE)*
Hill, James
Hind, Kenneth
Holt, Richard
Home Robertson, John
Hordern, Sir Peter
Howarth, G. *(Cannock & B'wd)*
Hughes, Robert G. *(Harrow W)*
Hughes, Simon *(Southwark)*
Hume, John
Hunt, David *(Wirral W)*
Hunter, Andrew
Hurd, Rt Hon Douglas
Irvine, Michael
Jack, Michael
Janman, Tim
Jessel, Toby
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Kellett-Bowman, Dame Elaine
Kennedy, Charles
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knapman, Roger
Knight, Dame Jill *(Edgbaston)*
Lamble, David
Latham, Michael
Lawrence, Ivan
Lawson, Rt Hon Nigel
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lightbown, David
Lilley, Peter
Lloyd, Peter *(Fareham)*
Lofthouse, Geoffrey
Lord, Michael
Luce, Rt Hon Richard
McAvoy, Thomas
McCrea, Rev William
Macdonald, Calum A.
McFall, John
Macfarlane, Sir Neil
McGrady, Eddie
MacGregor, Rt Hon John
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Michael
McNamara, Kevin
Major, Rt Hon John
Malins, Humfrey
Mallon, Seamus
Mans, Keith
Marlow, Tony
Marshall, David *(Shettleston)*
Marshall, John *(Hendon S)*
Marshall, Michael *(Arundel)*
Martin, Michael J. *(Springburn)*
Mates, Michael
Maude, Hon Francis
Mawhinney, Dr Brian
Mellor, David
Miller, Sir Hal
Mills, Iain
Moate, Roger
Molyneaux, Rt Hon James
Monro, Sir Hector
Montgomery, Sir Fergus
Morris, Rt Hon A. *(W'shawe)*
Morrison, Rt Hon P *(Chester)*
Moss, Malcolm

Moynihan, Hon Colin
Murphy, Paul
Neubert, Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Oakes, Rt Hon Gordon
O'Brien, William
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Page, Richard
Paice, James
Paisley, Rev Ian
Parry, Robert
Patten, Rt Hon Chris *(Bath)*
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Porter, David *(Waveney)*
Portillo, Michael
Price, Sir David
Redwood, John
Reid, Dr John
Renton, Rt Hon Tim
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion
Rossi, Sir Hugh
Rowlands, Ted
Rumbold, Mrs Angela
Sayeed, Jonathan
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shelton, Sir William
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Sillars, Jim
Skeet, Sir Trevor
Smith, Sir Cyril *(Rochdale)*
Smith, Sir Dudley *(Warwick)*
Smith, Rt Hon J. *(Monk'ds E)*
Smyth, Rev Martin *(Belfast S)*
Soames, Hon Nicholas
Speed, Keith
Speller, Tony
Stanbrook, Ivor
Steen, Anthony
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Sumberg, David
Summerson, Hugo
Taylor, Ian *(Esher)*
Taylor, Teddy *(S'end E)*
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thornton, Malcolm
Tracey, Richard
Trippier, David
Twinn, Dr Ian
Vaughan, Sir Gerard
Vaz, Keith
Wakeham, Rt Hon John
Waldegrave, Rt Hon William
Walker, A. Cecil *(Belfast N)*
Walker, Bill *(T'side North)*
Wallace, James
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Watts, John
Welsh, Andrew *(Angus E)*
Whitney, Ray
Widdecombe, Ann
Winterton, Mrs Ann
Winterton, Nicholas
Worthington, Tony
Yeo, Tim

Tellers for the Ayes:
Mr. A.E. P. Duffy and
Mr. David Amess

NOES

Abbott, Ms Diane
Aitken, Jonathan
Alexander, Richard
Allason, Rupert
Allen, Graham
Arbuthnot, James
Archer, Rt Hon Peter
Armstrong, Hilary
Ashley, Rt Hon Jack
Baker, Rt Hon K. *(Mole Valley)*
Banks, Tony *(Newham NW)*
Barnes, Mrs Rosie *(Greenwich)*
Barron, Kevin
Beckett, Margaret
Benn, Rt Hon Tony
Bennett, A. F. *(D'nt'n & R'dish)*
Bidwell, Sydney
Biffen, Rt Hon John
Blair, Tony
Blunkett, David
Boateng, Paul
Body, Sir Richard
Bonsor, Sir Nicholas
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Boyes, Roland
Bradley, Keith
Brown, Gordon *(D'mline E)*
Brown, Michael *(Brigg & Cl'l's)*
Brown, Nicholas *(Newcastle E)*
Brown, Ron *(Edinburgh Leith)*
Browne, John *(Winchester)*
Bruce, Ian *(Dorset South)*
Bruce, Malcolm *(Gordon)*
Buchan, Norman
Buchanan-Smith, Rt Hon Alick
Buck, Sir Antony
Buckley, George J.
Caborn, Richard
Callaghan, Jim
Campbell, Menzies *(Fife NE)*
Campbell, Ron *(Blyth Valley)*
Carlile, Alex *(Mont'g)*
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Cartwright, John
Clark, Dr David *(S Shields)*
Clarke, Rt Hon K. *(Rushcliffe)*
Clay, Bob
Clelland, David
Clwyd, Mrs Ann
Cohen, Harry
Coleman, Donald
Colvin, Michael
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Couchman, James
Cousins, Jim
Cox, Tom
Cran, James
Critchley, Julian
Crowther, Stan
Cryer, Bob
Cunningham, Dr John
Dalyell, Tam
Darling, Alistair
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Q. *(Stamf'd & Spald'g)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H'l)*
Dewar, Donald
Dixon, Don
Dobson, Frank
Doran, Frank
Dunwoody, Hon Mrs Gwyneth
Dykes, Hugh
Eadie, Alexander
Eastham, Ken
Emery, Sir Peter
Evans, David *(Welwyn Hatf'd)*
Evans, John *(St Helens N)*
Ewing, Harry *(Falkirk E)*
Fatchett, Derek
Field, Barry *(Isle of Wight)*
Fields, Terry *(L'pool B G'n)*
Flannery, Martin
Flynn, Paul
Foot, Rt Hon Michael
Forman, Nigel
Foster, Derek
Foulkes, George
Fowler, Rt Hon Sir Norman
Fraser, John
Fyfe, Maria
Gardiner, George
Garrett, John *(Norwich South)*
George, Bruce
Gill, Christopher
Gilmour, Rt Hon Sir Ian
Glyn, Dr Sir Alan
Godman, Dr Norman A.
Golding, Mrs Llin
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gordon, Mildred
Gould, Bryan
Grant, Bernie *(Tottenham)*
Griffiths, Sir Eldon *(Bury St E')*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grist, Ian
Grocott, Bruce
Ground, Patrick
Hamilton, Hon Archie *(Epsom)*
Hampson, Dr Keith
Harman, Ms Harriet
Haselhurst, Alan
Hawkins, Christopher
Haynes, Frank
Heal, Mrs Sylvia
Heath, Rt Hon Edward
Heathcoat-Amory, David
Henderson, Doug
Heseltine, Rt Hon Michael
Hicks, Robert *(Cornwall SE)*
Higgins, Rt Hon Terence L.
Hinchliffe, David
Hoey, Ms Kate *(Vauxhall)*
Hogg, Hon Douglas *(Gr'th'm)*
Hogg, N. *(C'nauld & Kilsyth)*
Hood, Jimmy
Howard, Rt Hon Michael
Howarth, Alan *(Strat'd-on-A)*
Howe, Rt Hon Sir Geoffrey
Howell, Rt Hon David *(G'dford)*
Howells, Geraint
Howells, Dr. Kim (Pontypridd)
Hoyle, Doug
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hunt, Sir John *(Ravensbourne)*
Illsley, Eric
Ingram, Adam
Janner, Greville
Johnston, Sir Russell
Jones, Barry *(Alyn & Deeside)*
Jones, Ieuan *(Ynys Môn)*
Jones, Martyn *(Clwyd S W)*
Jopling, Rt Hon Michael
Kaufman, Rt Hon Gerald
Key, Robert
Kilfedder, James
Kinnock, Rt Hon Neil
Kirkwood, Archy
Knight, Greg *(Derby North)*
Knox, David
Lamont, Rt Hon Norman
Leadbitter, Ted
Lee, John *(Pendle)*
Leighton, Ron
Lester, Jim *(Broxtowe)*
Lestor, Joan *(Eccles)*
Lewis, Terry
Litherland, Robert
Livingstone, Ken
Livsey, Richard
Lloyd, Sir Ian *(Havant)*
Lloyd, Tony *(Stretford)*
Lyell, Rt Hon Sir Nicholas
McAllion, John
McCartney, Ian
McCrindle, Robert
McKay, Allen *(Barnsley West)*
MacKay, Andrew *(E Berkshire)*
McKelvey, William
McLeish, Henry
Maclennan, Robert
McWilliam, John
Madden, Max
Madel, David
Mahon, Mrs Alice
Maples, John
Marek, Dr John
Marland, Paul
Marshall, Jim *(Leicester S)*
Martin, David *(Portsmouth S)*
Martlew, Eric
Maxton, John
Maxwell-Hyslop, Robin
Meacher, Michael
Meale, Alan
Meyer, Sir Anthony
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Arg'l & Bute)*
Miscampbell, Norman
Mitchell, Andrew *(Gedling)*
Mitchell, Austin *(G't Grimsby)*
Mitchell, Sir David
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon J. *(Aberavon)*
Morris, M *(N'hampton S)*
Morrison, Sir Charles
Mowlam, Marjorie
Mullin, Chris
Neale, Gerrard
Nellist, Dave
Nelson, Anthony
Nicholson, Emma *(Devon West)*
O'Neill, Martin
Orme, Rt Hon Stanley
Patchett, Terry
Patnick, Irvine
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prescott, John
Quin, Ms Joyce
Radice, Giles
Raffan, Keith
Raison, Rt Hon Timothy
Rathbone, Tim
Redmond, Martin
Rees, Rt Hon Merlyn

Reid, Dr John
Rhodes James, Robert
Richardson, Jo
Riddick, Graham
Ridley, Rt Hon Nicholas
Robertson, George
Robinson, Geoffrey
Rogers, Allan
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Ruddock, Joan
Ryder, Richard
Sackville, Hon Tom
Salmond, Alex
Scott, Rt Hon Nicholas
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shepherd, Richard *(Aldridge)*
Shore, Rt Hon Peter
Short, Clare
Sims, Roger
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Smith, J. P. *(Vale of Glam)*
Smith, Tim *(Beaconsfield)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Spicer, Sir Jim *(Dorset W)*
Squire, Robin
Stanley, Rt Hon Sir John
Steel, Rt Hon Sir David
Steinberg, Gerry
Stern, Michael
Stott, Roger
Strang, Gavin
Straw, Jack
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Rt Hon J. D. *(S'ford)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Thomas, Dr Dafydd Elis
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(B'heath)*
Tredinnick, David
Trotter, Neville
Turner, Dennis
Viggers, Peter
Walden, George
Walley, Joan
Wardell, Gareth *(Gower)*
Warren, Kenneth
Watson, Mike *(Glasgow, C)*
Wells, Bowen
Welsh, Michael *(Doncaster N)*
Wheeler, Sir John
Wiggin, Jerry
Wigley, Dafydd
Wilkinson, John
Williams, Rt Hon Alan
Williams, Alan W. *(Carm'then)*
Wilshire, David
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Wolfson, Mark
Woodcock, Dr. Mike
Wray, Jimmy
Young, David *(Bolton SE)*
Young, Sir George *(Acton)*
Younger, Rt Hon George

Tellers for the Noes:
Mrs. Teresa Gorman and
Ms. Dawn Primarolo.

Question accordingly negatived.

Amendment proposed to the new clause: (f), in line 6, at end insert—

'(aa) that the termination is necessary to prevent grave permanent injury to the physical or mental health of the pregnant woman; or'.—*[Mr. Kenneth Clarke.]*

Question put, That the amendment be made:—

The Committee divided: Ayes 337, Noes 146.

Division No. 174] **[12.30 am**

AYES

Abbott, Ms Diane
Alexander, Richard
Alison, Rt Hon Michael
Allason, Rupert
Allen, Graham
Arbuthnot, James
Archer, Rt Hon Peter
Armstrong, Hilary
Ashby, David
Ashdown, Rt Hon Paddy
Ashley, Rt Hon Jack
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset N)*
Banks, Robert *(Harrogate)*
Banks, Tony *(Newham NW)*
Barnes, Mrs Rosie *(Greenwich)*
Barron, Kevin
Battle, John
Beckett, Margaret
Beggs, Roy
Benn, Rt Hon Tony
Bennett, A. F. *(D'ni'n & R'dish)*
Bermingham, Gerald
Bidwell, Sydney
Blair, Tony
Blunkett, David
Boateng, Paul
Body, Sir Richard
Bonsor, Sir Nicholas
Boswell, Tim
Bowden, Gerald *(Dulwich)*
Boyes, Roland
Bradley, Keith
Brown, Gordon *(D'mline E)*
Brown, Nicholas *(Newcastle E)*
Brown, Ron *(Edinburgh Leith)*
Browne, John *(Winchester)*
Bruce, Ian *(Dorset South)*
Bruce, Malcolm *(Gordon)*
Buchan, Norman
Buchanan-Smith, Rt Hon Alick
Buck, Sir Antony
Buckley, George J.
Butler, Chris
Caborn, Richard
Callaghan, Jim
Campbell, Menzies *(Fife NE)*
Campbell, Ron *(Blyth Valley)*
Carlile, Alex *(Mont'g)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Cartwright, John
Chapman, Sydney
Clark, Dr David *(S Shields)*
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon K. *(Rushcliffe)*
Clarke, Tom *(Monklands W)*
Clay, Bob
Clwyd, Mrs Ann
Cohen, Harry
Coleman, Donald
Colvin, Michael
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Coombs, Anthony *(Wyre F'rest)*
Cope, Rt Hon John
Corbett, Robin
Corbyn, Jeremy
Couchman, James
Cousins, Jim
Cox, Tom
Cran, James
Crowther, Stan
Cryer, Bob
Cummings, John
Cunningham, Dr John
Dalyell, Tam
Darling, Alistair
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Q. *(Staml'd & Spald'g)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H'l)*
Devlin, Tim
Dewar, Donald
Dixon, Don
Dobson, Frank
Doran, Frank
Durant, Tony
Dykes, Hugh
Eadie, Alexander
Eastham, Ken
Emery, Sir Peter
Evans, David *(Welwyn Hatf'd)*
Evans, John *(St Helens N)*
Ewing, Harry *(Falkirk E)*
Fatchett, Derek
Field, Barry *(Isle of Wight)*
Field, Frank *(Birkenhead)*
Fields, Terry *(L'pool B G'n)*
Flannery, Martin
Flynn, Paul
Foot, Rt Hon Michael
Forman, Nigel
Foster, Derek
Foulkes, George
Fraser, John
French, Douglas
Fry, Peter
Fyfe, Maria
Galloway, George
Gardiner, George
Garrett, John *(Norwich South)*
George, Bruce
Gill, Christopher
Gilmour, Rt Hon Sir Ian
Glyn, Dr Sir Alan
Godman, Dr Norman A.
Golding, Mrs Llin
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gordon, Mildred
Gould, Bryan
Grant, Bernie *(Tottenham)*
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grist, Ian
Grocott, Bruce
Hague, William
Hamilton, Hon Archie *(Epsom)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, John
Hardy, Peter
Harman, Ms Harriet
Haselhurst, Alan
Hawkins, Christopher
Haynes, Frank
Heal, Mrs Sylvia
Henderson, Doug
Heseltine, Rt Hon Michael
Hicks, Robert *(Cornwall SE)*
Hinchliffe, David
Hoey, Ms Kate *(Vauxhall)*
Hogg, Hon Douglas *(Gr'th'm)*
Hogg, N. *(C'nauld & Kilsyth)*
Hood, Jimmy
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howells, Geraint
Howells, Dr. Kim (Pontypridd)
Hoyle, Doug
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hunt, Sir John *(Ravensbourne)*
Illsley, Eric
Ingram, Adam
Irvine, Michael
Johnston, Sir Russell
Jones, Barry *(Alyn & Deeside)*
Jones, Gwilym *(Cardiff N)*
Jones, Ieuan *(Ynys Môn)*
Jones, Martyn *(Clwyd S W)*
Key, Robert
Kinnock, Rt Hon Neil
Kirkwood, Archy
Knight, Greg *(Derby North)*
Knox, David
Lambie, David
Lawrence, Ivan
Lee, John *(Pendle)*
Leighton, Ron
Lennox-Boyd, Hon Mark
Lestor, Joan *(Eccles)*
Lewis, Terry
Litherland, Robert
Livingstone, Ken
Livsey, Richard
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
Lord, Michael
Luce, Rt Hon Richard
McAllion, John
McCartney, Ian
McCrindle, Robert
Macdonald, Calum A.
McFall, John
McKay, Allen *(Barnsley West)*
MacKay, Andrew *(E Berkshire)*
McKelvey, William
Maclean, David
McLeish, Henry
McNair-Wilson, Sir Michael
McWilliam, John
Madden, Max
Madel, David
Mahon, Mrs Alice
Major, Rt Hon John
Maples, John
Marek, Dr John
Marland, Paul
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martin, David *(Portsmouth S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Maxwell-Hyslop, Robin
Meacher, Michael
Meale, Alan
Meyer, Sir Anthony
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Arg'l & Bute)*
Miscampbell, Norman

Mitchell, Austin *(G't Grimsby)*
Mitchell, Sir David
Molyneaux, Rt Hon James
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon A. *(W'shawe)*
Morris, M *(N'hampton S)*
Morrison, Sir Charles
Morrison, Rt Hon P *(Chester)*
Mowlam, Marjorie
Mullin, Chris
Neale, Gerrard
Nellist, Dave
Nelson, Anthony
Newton, Rt Hon Tony
Nicholson, Emma *(Devon West)*
Norris, Steve
Oakes, Rt Hon Gordon
O'Brien, William
O'Neill, Martin
Orme, Rt Hon Stanley
Page, Richard
Patchett, Terry
Patnick, Irvine
Pike, Peter L.
Porter, David *(Waveney)*
Powell, Ray *(Ogmore)*
Prescott, John
Primarolo, Dawn
Quin, Ms Joyce
Radice, Giles
Raffan, Keith
Rathbone, Tim
Redmond, Martin
Rees, Rt Hon Merlyn
Reid, Dr John
Richardson, Jo
Riddick, Graham
Ridley, Rt Hon Nicholas
Robertson, George
Robinson, Geoffrey
Rogers, Allan
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Ruddock, Joan
Ryder, Richard
Sackville, Hon Tom
Salmond, Alex
Scott, Rt Hon Nicholas
Sedgemore, Brian
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Sims, Roger
Skeet, Sir Trevor
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Smith, Sir Dudley *(Warwick)*
Smith, J. P. *(Vale of Glam)*
Smith, Tim *(Beaconsfield)*
Smyth, Rev Martin *(Belfast S)*
Snape, Peter
Soley, Clive
Spicer, Sir Jim *(Dorset W)*
Squire, Robin
Stanley, Rt Hon Sir John
Steel, Rt Hon Sir David
Steen, Anthony
Steinberg, Gerry
Stern, Michael
Stott, Roger
Strang, Gavin
Straw, Jack
Sumberg, David
Summerson, Hugo
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Rt Hon J. D. *(S'ford)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Temple-Morris, Peter
Thomas, Dr Dafydd Elis
Thompson, D. *(Calder Valley)*
Townend, John *(Bridlington)*
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Tredinnick, David
Turner, Dennis
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Walker, A. Cecil *(Belfast N)*
Walker, Bill *(T'side North)*
Wallace, James
Walley, Joan
Ward, John
Wardell, Gareth *(Gower)*
Wardle, Charles *(Bexhill)*
Warren, Kenneth
Watson, Mike *(Glasgow, C)*
Wells, Bowen
Welsh, Michael *(Doncaster N)*
Wheeler, Sir John
Wiggin, Jerry
Wigley, Dafydd
Wilkinson, John
Williams, Rt Hon Alan
Williams, Alan W. *(Carm'then)*
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Wolfson, Mark
Wood, Timothy
Worthington, Tony
Wray, Jimmy
Young, David *(Bolton SE)*
Young, Sir George *(Acton)*

Tellers for the Ayes:
Mrs. Gwyneth Dunwoody
and Mrs. Teresa Gorman.

NOES

Alton, David
Amess, David
Arnold, Jacques *(Gravesham)*
Arnold, Tom *(Hazel Grove)*
Aspinwall, Jack
Atkins, Robert
Beaumont-Dark, Anthony
Beith, A. J.
Bell, Stuart
Bellingham, Henry
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Bevan, David Gilroy
Bottomley, Peter
Bottomley, Mrs Virginia
Boyson, Rt Hon Dr Sir Rhodes
Braine, Rt Hon Sir Bernard
Brown, Michael *(Brigg & Cl't's)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Canavan, Dennis
Cash, William
Channon, Rt Hon Paul
Chope, Christopher
Clark, Hon Alan *(Plym'th S'n)*
Clark, Sir W. *(Croydon S)*
Conway, Derek
Coombs, Simon *(Swindon)*
Cormack, Patrick
Davis, David *(Boothferry)*
Day, Stephen
Dickens, Geoffrey
Dicks, Terry
Douglas, Dick
Douglas-Hamilton, Lord James
Dover, Den
Duffy, A. E. P.
Dunn, Bob
Evennett, David
Fallon, Michael
Fearn, Ronald
Forsyth, Michael *(Stirling)*
Forsythe, Clifford *(Antrim S)*
Fox, Sir Marcus
Freeman, Roger
Gale, Roger
Garel-Jones, Tristan
Goodhart, Sir Philip
Gow, Ian
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Ground, Patrick
Gummer, Rt Hon John Selwyn
Hamilton, Neil *(Tatton)*
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Hayhoe, Rt Hon Sir Barney
Heathcoat-Amory, David
Hicks, Mrs Maureen *(Wolv' NE)*
Hill, James
Home Robertson, John
Howard, Rt Hon Michael
Howe, Rt Hon Sir Geoffrey
Hughes, Robert G. *(Harrow W)*
Hume, John
Hunter, Andrew
Hurd, Rt Hon Douglas
Jack, Michael
Janman, Tim
Jessel, Toby
Jones, Robert B *(Herts W)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Kennedy, Charles
Kilfedder, James
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knapman, Roger
Knight, Dame Jill *(Edgbaston)*
Latham, Michael
Leigh, Edward *(Gainsbor'gh)*
Lester, Jim *(Broxtowe)*
Lloyd, Peter *(Fareham)*
McAvoy, Thomas
McCrea, Rev William
Macfarlane, Sir Neil
McGrady, Eddie
Maclennan, Robert
McLoughlin, Patrick
McNamara, Kevin
Malins, Humfrey
Mallon, Seamus
Mans, Keith
Marshall, John *(Hendon S)*
Marshall, Michael *(Arundel)*
Maude, Hon Francis
Mawhinney, Dr Brian
Mitchell, Andrew *(Gedling)*
Monro, Sir Hector
Montgomery, Sir Fergus
Murphy, Paul
Neubert, Michael
Nicholls, Patrick
Nicholson, David *(Taunton)*
Onslow, Rt Hon Cranley
Paice, James
Paisley, Rev Ian
Patten, Rt Hon Chris *(Bath)*
Patten, Rt Hon John
Pawsey, James
Peacock, Mrs Elizabeth
Raison, Rt Hon Timothy
Redwood, John
Renton, Rt Hon Tim
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion
Rossi, Sir Hugh
Rowlands, Ted
Sayeed, Jonathan
Shelton, Sir William
Shepherd, Colin *(Hereford)*
Smith, Sir Cyril *(Rochdale)*
Soames, Hon Nicholas
Speed, Keith
Speller, Tony
Stanbrook, Ivor
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Taylor, Ian *(Esher)*
Tebbit, Rt Hon Norman
Thorne, Neil
Thornton, Malcolm
Trippier, David
Trotter, Neville
Walden, George
Watts, John
Welsh, Andrew *(Angus E)*
Whitney, Ray
Widdecombe, Ann
Wilshire, David
Winterton, Mrs Ann
Winterton, Nicholas

Tellers for the Noes:
Mr. Julian Brazier and
Mr. Alan Amos.

Question accordingly agreed to.

The Chairman of Ways and Means (Mr. Harold Walker): Consequently amendment (g) falls.

Amendment proposed to the new clause: (x), in line 8, leave out from 'woman,' to 'or'.—*[Ms. Richardson.]*

Question put and negatived.

Amendment proposed to the new clause: (i), in line 9, leave out:—

'that the pregnancy has not exceeded its twenty-eighth week and'.—*[Ms. Richardson.]*

Question put, That the amendment be made:—

The Committee divided: Ayes 277, Noes 201.

Division No. 175] **[12.48 am**

AYES

Abbott, Ms Diane
Alexander, Richard
Alison, Rt Hon Michael
Allason, Rupert
Allen, Graham
Arbuthnot, James
Archer, Rt Hon Peter
Armstrong, Hilary
Ashley, Rt Hon Jack
Banks, Tony *(Newham NW)*
Barnes, Mrs Rosie *(Greenwich)*
Barron, Kevin
Batiste, Spencer
Beaumont-Dark, Anthony
Beckett, Margaret
Bell, Stuart
Benn, Rt Hon Tony
Bennett, A. F. *(D'nt'n & R'dish)*
Bidwell, Sydney
Blair, Tony
Boateng, Paul
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Boswell, Tim
Bowden, Gerald *(Dulwich)*
Boyes, Roland
Bradley, Keith
Brown, Gordon *(D'mline E)*
Brown, Nicholas *(Newcastle E)*
Brown, Ron *(Edinburgh Leith)*
Bruce, Ian *(Dorset South)*
Bruce, Malcolm *(Gordon)*
Buchan, Norman
Buchanan-Smith, Rt Hon Alick
Buck, Sir Antony
Butler, Chris
Caborn, Richard
Callaghan, Jim
Campbell, Ron *(Blyth Valley)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Cartwright, John
Chapman, Sydney
Clark, Dr David *(S Shields)*
Clark, Dr Michael *(Rochford)*
Clay, Bob
Clwyd, Mrs Ann
Cohen, Harry
Coleman, Donald
Colvin, Michael
Cook, Frank *(Stockton N)*
Coombs, Anthony *(Wyre F'rest)*
Corbett, Robin
Corbyn, Jeremy
Couchman, James
Cousins, Jim
Cox, Tom
Cran, James
Cryer, Bob
Cummings, John
Cunningham, Dr John
Dalyell, Tam
Darling, Alistair
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Q. *(Stamf'd & Spald'g)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H'l)*
Dixon, Don
Dobson, Frank
Doran, Frank
Durant, Tony
Eadie, Alexander
Eastham, Ken
Emery, Sir Peter
Evans, David *(Welwyn Hatf'd)*
Evans, John *(St Helens N)*
Ewing, Harry *(Falkirk E)*
Fatchett, Derek
Field, Barry *(Isle of Wight)*
Fields, Terry *(L'pool B G'n)*
Flannery, Martin
Flynn, Paul
Foot, Rt Hon Michael
Forman, Nigel
Foster, Derek
Foulkes, George
Fowler, Rt Hon Sir Norman
Fraser, John
Fyfe, Maria
Gardiner, George
Garrett, John *(Norwich South)*
George, Bruce
Gill, Christopher
Gilmour, Rt Hon Sir Ian
Glyn, Dr Sir Alan
Godman, Dr Norman A.
Golding, Mrs Llin
Goodhart, Sir Philip
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gordon, Mildred
Gould, Bryan
Graham, Thomas
Grant, Bernie *(Tottenham)*
Gregory, Conal
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grist, Ian
Grocott, Bruce
Hague, William
Hampson, Dr Keith
Hanley, Jeremy
Hannam, John
Hardy, Peter
Hargreaves, A. *(B'ham H'll Gr')*
Harman, Ms Harriet
Haselhurst, Alan
Hawkins, Christopher
Haynes, Frank
Heal, Mrs Sylvia
Henderson, Doug
Heseltine, Rt Hon Michael
Hicks, Robert *(Cornwall SE)*
Hoey, Ms Kate *(Vauxhall)*
Hogg, N. *(C'nauld & Kilsyth)*
Hood, Jimmy
Howarth, Alan *(Strat'd-on-A)*
Howells, Geraint
Howells, Dr. Kim (Pontypridd)
Hoyle, Doug
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hunt, Sir John *(Ravensbourne)*
Illsley, Eric
Ingram, Adam
Irvine, Michael
Jack, Michael
Johnston, Sir Russell
Jones, Barry *(Alyn & Deeside)*
Jones, Martyn *(Clwyd S W)*
Key, Robert
Kinnock, Rt Hon Neil
Knox, David
Lamble, David
Leighton, Ron
Lennox-Boyd, Hon Mark
Lestor, Joan *(Eccles)*
Lewis, Terry
Lightbown, David
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Luce, Rt Hon Richard
McAllion, John
McCartney, Ian
McCrindle, Robert
Macfarlane, Sir Neil
McKay, Allen *(Barnsley West)*
MacKay, Andrew *(E Berkshire)*
McKelvey, William
Maclean, David
McLeish, Henry
McWilliam, John
Madden, Max
Madel, David
Mahon, Mrs Alice
Maples, John
Marek, Dr John
Marland, Paul
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martin, David *(Portsmouth S)*
Maxton, John
Meacher, Michael
Meale, Alan
Meyer, Sir Anthony
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Mills, Iain
Miscampbell, Norman
Mitchell, Austin *(G't Grimsby)*
Mitchell, Sir David
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon A. *(W'shawe)*
Morris, M *(N'hampton S)*
Morrison, Sir Charles
Moss, Malcolm
Mowlam, Marjorie
Mullin, Chris
Neale, Gerrard
Nellist, Dave
Nelson, Anthony
Newton, Rt Hon Tony
Nicholson, Emma *(Devon West)*
O'Neill, Martin
Orme, Rt Hon Stanley
Page, Richard
Patchett, Terry
Patnick, Irvine
Pike, Peter L.
Porter, David *(Waveney)*
Powell, Ray *(Ogmore)*
Prescott, John
Primarolo, Dawn
Quin, Ms Joyce
Radice, Giles
Raffan, Keith
Rathbone, Tim
Redmond, Martin
Rees, Rt Hon Merlyn
Renton, Rt Hon Tim
Richardson, Jo
Riddick, Graham
Ridley, Rt Hon Nicholas
Robertson, George
Robinson, Geoffrey
Rogers, Allan
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Ruddock, Joan
Ryder, Richard
Sackville, Hon Tom
Scott, Rt Hon Nicholas
Sedgemore, Brian
Shaw, Sir Giles *(Pudsey)*
Sheldon, Rt Hon Robert
Shelton, Sir William
Shepherd, Colin *(Hereford)*
Shore, Rt Hon Peter
Short, Clare
Sims, Roger
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Smith, J. P. *(Vale of Glam)*
Smith, Tim *(Beaconsfield)*
Snape, Peter
Soley, Clive
Squire, Robin
Stanley, Rt Hon Sir John
Steen, Anthony
Steinberg, Gerry
Stern, Michael
Stott, Roger
Strang, Gavin
Straw, Jack
Taylor, John M *(Solihull)*
Thomas, Dr Dafydd Elis
Thompson, D. *(Calder Valley)*
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(B'heath)*
Tredinnick, David
Turner, Dennis
Viggers, Peter
Walden, George
Walley, Joan
Ward, John
Wardell, Gareth *(Gower)*
Wardle, Charles *(Bexhill)*
Warren, Kenneth
Watson, Mike *(Glasgow, C)*
Wells, Bowen
Welsh, Michael *(Doncaster N)*
Wheeler, Sir John
Wiggin, Jerry
Wigley, Dafydd
Wilkinson, John
Williams, Rt Hon Alan
Williams, Alan W. *(Carm'then)*
Winnick, David
Wise, Mrs Audrey
Wolfson, Mark
Worthington, Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mrs. Teresa Gorman and
Mrs. Gwyneth Dunwoody.

NOES

Alton, David
Amess, David
Amos, Alan
Arnold, Jacques *(Gravesham)*
Arnold, Tom *(Hazel Grove)*
Ashby, David
Ashdown, Rt Hon Paddy
Aspinwall, Jack
Atkins, Robert
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset N)*
Banks, Robert *(Harrogate)*
Battle, John
Beggs, Roy
Beith, A. J.
Bellingham, Henry
Bendall, Vivian
Benyon, W.
Bermingham, Gerald
Bevan, David Gilroy
Blunkett, David
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, A *(Brighton K'pto'n)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Braine, Rt Hon Sir Bernard
Brazier, Julian

Bright, Graham
Brown, Michael *(Brigg & Cl't's)*
Buckley, George J.
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butterfill, John
Campbell, Menzies *(Fife NE)*
Canavan, Dennis
Carlile, Alex *(Mont'g)*
Cash, William
Channon, Rt Hon Paul
Clark, Hon Alan *(Plym'th S'n)*
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Clarke, Tom *(Monklands W)*
Clelland, David
Conway, Derek
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Cormack, Patrick
Crowther, Stan
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dicks, Terry
Douglas, Dick
Douglas-Hamilton, Lord James
Dover, Den
Duffy, A. E. P.
Dunn, Bob
Evennett, David
Fallon, Michael
Favell, Tony
Fearn, Ronald
Field, Frank *(Birkenhead)*
Forsyth, Michael *(Stirling)*
Forsythe, Clifford *(Antrim S)*
Fox, Sir Marcus
Freeman, Roger
French, Douglas
Fry, Peter
Gale, Roger
Garel-Jones, Tristan
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Ground, Patrick
Gummer, Rt Hon John Selwyn
Hamilton, Neil *(Tatton)*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heathcoat-Amory, David
Hicks, Mrs Maureen *(Wolv' NE)*
Hill, James
Hind, Kenneth
Hogg, Hon Douglas *(Gr'th'm)*
Holt, Richard
Home Robertson, John
Howard, Rt Hon Michael
Howe, Rt Hon Sir Geoffrey
Hughes, Robert G. *(Harrow W)*
Hughes, Simon *(Southwark)*
Hume, John
Hunter, Andrew
Hurd, Rt Hon Douglas
Janman, Tim
Jessel, Toby
Jones, Gwilym *(Cardiff N)*
Jones, Ieuan *(Ynys Môn)*
Jones, Robert B *(Herts W)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Kennedy, Charles
Kilfedder, James
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Kirkwood, Archy
Knapman, Roger
Knight, Dame Jill *(Edgbaston)*
Latham, Michael
Lawrence, Ivan
Leadbitter, Ted
Lester, Jim *(Broxtowe)*
Livsey, Richard
Lloyd, Peter *(Fareham)*
Lofthouse, Geoffrey
McAvoy, Thomas
McCrea, Rev William
Macdonald, Calum A.
McFall, John
McGrady, Eddie
Maclennan, Robert
McLoughlin, Patrick
McNair-Wilson, Sir Michael
McNamara, Kevin
Malins, Humfrey
Mallon, Seamus
Mans, Keith
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Michael *(Arundel)*
Martin, Michael J. *(Springburn)*
Maude, Hon Francis
Mawhinney, Dr Brian
Mellor, David
Mitchell, Andrew *(Gedling)*
Moate, Roger
Molyneaux, Rt Hon James
Monro, Sir Hector
Montgomery, Sir Fergus
Morrison, Rt Hon P *(Chester)*
Murphy, Paul
Neubert, Michael
Nicholls, Patrick
Nicholson, David *(Taunton)*
Oakes, Rt Hon Gordon
O'Brien, William
Paice, James
Paisley, Rev Ian
Patten, Rt Hon Chris *(Bath)*
Patten, Rt Hon John
Pawsey, James
Peacock, Mrs Elizabeth
Raison, Rt Hon Timothy
Redwood, John
Reid, Dr John
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion
Rossi, Sir Hugh
Rowlands, Ted
Rumbold, Mrs Angela
Salmond, Alex
Sayeed, Jonathan
Shaw, David *(Dover)*
Shaw, Sir Michael *(Scarb')*
Shepherd, Colin *(Hereford)*
Sillars, Jim
Smith, Sir Cyril *(Rochdale)*
Smith, Sir Dudley *(Warwick)*
Smyth, Rev Martin *(Belfast S)*
Speed, Keith
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Stanbrook, Ivor
Steel, Rt Hon Sir David
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Summerson, Hugo
Taylor, Ian *(Esher)*
Taylor, Matthew *(Truro)*
Tebbit, Rt Hon Norman
Thorne, Neil
Thornton, Malcolm
Tracey, Richard
Trippier, David
Trotter, Neville
Twinn, Dr Ian
Walker, Bill *(T'side North)*
Wallace, James
Waller, Gary
Watts, John
Welsh, Andrew *(Angus E)*
Whitney, Ray
Widdecombe, Ann
Wilshire, David
Winterton, Mrs Ann
Winterton, Nicholas
Wood, Timothy
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Noes:
Mr. Nicholas Bennett and
Mr. Edward Leigh.

Question accordingly agreed to.

1 am

The Chairman of Ways and Means: Amendment (j) therefore falls. We now come to amendment (s). Not moved.

We therefore turn to amendment (h), which I must tell the House is a minor consequential amendment to an earlier amendment.

Amendments made to the proposed new clause: (h), in line 11, at end insert—

'( ) In section 1(2) of that Act, after "(a)" there is inserted "or (aa)"'.

(k), in line 12, leave out from beginning to end of line 16.—*[Mr. Kenneth Clarke.]*

The Chairman of Ways and Means: The next amendments consequently fall, up to amendment (q).

Amendment proposed to the new clause: (q), in line 16, at end insert—

'(3) For section 5(1) of that Act (effect on Infant Life (Preservation) Act 1929) there is substituted—

"(1) No offence under the Infant Life (Preservation) Act 1929 shall be committed by a registered medical practitioner who terminates a pregnancy in accordance with the provisions of this Act."'.—*[Mr. Kenneth Clarke.]*

Question put, That the amendment be made:—

The Committee divided: Ayes 308, Noes 149.

Division No. 176] **[1.02 am**

AYES

Abbott, Ms Diane
Alexander, Richard
Allason, Rupert
Allen, Graham
Arbuthnot, James
Archer, Rt Hon Peter
Armstrong, Hilary
Ashley, Rt Hon Jack
Baker, Rt Hon K. *(Mole Valley)*
Banks, Tony *(Newham NW)*
Barnes, Mrs Rosie *(Greenwich)*
Barron, Kevin
Beckett, Margaret
Benn, Rt Hon Tony
Bennett, A. F. *(D'nt'n & R'dish)*
Bermingham, Gerald
Bidwell, Sydney
Blair, Tony
Blunkett, David
Boateng, Paul
Body, Sir Richard
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, Gerald *(Dulwich)*
Boyes, Roland
Bradley, Keith
Brown, Gordon *(D'mline E)*
Brown, Nicholas *(Newcastle E)*
Brown, Ron *(Edinburgh Leith)*
Browne, John *(Winchester)*
Bruce, Ian *(Dorset South)*
Bruce, Malcolm *(Gordon)*
Buchan, Norman
Buchanan-Smith, Rt Hon Alick
Buck, Sir Antony
Butler, Chris
Butterfill, John
Caborn, Richard
Callaghan, Jim
Campbell, Menzies *(Fife NE)*
Campbell, Ron *(Blyth Valley)*
Carlile, Alex *(Mont'g)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Cartwright, John
Chapman, Sydney
Clark, Dr David *(S Shields)*
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon K. *(Rushcliffe)*
Clay, Bob
Clelland, David
Clwyd, Mrs Ann
Cohen, Harry
Coleman, Donald
Colvin, Michael
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Cope, Rt Hon John
Corbett, Robin
Corbyn, Jeremy
Couchman, James
Cousins, Jim
Cox, Tom
Cran, James
Crowther, Stan

Cryer, Bob
Cunningham, Dr John
Dalyell, Tam
Darling, Alistair
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Q. *(Stamf'd & Spald'g)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H'l)*
Dewar, Donald
Dixon, Don
Dobson, Frank
Doran, Frank
Durant, Tony
Eadie, Alexander
Eastham, Ken
Emery, Sir Peter
Evans, David *(Welwyn Hatf'd)*
Evans, John *(St Helens N)*
Ewing, Harry *(Falkirk E)*
Fatchett, Derek
Field, Barry *(Isle of Wight)*
Fields, Terry *(L'pool B G'n)*
Flannery, Martin
Flynn, Paul
Foot, Rt Hon Michael
Forman, Nigel
Foster, Derek
Foulkes, George
Fraser, John
Gale, Roger
Gardiner, George
Garrett, John *(Norwich South)*
George, Bruce
Gill, Christopher
Gilmour, Rt Hon Sir Ian
Glyn, Dr Sir Alan
Godman, Dr Norman A.
Golding, Mrs Llin
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gordon, Mildred
Gould, Bryan
Graham, Thomas
Grant, Bernie *(Tottenham)*
Greenway, John *(Ryedale)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grist, Ian
Grocott, Bruce
Ground, Patrick
Hampson, Dr Keith
Hanley, Jeremy
Hannam, John
Hardy, Peter
Hargreaves, A. *(B'ham H'll Gr')*
Harman, Ms Harriet
Haselhurst, Alan
Hawkins, Christopher
Haynes, Frank
Heal, Mrs Sylvia
Heathcoat-Amory, David
Henderson, Doug
Hicks, Robert *(Cornwall SE)*
Hinchliffe, David
Hoey, Ms Kate *(Vauxhall)*
Hogg, Hon Douglas *(Gr'th'm)*
Hogg, N. *(C'nauld & Kilsyth)*
Hood, Jimmy
Howard, Rt Hon Michael
Howarth, Alan *(Strat'd-on-A)*
Howe, Rt Hon Sir Geoffrey
Howells, Geraint
Howells, Dr. Kim (Pontypridd)
Hoyle, Doug
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hunt, Sir John *(Ravensbourne)*
Illsley, Eric
Ingram, Adam
Jack, Michael
Johnston, Sir Russell
Jones, Barry *(Alyn & Deeside)*
Jones, Gwilym *(Cardiff N)*
Jones, Ieuan *(Ynys Môn)*
Jones, Martyn *(Clwyd S W)*
Jopling, Rt Hon Michael
Key, Robert
Kinnock, Rt Hon Neil
Kirkwood, Archy
Knight, Greg *(Derby North)*
Knox, David
Lambie, David
Lawrence, Ivan
Leadbitter, Ted
Lee, John *(Pendle)*
Leighton, Ron
Lester, Jim *(Broxtowe)*
Lestor, Joan *(Eccles)*
Lewis, Terry
Lightbown, David
Litherland, Robert
Livingstone, Ken
Livsey, Richard
Lloyd, Tony *(Stretford)*
Luce, Rt Hon Richard
Lyell, Rt Hon Sir Nicholas
McAllion, John
McCartney, Ian
McKay, Allen *(Barnsley West)*
MacKay, Andrew *(E Berkshire)*
McKelvey, William
Maclean, David
McLeish, Henry
Maclennan, Robert
McNair-Wilson, Sir Michael
McWilliam, John
Madden, Max
Madel, David
Mahon, Mrs Alice
Maples, John
Marek, Dr John
Marland, Paul
Marshall, Jim *(Leicester S)*
Martin, David *(Portsmouth S)*
Martlew, Eric
Maxton, John
Maxwell-Hyslop, Robin
Meacher, Michael
Meale, Alan
Meyer, Sir Anthony
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Arg'l & Bute)*
Miscampbell, Norman
Mitchell, Andrew *(Gedling)*
Mitchell, Austin *(G't Grimsby)*
Mitchell, Sir David
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, M *(N'hampton S)*
Morrison, Sir Charles
Moss, Malcolm
Mowlam, Marjorie
Mullin, Chris
Neale, Gerrard
Nellist, Dave
Nelson, Anthony
Newton, Rt Hon Tony
Nicholson, Emma *(Devon West)*
O'Neill, Martin
Orme, Rt Hon Stanley
Page, Richard
Paice, James
Parkinson, Rt Hon Cecil
Patchett, Terry
Patnick, Irvine
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prescott, John
Primarolo, Dawn
Quin, Ms Joyce
Radice, Giles
Raffan, Keith
Raison, Rt Hon Timothy
Rathbone, Tim
Redmond, Martin
Rees, Rt Hon Merlyn
Renton, Rt Hon Tim
Richardson, Jo
Riddick, Graham
Robertson, George
Robinson, Geoffrey
Rogers, Allan
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Ruddock, Joan
Ryder, Richard
Sackville, Hon Tom
Salmond, Alex
Scott, Rt Hon Nicholas
Sedgemore, Brian
Shaw, Sir Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Sheldon, Rt Hon Robert
Shepherd, Colin *(Hereford)*
Shore, Rt Hon Peter
Short, Clare
Sims, Roger
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Smith, J. P. *(Vale of Glam)*
Smith, Tim *(Beaconsfield)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Squire, Robin
Stanley, Rt Hon Sir John
Steel, Rt Hon Sir David
Steen, Anthony
Steinberg, Gerry
Stern, Michael
Stott, Roger
Strang, Gavin
Straw, Jack
Sumberg, David
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Thomas, Dr Dafydd Elis
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(B'heath)*
Tredinnick, David
Trotter, Neville
Turner, Dennis
Vaughan, Sir Gerard
Viggers, Peter
Walley, Joan
Ward, John
Wardell, Gareth *(Gower)*
Wardle, Charles *(Bexhill)*
Watson, Mike *(Glasgow, C)*
Wells, Bowen
Welsh, Michael *(Doncaster N)*
Wheeler, Sir John
Wiggin, Jerry
Wigley, Dafydd
Wilkinson, John
Williams, Rt Hon Alan
Williams, Alan W. *(Carm'then)*
Winnick, David
Wise, Mrs Audrey
Wolfson, Mark
Wood, Timothy
Worthington, Tony
Yeo, Tim
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mrs. Maria Fyfe and
Mrs. Gwyneth Dunwoody.

Alison, Rt Hon Michael
Alton, David
Amess, David
Amos, Alan
Arnold, Jacques *(Gravesham)*
Arnold, Tom *(Hazel Grove)*
Ashby, David
Ashdown, Rt Hon Paddy
Aspinwall, Jack
Atkins, Robert
Baker, Nicholas *(Dorset N)*
Banks, Robert *(Harrogate)*
Battle, John
Beggs, Roy
Beith, A. J.
Bell, Stuart
Bellingham, Henry
Bendall, Vivian
Benyon, W.
Bevan, David Gilroy
Bowis, John
Braine, Rt Hon Sir Bernard
Brazier, Julian
Bright, Graham
Brown, Michael *(Brigg & Cl't's)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Canavan, Dennis
Cash, William
Channon, Rt Hon Paul
Clark, Hon Alan *(Plym'th S'n)*
Clark, Sir W. *(Croydon S)*
Clarke, Tom *(Monklands W)*
Conway, Derek

NOES

Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cormack, Patrick
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dicks, Terry
Douglas-Hamilton, Lord James
Dover, Den
Dufty, A. E. P.
Dunn, Bob
Evennett, David
Fallon, Michael
Favell, Tony
Fearn, Ronald
Field, Frank *(Birkenhead)*
Forsyth, Michael *(Stirling)*
Forsythe, Clifford *(Antrim S)*
Freeman, Roger
French, Douglas
Fry, Peter
Garel-Jones, Tristan
Gow, Ian
Greenway, Harry *(Ealing N)*
Gregory, Conal
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Neil *(Tatton)*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Hayes, Jerry
Hicks, Mrs Maureen *(Wolv' NE)*
Hill, James
Hind, Kenneth
Holt, Richard
Home Robertson, John

Hughes, Robert G. *(Harrow W)*
Hume, John
Hunter, Andrew
Irvine, Michael
Janman, Tim
Jessel, Toby
Kellett-Bowman, Dame Elaine
Kennedy, Charles
Kilfedder, James
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knight, Dame Jill *(Edgbaston)*
Latham, Michael
Lloyd, Peter *(Fareham)*
McAvoy, Thomas
McCrea, Rev William
Macdonald, Calum A.
McFall, John
McGrady, Eddie
McLoughlin, Patrick
McNamara, Kevin
Malins, Humfrey
Mallon, Seamus
Mans, Keith
Marshall, Michael *(Arundel)*
Martin, Michael J. *(Springburn)*
Maude, Hon Francis
Moate, Roger
Molyneaux, Rt Hon James
Monro, Sir Hector
Montgomery, Sir Fergus
Morris, Rt Hon A. *(W'shawe)*
Murphy, Paul
Neubert, Michael
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Oakes, Rt Hon Gordon
Paisley, Rev Ian
Patten, Rt Hon Chris *(Bath)*
Patten, Rt Hon John
Pawsey, James
Peacock, Mrs Elizabeth
Redwood, John
Reid, Dr John
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion
Rossi, Sir Hugh
Rumbold, Mrs Angela
Sayeed, Jonathan
Shaw, David *(Dover)*
Shelton, Sir William
Skeet, Sir Trevor
Smith, Sir Cyril *(Rochdale)*
Smith, Sir Dudley *(Warwick)*
Smyth, Rev Martin *(Belfast S)*
Speed, Keith
Speller, Tony
Stanbrook, Ivor
Stevens, Lewis
Summerson, Hugo
Taylor, Rt Hon J. D. *(S'ford)*
Tebbit, Rt Hon Norman
Thorne, Neil
Thornton, Malcolm
Trippier, David
Twinn, Dr Ian
Walker, A. Cecil *(Belfast N)*
Walker, Bill *(T'side North)*
Wallace, James
Watts, John
Whitney, Ray
Widdecombe, Ann
Wilshire, David
Winterton, Mrs Ann
Winterton, Nicholas

Tellers for the Noes:
Mr. Nicholas Bennett and
Mr. Edward Leigh.

Question accordingly agreed to.

The Chairman of Ways and Means: Amendment (r)? Not moved.

Question put, That the clause, as amended, be added to the Bill:—

The Committee divided: Ayes 335, Noes 129.

Division No. 177] **[1.17 am**

AYES

Abbott, Ms Diane
Alexander, Richard
Allison, Rt Hon Michael
Allason, Rupert
Allen, Graham
Arbuthnot, James
Archer, Rt Hon Peter
Armstrong, Hilary
Arnold, Tom *(Hazel Grove)*
Ashley, Rt Hon Jack
Baker, Rt Hon K. *(Mole Valley)*
Banks, Robert *(Harrogate)*
Banks, Tony *(Newham NW)*
Barnes, Mrs Rosie *(Greenwich)*
Barron, Kevin
Batiste, Spencer
Beckett, Margaret
Bellingham, Henry
Benn, Rt Hon Tony
Bennett, A. F. *(D'nt'n & R'dish)*
Bermingham, Gerald
Bidwell, Sydney
Blair, Tony
Blunkett, David
Boateng, Paul
Body, Sir Richard
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, Gerald *(Dulwich)*
Boyes, Roland
Bradley, Keith
Bright, Graham
Brown, Gordon *(D'mline E)*
Brown, Michael *(Brigg & Cl't's)*
Brown, Nicholas *(Newcastle E)*
Brown, Ron *(Edinburgh Leith)*
Browne, John *(Winchester)*
Bruce, Ian *(Dorset South)*
Bruce, Malcolm *(Gordon)*
Buchan, Norman
Buchanan-Smith, Rt Hon Alick
Buck, Sir Antony
Buckley, George J.
Butler, Chris
Caborn, Richard
Callaghan, Jim
Campbell, Menzies *(Fife NE)*
Campbell, Ron *(Blyth Valley)*
Carlile, Alex *(Mont'g)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Cartwright, John
Chapman, Sydney
Clark, Dr David *(S Shields)*
Clark, Dr Michael *(Rochford)*
Clarke, Rt Hon K. *(Rushcliffe)*
Clay, Bob
Clelland, David
Clwyd, Mrs Ann
Cohen, Harry
Coleman, Donald
Colvin, Michael
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Coombs, Anthony *(Wyre F'rest)*
Cope, Rt Hon John
Corbett, Robin
Corbyn, Jeremy
Couchman, James
Cox, Tom
Cran, James
Crowther, Stan
Cryer, Bob
Cunningham, Dr John
Dalyell, Tam
Darling, Alistair
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Q. *(Staml'd & Spald'g)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H'l)*
Dewar, Donald
Dixon, Don
Dobson, Frank
Doran, Frank
Douglas-Hamilton, Lord James
Dunnachie, Jimmy
Durant, Tony
Eadie, Alexander
Eastham, Ken
Emery, Sir Peter
Evans, David *(Welwyn Hatf'd)*
Evans, John *(St Helens N)*
Ewing, Harry *(Falkirk E)*
Fatchett, Derek
Field, Barry *(Isle of Wight)*
Fields, Terry *(L'pool B G'n)*
Flannery, Martin
Flynn, Paul
Foot, Rt Hon Michael
Forman, Nigel
Foster, Derek
Foulkes, George
Fox, Sir Marcus
Fraser, John
Freeman, Roger
Fyfe, Maria
Gale, Roger
Gardiner, George
Garrett, John *(Norwich South)*
George, Bruce
Gill, Christopher
Gilmour, Rt Hon Sir Ian
Glyn, Dr Sir Alan
Godman, Dr Norman A.
Golding, Mrs Llin
Goodhart, Sir Philip
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gordon, Mildred
Gould, Bryan
Graham, Thomas
Grant, Bernie *(Tottenham)*
Greenway, John *(Ryedale)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grist, Ian
Grocott, Bruce
Ground, Patrick
Hampson, Dr Keith
Hanley, Jeremy
Hannam, John
Hardy, Peter
Hargreaves, A. *(B'ham H'll Gr')*
Harman, Ms Harriet
Harris, David
Haselhurst, Alan
Hawkins, Christopher
Haynes, Frank
Hayward, Robert
Heal, Mrs Sylvia
Henderson, Doug
Hicks, Robert *(Cornwall SE)*
Hinchliffe, David
Hoey, Ms Kate *(Vauxhall)*
Hogg, Hon Douglas *(Gr'th'm)*
Hogg, N. *(C'nauld & Kilsyth)*
Hood, Jimmy
Howard, Rt Hon Michael
Howarth, Alan *(Strat'd-on-A)*
Howe, Rt Hon Sir Geoffrey
Howells, Geraint
Howells, Dr. Kim (Pontypridd)
Hoyle, Doug
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hunt, Sir John *(Ravensbourne)*
Illsley, Eric
Ingram, Adam
Irvine, Michael
Jack, Michael
Johnston, Sir Russell
Jones, Barry *(Alyn & Deeside)*
Jones, Gwilym *(Cardiff N)*
Jones, Ieuan *(Ynys Môn)*
Jones, Robert B *(Herts W)*
Jopling, Rt Hon Michael
Kaufman, Rt Hon Gerald
Key, Robert
Kinnock, Rt Hon Neil
Kirkwood, Archy
Knight, Greg *(Derby North)*
Knox, David
Lambie, David
Leadbitter, Ted
Lee, John *(Pendle)*
Leighton, Ron
Lester, Jim *(Broxtowe)*
Lestor, Joan *(Eccles)*
Lewis, Terry
Lilley, Peter
Litherland, Robert
Livingstone, Ken
Livsey, Richard
Lloyd, Peter *(Fareham)*
Lloyd, Tony *(Stretford)*
Lord, Michael
Luce, Rt Hon Richard
Lyell, Rt Hon Sir Nicholas
McAllion, John
McCartney, Ian
MacGregor, Rt Hon John
McKay, Allen *(Barnsley West)*
MacKay, Andrew *(E Berkshire)*
McKelvey, William
Maclean, David
McLeish, Henry
Maclennan, Robert
McWilliam, John
Madden, Max
Madel, David
Mahon, Mrs Alice
Marek, Dr John
Marland, Paul
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martin, David *(Portsmouth S)*
Martlew, Eric
Mawhinney, Dr Brian
Maxton, John
Meacher, Michael
Meale, Alan
Meyer, Sir Anthony
Michael, Alun
Michie, Bill *(Sheffield Heeley)*

Michie, Mrs Ray *(Arg'l & Bute)*
Mills, Iain
Miscampbell, Norman
Mitchell, Andrew *(Gedling)*
Mitchell, Austin *(G't Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon A. *(W'shawe)*
Morris, M *(N'hampton S)*
Morrison, Sir Charles
Moss, Malcolm
Mowlam, Marjorie
Mullin, Chris
Neale, Gerrard
Nellist, Dave
Nelson, Anthony
Newton, Rt Hon Tony
Nicholson, Emma *(Devon West)*
O'Neill, Martin
Orme, Rt Hon Stanley
Page, Richard
Paice, James
Parkinson, Rt Hon Cecil
Patchett, Terry
Patnick, Irvine
Pattie, Rt Hon Sir Geoffrey
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prescott, John
Primarolo, Dawn
Quin, Ms Joyce
Radice, Giles
Raffan, Keith
Raison, Rt Hon Timothy
Rathbone, Tim
Rees, Rt Hon Merlyn
Renton, Rt Hon Tim
Richardson, Jo
Riddick, Graham
Robertson, George
Robinson, Geoffrey
Rogers, Allan
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Ruddock, Joan
Ryder, Richard
Sackville, Hon Tom
Salmond, Alex
Sayeed, Jonathan
Scott, Rt Hon Nicholas
Sedgemore, Brian
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Sheldon, Rt Hon Robert
Shepherd, Colin *(Hereford)*
Shore, Rt Hon Peter
Short, Clare
Sims, Roger
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Smith, Rt Hon J. *(Monk'ds E)*
Smith, J. P. *(Vale of Glam)*
Smith, Tim *(Beaconsfield)*
Snape, Peter
Soley, Clive
Spicer, Sir Jim *(Dorset W)*
Squire, Robin
Stanley, Rt Hon Sir John
Steel, Rt Hon Sir David
Steen, Anthony
Steinberg, Gerry
Stern, Michael
Stott, Roger
Strang, Gavin
Straw, Jack
Summerson, Hugo
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Ian *(Esher)*
Taylor, Rt Hon J. D. *(S'ford)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Thomas, Dr Dafydd Elis
Thompson, D. *(Calder Valley)*
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Tredinnick, David
Trotter, Neville
Turner, Dennis
Vaughan, Sir Gerard
Viggers, Peter
Walden, George
Walker, Bill *(T'side North)*
Walley, Joan
Ward, John
Wardell, Gareth *(Gower)*
Wardle, Charles *(Bexhill)*
Warren, Kenneth
Watson, Mike *(Glasgow, C)*
Wells, Bowen
Welsh, Michael *(Doncaster N)*
Wheeler, Sir John
Wiggin, Jerry
Wigley, Dafydd
Wilkinson, John
Williams, Rt Hon Alan
Williams, Alan W. *(Carm'then)*
Wilshire, David
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Wolfson, Mark
Wood, Timothy
Worthington, Tony
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mrs. Gwyneth Dunwoody and Mrs. Teresa Gorman.

NOES

Alton, David
Amess, David
Amos, Alan
Arnold, Jacques *(Gravesham)*
Ashby, David
Ashdown, Rt Hon Paddy
Aspinwall, Jack
Atkins, Robert
Beith, A. J.
Bell, Stuart
Bendall, Vivian
Benyon, W.
Bevan, David Gilroy
Bowden, A *(Brighton K'pto'n)*
Bowis, John
Braine, Rt Hon Sir Bernard
Brazier, Julian
Burns, Simon
Butcher, John
Butterfill, John
Canavan, Dennis
Cash, William
Channon, Rt Hon Paul
Chope, Christopher
Clark, Hon Alan *(Plym'th S'n)*
Clark, Sir W. *(Croydon S)*
Clarke, Tom *(Monklands W)*
Conway, Derek
Coombs, Simon *(Swindon)*
Cummings, John
Davis, David *(Boothferry)*
Devlin, Tim
Dicks, Terry
Dover, Den
Duffy, A. E. P.
Dunn, Bob
Evennett, David
Fallon, Michael
Faulds, Andrew
Fearn, Ronald
Field, Frank *(Birkenhead)*
Forsyth, Michael *(Stirling)*
French, Douglas
Fry, Peter
Garel-Jones, Tristan
Gow, Ian
Greenway, Harry *(Ealing N)*
Gregory, Conal
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Neil *(Tatton)*
Hargreaves, Ken *(Hyndburn)*
Hayes, Jerry
Hicks, Mrs Maureen *(Wolv' NE)*
Hill, James
Hind, Kenneth
Holt, Richard
Home Robertson, John
Hughes, Robert G. *(Harrow W)*
Hughes, Simon *(Southwark)*
Hume, John
Hunter, Andrew
Janman, Tim
Jessel, Toby
Kellett-Bowman, Dame Elaine
Kennedy, Charles
Kilfedder, James
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knapman, Roger
Knight, Dame Jill *(Edgbaston)*
Latham, Michael
Lawrence, Ivan
Lightbown, David
Lofthouse, Geoffrey
McAvoy, Thomas
Macdonald, Calum A.
McFall, John
McGrady, Eddie
McLoughlin, Patrick
McNamara, Kevin
Malins, Humfrey
Mallon, Seamus
Mans, Keith
Marshall, John *(Hendon S)*
Marshall, Michael *(Arundel)*
Martin, Michael J. *(Springburn)*
Maude, Hon Francis
Mitchell, Sir David
Moate, Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Morrison, Rt Hon P *(Chester)*
Murphy, Paul
Neubert, Michael
Nicholls, Patrick
Oakes, Rt Hon Gordon
Paisley, Rev Ian
Patten, Rt Hon Chris *(Bath)*
Patten, Rt Hon John
Pawsey, James
Porter, David *(Waveney)*
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion
Rossi, Sir Hugh
Rowlands, Ted
Rumbold, Mrs Angela
Shelton, Sir William
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Speed, Keith
Speller, Tony
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Tebbit, Rt Hon Norman
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thornton, Malcolm
Trippier, David
Twinn, Dr Ian
Wallace, James
Waller, Gary
Watts, John
Welsh, Andrew *(Angus E)*
Whitney, Ray
Widdecombe, Ann
Winterton, Mrs Ann
Winterton, Nicholas

Tellers for the Noes:
Mr. Nicholas Bennett and Mr. Edward Leigh.

Question accordingly agreed to.

Clause, as amended, added to the Bill.

Clause 11, schedule 2 and new clause 4, as amended, reported.—*[Mr. Nicholas Baker]*

To lie upon the Table.

PETITIONS

Human Embryo

1.30 am

Rev. Ian Paisley (Antrim, North): I wish to present a petition on behalf of the staff, pupils and friends of St. Patrick's high school, Ballymena. It contains 511 signatures. The prayer is as follows:

The humble petition of the staff, pupils and friends of St. Patrick's school, Ballymena showeth that we affirm that the newly-fertilised human embryo is a real living human being.

Therefore, we welcome the statement in the Warnock report that 'the status of the embryo is a matter of fundamental principle which should be enshrined in legislation', and its recommendation that the embryo of the human species should be afforded protection by law.

Wherefore your petitioners pray that the House of Commons will take immediate steps to enact legislation which *(a)* forbids any procedure that involves purchase or sale of

human embryos, the discarding or freezing of human embryos, their use as sources of transplant tissue, or as subjects for research or experiment, unless this is done solely for the benefit of the embryo concerned; and *(b)* forbids all forms of trans-species fertilisation.

Your petitioners, as in duty bound, will ever pray.

To lie upon the Table.

1.32 am

Mr. Austin Mitchell (Great Grimsby): This is a petition in similar terms to that presented by the hon. Member for Antrim, North (Rev. Ian Paisley). It is from the members and friends of the Grimsby and Cleethorpes Life Group. It reads:

The humble petition of the members and friends of the Grimsby and Cleethorpes Life Group affirm that the newly-fertilised human embryo is a real, living human being. Therefore, we welcome the statement in the report of the committee of inquiry into human fertilisation and embryology, the Warnock report, that 'the status of the embryo is a matter of fundamental principle which should be enshrined in legislation', and its recommendation that the embryo of the human species should be afforded protection in law.

Therefore, we oppose all such practices as are recommended in the report which discriminate against the embryo or violate his or her dignity and right to life.

Wherefore your petitioners pray that the House of Commons will take immediate steps to enact legislation which *(a)* forbids any procedure that involves purchase or sale of human embryos, the discarding or freezing of human embryos, their use as sources of transplant tissue or as subjects for research or experiment, unless this is done solely for the benefit of the embryo concerned; and *(b)* forbids all forms of trans-species fertilisation, and your petitioners, as in duty bound, will ever pray, etc.

That is signed by Michael R. D. Reeves of 6 Lyndhurst avenue, Grimsby, and by 493 other signatories from Grimsby.

To lie upon the Table.

Fire Service (Gosport)

Motion made, and Question proposed, That this House do now adjourn.—*(Mr. Nicholas Baker.)*

1.34 am

Mr. Peter Viggers (Gosport): Earlier this evening I think that we all felt that it might be 4 am before I started this brief Adjournment debate, which I am delighted to have been allocated, so we are all pleased that it is only 1.34 am, which is comparatively early.

The Minister of State, Home Office (Mr. John Patten): Hear, hear.

Mr. Viggers: I note that this early start is appreciated by my right hon. Friend.

It is an entirely appropriate time because the main thrust of my speech concerns the manning of Gosport fire station on a 24-hour basis. Most of the good citizens of Gosport are safely asleep, knowing that the fire station has staff on 24-hour duty who will turn out to protect them from fire in the town.

My debate is about the guidelines for fire service cover. I am especially concerned about Gosport fire station, where 24-hour cover is under threat. The background is that local authorities—the fire authorities—have to provide cover under Home Office guidelines, and it is on that basis that my right hon. Friend the Minister of State is good enough to reply to the debate. The guidelines are revised from time to time, and in 1981 the Central Fire Brigades Advisory Council for England and Wales set up a joint committee on standards of fire cover, which reported in May 1986.

Under those principles there are rules on standards of training and there are grading definitions of fire risk with time limits applicable in each case related to each type of fire risk. It may be helpful if I refer briefly to them. The categories are A, B, C and D. Category A, the highest risk, covers

"the largest cities and towns and include main shopping and business centres and concentrated areas of theatres, cinemas, clubs or high-risk industrial and commercial property."

For areas in that category, the Home Office expects three pumps to attend a fire. The first pump must attend in five minutes, the second in a further five and the third in eight.

Category B, which is slightly lower, comprises

"built-up areas of large cities and towns not deemed to be in Category A . . . Other areas likely to be classified at Category B are large holiday resorts, industrial or training estates and concentrations of older multi-storey property."

The Home Office guideline is that two pumps should attend in five and eight minutes respectively.

Category C applies

"to the suburbs of larger towns and built-up areas of smaller towns. The types of property usually included are residential areas and industrial or commercial areas where there are few higher-risk properties."

The Home Office specifies one pump in 10 minutes.

Category D is principally rural, and the Home Office specifies one pump in 20 minutes. Those are the general gradings of fire risk categories.

Applying those definitions, Hampshire fire brigade carried out a manning review, which was published in 1988. The review recommended that Gosport fire station, currently manned 24 hours a day, seven days a week on a shift basis, could safely be downgraded to a day-manned station. That means that it would be manned from 9 am to 6 pm five days a week and on Saturday morning. Outside

[Mr. Viggers]

those hours, fire cover would be provided by fire fighters on call from their homes, adding four or five minutes to every call out of the fire brigade.

The proposal was controversial and strongly opposed. In 1989 the matter went for adjudication before Sir Kenneth Holland, who agreed to the changes subject to certain conditions that have not yet been met. The county fire officer has always made it clear that he would require the upgrading of Fareham fire station before downgrading Gosport, so that the status quo with 24-hour cover at Gosport would continue for the time being.

My purpose this evening is to express my constituents' continuing concern because there are some features special to Gosport. Like many other parts of the country Gosport has its share of high-rise buildings. It has seven high-rise buildings, 24 nursing homes and 24 warden-assisted accommodation units. That is not especially unusual. I have already referred to the risk categories A, B. C and D, but there are some establishments within the constituency of Gosport which do not easily fit into those categories.

We have industrial premises, an airfield at HMS Daedalus, a submarine base at HMS Dolphin, a Royal Naval aircraft yard at Fleetlands, an oil fuel depot at Mumby road in Gosport with a substantial reservoir of oil for the Navy and an oil fuel jetty and Royal Fleet Auxiliary tankers at the Royal Clarence yard in Weevil lane, Gosport. Most significant of all, we have the Royal Naval armaments depots at Bedenham, Frater and Elson with substantial armaments of all kinds used by the Royal Navy.

The Home Office takes account of such special risks and provides a special category entitled "Special risks". According to the guidelines,

"There are certain small areas, whether comprising single buildings or complexes, which need a first attendance over and above that appropriate to the risk which predominates in the surrounding area."

But can one really refer to RNAD Bedenham as being a small area? It is some 555 acres, with a perimeter fence some nine miles long. Its safety record is outstandingly good, but the fire cover must be of the best.

What are the problems with which I am concerned? At present, the fire service can reach every part of Gosport in six minutes. The proposals of the county fire officer, however, add four to five minutes to every call out of duty hours. Those comprise some 66 per cent. or two thirds of all calls, making the maximum not six minutes but something like 10 minutes. I am taking here the figures from the fire cover review, section 3.9.3, which gives average speeds for fire appliances. It seems that a fire appliance would not be able to reach more than some two miles from the fire station in the limit of 10 or so minutes, so we should be very close to the limit in Gosport.

The roads in Gosport do not allow rapid movement. We have a highly congested area with some 30,000-plus domestic establishments and more than 5,000 business establishments, all in a small area. In many cases the roads in the area are so narrow that fire engines find it difficult to manoeuvre when cars are heavily parked. If appliances are coming from Fareham, as they would have to if the proposals were carried through and extra appliances were needed from Fareham, they would need to come down the heavily congested and seriously undergraded A32 main road, which is a cause of a great deal of local controversy and discontent.

During a recent eight-pump fire in Gosport, it took Fareham appliances 15 and 18 minutes respectively to reach the fire in Gosport from Fareham. Fortunately, on that occasion the men were on duty. If the call to take them out had come some 10 minutes later they would have been off duty, and the time taken to reach the fire would have been 20 and 23 minutes respectively.

There has been considerable concern in Gosport and there have been petitions. Gosport borough council has considered the situation and, on 19 October 1988, it resolved:

"That the Borough Council advises the Home Secretary that it is strenuously opposed to the current proposals by Hampshire County Council"

for the change in fire service cover in the Gosport constituency. That concern is shared by the firefighters themselves.

I wish to emphasise—I am sure that my right hon. Friend the Minister agrees that I should—that I am not uttering one word in criticism of Hampshire county council, the chief fire officer or any of his officers. It is the level of cover and the standard that they provide which gives rise to the concern that that cover might be reduced. On the fire service and fire cover generally, the Audit Commission's occasional paper No. 1 of September 1986, dealing particularly with the financial implications and the financial considerations affecting the fire service rather than its efficiency, reported:

"One reason for the relatively modest value improvement potential identified by auditors is straightforward. In many respects, the fire service appears to be notably well managed. For example:

Auditors and the Commission's senior officers have repeatedly been impressed at senior fire officers' combination of technical qualifications, leadership skills and general management ability. None of these are unusual in themselves, but the rather consistent combination of the three is perhaps not so common.

Another unusual feature is the generally high level of morale and self-confidence that appears to pervade many of the brigades examined. Firemen seem proud of their work and confident that they do it well; and opinion research suggests that the public generally shares this opinion."

Judging from all the conversations on the subject that I have had in my constituency, that is certainly Gosport's opinion. It is my constituents' high regard for those fire services that causes them to worry that they will be downgraded.

The county fire officer began his review not in Gosport but in Fareham. He was anxious to improve the service in Fareham and to provide new services there which he thought could also cover Gosport. In providing new services in Fareham, he thought that it would be safe to downgrade Gosport. Whereas from Hampshire's point of view the proposals are an adjustment, from Gosport's point of view they undoubtedly represent a downgrading, and would create many problems. There would be delays in reaching the location of a fire. I note, for instance, that the home for the blind in Lee-on-Solent is at the extremity of Gosport fire station cover. I note, too, that the main multi-storey blocks of flats in Gosport are at the extreme end of the Gosport peninsula—as far away as they could be from Fareham—as is Haslar hospital.

The preferred proposal to locate a new fire station in Fareham would involve a site at Oldbury way in Peak lane, Fareham, on a complex of four schools. They would all be

affected—especially St. Francis special school for the mentally and physically disabled. The proposal would create major inconvenience and would certainly cause distress to those pupils. The community association would lose its football pitch, and the proposal to take over part of the land for the new fire station would lower the quality of life for those using the schools' campus.

If Gosport fire station is to be downgraded to daytime cover only, night cover will need to be provided by firemen resident in the fire station's immediate locality. That would mean the fire service having to acquire houses for those firemen. The county fire officer's proposal is that five houses should be acquired at a cost of £50,000 each, but I believe that that is pitching the need rather low. There would be a need for more than five houses, and they would certainly cost more than £50,000 each.

I refer finally to what is the weakest argument in my case in firefighting terms but a powerful argument in Gosport. We take great pride in local services of all kinds —the ambulance service, the fire service, the magistrates court, the police, and so on. Gosport has a strong sense of community and we resent anything which downgrades Gosport and has the town served from outside. I submit that that is not necessary and I ask all concerned to recognise the value of Gosport's fire station and of continuing its 24-hour operation.

1.48 am

The Minister of State, Home Office (Mr. John Patten): We recognise that Gosport has a strong sense of community, place and identity—and the whole House acknowledges the lucid way in which my hon. Friend the Member for Gosport (Mr. Viggers) has made the case for Gosport's special needs for fire cover. I shall lay before my noble Friend Lord Ferrers, who has ministerial responsibility in another place for Home Office issues, a copy of the report of this Adjournment debate, and I am sure that he will study it carefully. I am merely his representative on earth tonight in dealing with the important issue in question.

I know a little about Gosport, but a great deal about my hon. Friend the Member for Gosport and his vigorous proselytising on behalf of his constituency. In trying to respond to my hon. Friend's points, it might be helpful if I review the statutory responsibilities in the matter. Indeed, I am sure that the comments made by my hon. Friend and the comments that I am about to make will provide a good description of the statutory responsibilities of the fire service.

Under the relevant legislation, the Fire Services Acts 1947 and 1959, it is the duty of the fire authority in an area and in this case Hampshire county council—my hon. Friend was generous in his even-handed treatment of that council—to secure the services of such a fire brigade and such equipment as may be necessary efficiently to meet all normal requirements. The fire authority determines the appropriate number of fire stations, fire appliances and fire fighters in the area. As my hon. Friend said, that is known as fire cover and he referred to the four categories of fire cover—A, B, C and D. It would be otiose to repeat that accurate description.

In determining the fire cover for the area, the county council will always have to have regard to the nationally recommended minimum standards of fire cover that have existed since 1936. They contain recommendations about the number of fire appliances that should be sent to fires in particular areas and how quickly those appliances should arrive. Hence the quadripartite categorisation A to D to which my hon. Friend referred. Those are the four main categories of risk.

Those four categories were reviewed quite recently by a joint committee on standards of fire cover established under the auspices of the Central Fire Brigades Advisory Council for England and Wales and the council for Scotland. That committee included representatives from the Home Office, the local authority associations, the Chief and Assistant Chief Fire Officers Association, the National Association of Fire Officers and the Fire Brigades Union as well as other interested parties.

The committee recommended that fire authorities should review the fire risk categorisation in their areas, having regard to nationally recommended standards of fire cover. The general drift was that fire risk categorisation should not be regarded as set in stone for all time. As my hon. Friend said in the description of his area, an urban area changes and sometimes greater risks occur because of a concentration of new buildings, including high-rise buildings, or more homes for the elderly appearing in areas which did not have such homes 20 years ago. All those points must be considered by the thoroughly modern fire service to ensure that the categorisation is right.

My right hon. and learned Friend the Home Secretary accepted the committee's recommendations and its proposals on appropriate standards of fire cover. In a circular to fire authorities issued in May 1985, the Home Office asked fire authorities to put in hand reviews of fire risk categorisations in their areas.

The chief fire officer of Hampshire subsequently carried out a comprehensive review in his area and in July 1988 the fire authority sought the approval of my right hon. and learned Friend the Home Secretary under section 19 of the Fire Services Act 1947 for certain reductions in the brigade's establishment. Among those was the proposal to which my hon. Friend, on behalf of his constituents, has taken considerable exception.

That proposal was that the fire station at Gosport should reduce its establishment of fire fighters and move from a shift-manning system to what is known in the trade as a day-manning system. Under the former system, fire fighters operate from a station on a 24-hour basis. Under the latter, they operate from the station during the daytime and respond to calls from their homes nearby in the evenings and at night in the way in which my hon. Friend described accurately to the House.

In giving his approval to the application in July 1989, my right hon. and learned Friend the Home Secretary had regard to the considerable local consultation to which the fire authority's proposals had been subject. He also had particular regard to the professional advice that he had received, especially the professional advice from Her Majesty's inspector of fire services, which confirmed that, if the changes were to be put into effect, the fire authority would continue to meet the appropriate national standards.

In approving the change, it was made clear that it was subject to the uprating of cover from day-manning to shift-manning at Fareham fire station in exactly the same way that my hon. Friend has described. The fire authority has proposed the construction of a new fire station there. The proposed changes to fire cover in Hampshire are interrelated in the way that my hon. Friend has described.

[Mr. John Patten]

Although I can readily understand my hon. Friend's concern about proposals to change fire cover in Gosport in his constituency, I must reassure him—and through him, his constituents—that the proposals were subject to a rigourous examination before approval. Indeed, they underwent an additional examination by an outside adjudicator appointed by the National Joint Council for Local Authorities' Fire Brigades, which is responsible for conditions of service in our fire brigades. That adjudicator, who was able to second-guess what had gone on before in deciding the right form of fire cover, found that it would be appropriate to introduce the day-manning system at Gosport.

I want to assure my hon. Friend that the Government are committed to maintaining the nationally recommended minimum standards of fire cover in Gosport, as elsewhere in the country, and to the maintenance of an effective fire service in Gosport, as elsewhere in the country. I will draw my hon. Friend's strongly and clearly expressed views to the attention of my right hon. and noble Friend the Earl Ferrers, who has ministerial responsibility in this respect, so that he can take into account what my hon. Friend had said in this Adjournment debate, on which I congratulate him.

Question put and agreed to.

Adjourned accordingly at four minutes to Two o'clock.

House of Commons

Wednesday 25 April 1990

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

ENVIRONMENT

Local Government Finance

1. **Mr. Terry Fields:** To ask the Secretary of State for the Environment what proposals he is considering to amend the community charge regulations.

The Secretary of State for the Environment (Mr. Chris Patten): The operation of the community charge is of course being monitored. I have no proposals, at present, for changes to the regulations.

Mr. Fields: In the light of that reply, does the Minister accept that his policies on the poll tax and uniform business rate will increase dramatically the already record levels of bankruptcy among small business people, and have resulted in 200 shops and small businesses in the Minister's own constituency closing down? The policies were dramatically exposed in *The Guardian* by Mr. Francis Ching, who said that the poll tax was robbing the poor left, right and centre. It is an absolute scandal, and for the Minister to come to the House with such a reply is a disgrace.

Mr. Patten: With respect, the hon. Gentleman might await my reply. He had the courtesy to refer to my constituency, where two issues come together—first, the uniform business rate and secondly, revaluation. It is common to all parties that we support revaluation. That was made clear in January by the hon. Member for Dagenham (Mr. Gould). We proposed a transitional scheme, about which I hope to have the opportunity to say more later. In my constituency, small businesses are considerably helped by the uniform business rate, which protects them from the higher rate increases that result from Avon's spending decisions. If the Opposition are now in favour of the uniform business rate, as well as revaluation, they will have a story to tell in my constituency and other places in the south.

Mr. Hill: My right hon. Friend may or may not propose to amend the regulations, but in the meantime the administration of the exemptions at local government level is what worries many of my colleagues. People are waiting weeks and weeks to receive the decision from their local authorities. In my case, Southampton city council is Labour controlled and has the poorest administration. People are waiting weeks in fear and trembling that they will not receive the exemptions.

Mr. Patten: I am concerned about what my hon. Friend says. To be fair to local authorities as a whole, in most the arrangements have gone pretty well and, as I was proposing to say later, most bills have gone out net of both transitional relief and benefit, which is commendable for the local authority staff involved. Where local authorities have done less well, there is cause for concern. That should be recognised by local authorities and we should compare what some have done with what the majority have managed to achieve.

Mr. McCrindle: May we take it from what my right hon. Friend said in his original answer that, in addition to reviewing any operational defects of the community charge, he will look at how the uniform business rate is operating in all parts of the country? Does he agree that although we concede that revaluation was long overdue, there is evidence that, in conjunction with rising rents in some areas, the difficulties being experienced by small businesses are considerable? Surely, it can be no part of the introduction of the uniform rate for small businesses to go the wall.

Mr. Patten: My hon. Friend makes a fair point about the interaction of rent levels and revaluation. In my constituency, even with revaluation, rates will represent only about 20 per cent. of the rental levels faced by small businesses. We must consider the transitional arrangements that the House has agreed for small businesses. I have made it clear time and again that if it proves necessary to extend the transitional period to ensure that small businesses avoid steep rises in their rates towards the end of that period, we shall be prepared to do so.

Mr. Pike: In a written answer to me last week, the Under-Secretary of State said that there was no intention of changing the basic principle underlying the community charge, which is that almost all adults should pay a contribution towards providing local services. As he emphasised that there was no change in that basic principle, what changes do the Government intend to make to remove the unfairness of the present system?

Mr. Patten: I wholly endorse what my hon. Friend the Under-Secretary of State said. I shall be saying one or two things about the operation of the community charge later this afternoon and I suggest that the hon. Gentleman stays to hear the speeches.

Dame Elaine Kellett-Bowman: While my right hon. Friend is conducting his review of the community charge, will he seriously consider disaggregating married couples, which has already been done for national taxation? Figures researched by the Library suggest that that would cost between £1 billion and £1·5 billion, but instead of angling the extra money to profligate councils, such as Lancashire county council, that would give the money directly to those, such as married and retired couples and young mothers, who actually need the help.

Mr. Patten: I note what my hon. Friend has said. She and other hon. Members have mentioned that issue in the past. It produces a quite different set of anomalies, but we shall certainly consider it in the next few weeks.

Mr. Gould: Are not the Secretary of State and his right hon. Friends engaged in a desperate search for a way out of the mess that they have created? Will he confirm, for example, that a meeting was recently arranged between

senior officials of Strathclyde regional council and someone described mysteriously as an influential Conservative Member of Parliament? Will he further confirm—in case he does not know the answer, I shall tell him it—that that influential Conservative Member of Parliament was none other than his right hon. Friend the Member for Ayr (Mr. Younger), who, just a few months ago, was the Prime Minister's campaign manager in the leadership election contest?

Mr. Patten: I am afraid that although my responsibilities run all too wide, they do not cover either the diary of my right hon. Friend the Member for Ayr (Mr. Younger) or the activities of Strathclyde regional council. But as I imagine that the hon. Gentleman will be able to give us more information about this spectacular cross-border conspiracy later this afternoon, I look forward to hearing about it. We are also all agog to hear more about the Labour party's proposals.

Homelessness

2. **Miss Hoey:** To ask the Secretary of State for the Environment whether he has any proposals to use empty Government-owned property for homeless people.

The Minister for Housing and Planning (Mr. Michael Spicer): It is Government policy to sell such empty houses that are no longer needed. Where disposal is not practicable, Departments let property to local authorities or housing associations to relieve local housing pressures.

Miss Hoey: Is the Minister aware that there are about 35,000 Government-owned properties and that in the south-east alone there are more than 1,000 properties owned by the Ministry of Defence—some of them shown in pictures such as I have here? Does not he think it a scandal that about 18 per cent. of Government-owned properties are lying empty while only 2 per cent. of local authorities' properties are empty? How can he tell local authorities how to manage their housing when the Government obviously cannot manage their own?

Mr. Spicer: Our policy is to sell Government houses that are not required or, when appropriate, to rent them on a short-term basis. To answer the hon. Lady directly, what is a national scandal is that housing authorities that are directly responsible for managing the housing stock are sitting on more than 100,000 empty council houses in England alone. The worst offenders are overwhelmingly Labour authorities. Labour is presiding over housing waste on a massive scale while at the same time bleating about homelessness.

Mr. Ian Taylor: Will my hon. Friend note that one of the great problems for the homeless in Lambeth is the cynical disregard of their plight by a local authority that has 2,000 empty homes, 1,900 people in expensive bed-and-breakfast accommodation and rent and rate arrears of £66 million? Would not the best news for the homeless in Lambeth be a return of a Conservative local authority on 3 May?

Mr. Spicer: My hon. Friend makes a perfect point, which exactly illustrates what I have just been saying.

Mr. Soley: The Minister is misleading the House: it is not the Government's policy to sell these houses. Many of them have been standing empty for more than 10 years. There are literally dozens in my area belonging to the prison department that have been empty for 10 years, three years and so on. Why does not the Minister arrange for them to be let, through housing associations and local authorities? Does not he remember opening the Institute of Housing exhibition in this very House only a few weeks ago, in which the displays demonstrated that the Government's record is worse than that of any other housing body—local authority, housing association or private? In percentage terms, the Government have three times as many empty properties as local authorities. The Minister cannot blame local authorities when he is incapable of providing for homeless people the housing that he has right now.

Mr. Spicer: I am glad that the hon. Gentleman spoke about percentage terms, because we have a much smaller housing stock than local authorities, which are, of course, responsible for housing. Of course the percentage could be lower. The answer to the hon. Gentleman is that the Government, and especially Departments such as the Ministry of Defence, have to keep surplus housing for contingency purposes. The hon. Gentleman will undoubtedly be able to guess for himself what those purposes are. When properties cannot be sold we are beginning to let them to housing authorities. There have been 570 lets in recent months, so the hon. Gentleman is quite wrong to say that the property is not being shifted.

4. **Mr. Wood:** To ask the Secretary of State for the Environment if he will make a statement on the distribution of the £250 million package to combat homelessness in London and the south-east.

Mr. Michael Spicer: Allocations of £112 million have been made this year to local authorities. In addition, the Housing Corporation has announced £45 million worth of housing association schemes to help the homeless over the next two years. Bids for the remaining £93 million will be invited later in the year.

Mr. Wood: I thank my hon. Friend for his reply. How much of that money will be used to bring empty properties into use? What is being done to speed up the work of housing associations and others so that they can bring more affordable rented property on to the market in the south-east as an alternative to local authority accommodation?

Mr. Spicer: The objective of that money is largely to bring into use housing that is not being used properly, thus releasing people from bed-and-breakfast places. That will help directly the single homeless. In that context I am placing in the Library today a list of 26 voluntary organisations that will be offered a total of about £1 million of funding this year for projects that will relieve or prevent single homelessness.

Mr. Simon Hughes: Does the Minister realise that the record number of homeless people means that there is a record number of disfranchised people in London and the south-east and in the rest of the country? Is not the truth of the Government's tragic and scandalous record of failing to provide housing, that people without houses do not support the Government and people who do not support the Government do not get a vote?

Mr. Spicer: The hon. Gentleman talks about the scandalous record of the Government in not providing

housing. An extra 1·7 million houses have been provided over the past 10 years whereas the population has risen by less than 1 million. However, the hon. Gentleman is right to say that there is a problem of homelessness. It could be relieved overnight if Labour-controlled local authorities put on the market their void housing. Nevertheless, one needs to look at why there is a homelessness problem. It is overwhelmingly a matter of families splitting because of problems at home. That creates a demand for two houses when before there was a demand for one.

Mr. Squire: While accepting the congratulations, at least from Conservative Members, on the Government's latest package, my hon. Friend will of course accept that there is concern about homelessness on both sides of the House. Does not he find it astonishing that the Opposition's only solution, amid their carping about the Government's proposals, is to spend more money on local authorities, which too often have high rent arrears and long relet periods, and which exhibit a general incompetence which, among other things, was commented upon at length by the Audit Commission?

Mr. Spicer: My hon. Friend is right. We are often accused of not providing enough resources. Rent arrears are overwhelmingly found in Labour-controlled local authorities. Some £319 million is not being raised because of rent arrears, and responsibility for the overwhelming part of that lies with Labour-controlled authorities. My hon. Friend is right to draw attention to that scandalous situation.

Local Government Finance

5. **Mr. Illsley:** To ask the Secretary of State for the Environment to what factors he ascribes the standard spending assessment for Barnsley metropolitan district council being the lowest of the metropolitan district authorities.

The Minister for Local Government and Inner Cities (Mr. David Hunt): Barnsley's SSA of £112 million, or £669 per adult, has been calculated in accordance with the distribution report approved by the House on 18 January, using the factors applicable to all metropolitan district councils. Those factors reflect the demographic, physical and social characteristics of each authority area.

Mr. Illsley: The Minister is probably aware that, even under the grant-related expenditure assessment, Barnsley's grant was always at the bottom of the list. At this late stage, will he look at Barnsley's SSA, as the low assessment has led to Barnsley being capped? That is unfair when Manchester has an assessment of £1,170 per adult to provide the same level of services.

Mr. Hunt: I regret that Barnsley should have chosen to budget to spend excessively, and the figures are clear. In Barnsley's case, the budget of £142 million for 1990-91 is almost 27 per cent. above its SSA, which is equivalent to £178 per adult above the SSA. Using the measure used by the hon. Gentleman, the budget is also some 19 per cent. above the rescaled 1989-90 grant-related expenditure, so, on any reasonable measure, the budget is excessive.

Waste

6. **Mr. Donald Thompson:** To ask the Secretary of State for the Environment what new controls he is introducing to tighten the regulation of the disposal of waste.

The Minister for the Environment and Countryside (Mr. David Trippier): The Environmental Protection Bill will extend and strengthen local authorities' powers to control licensed waste disposal and, through the duty of care, will place new responsibilities on the producers and carriers of waste.

Mr. Thompson: In my constituency, many waste disposal activities have been carried out sensitively. Is my hon. Friend as worried as I am about the future plans for Todmorden moor, which lies between our constituencies, where it is intended to take out coal and put in waste?

Mr. Trippier: I am aware of the problems associated with Todmorden moor and of the keen interest and concern that characterises my hon. Friend's assiduous work in his constituency. As he knows, it will be for Calderdale metropolitan council to consider the matter and the specific points that he outlined.

Mr. Hardy: Will the controls that the Minister mentioned have any effect on the problems in my constituency, about which I know that he is concerned, or does he think that those problems can be resolved only by the legal action that is under way?

Mr. Trippier: The problem in Wath upon Dearne, to which the hon. Gentleman referred, may be settled through the courts, although whether it is to be within the jurisdiction of the American or of the British courts has still to be decided. We both know that it is a unique and difficult example. The Environmental Protection Bill strengthens controls and enshrines tougher measures covering the importation of hazardous waste.

Mr. Butler: Is my hon. Friend aware that 181 operations in London are licensed to discharge radioactivity, but do not have to reveal either what sort of radioactivity it is, or the level? Should not that be on a public register?

Mr. Trippier: The Environmental Protection Bill will enshrine legislation to cover that point. Part of it deals with radioactivity, and many other parts cover increased public access to environmental information.

Ms. Walley: In a short time, we have seen how terribly important is the control of all aspects of toxic waste. While we welcome the tighter controls that will be implemented by the Bill, will not there be a special problem with chemical special waste treatment plants and toxic waste incinerators? Despite all the Minister's assurances during the passage of the Environmental Protection Bill, will he assure us again that he is in touch with what is happening on the ground? What extra staff will be needed by Her Majesty's inspectorate of pollution so that it can take on board its extra responsibilities arising from integrated pollution control when those responsibilities are transferred to it from the waste disposal authorities?

Mr. Trippier: The hon. Lady may recall that, under the Bill, the regulatory role is placed in the hands of local authorities. An environment audit on the various plans has to be submitted to my right hon. Friend the Secretary of

State, and that is true of Her Majesty's inspectorate of pollution. Relatively few staff will be involved. Responsibility for regulation will remain with the local authorities, and it will be for them to provide the necessary staff to fulfil that task. It is important that I should say that the authorities can now charge for the licensing of the sites. We believe that those charges will cover the costs of the additional staff who will be required.

Housing

7. **Mrs. Golding:** To ask the Secretary of State for the Environment what action he is taking to make private housing properties which are unfit for human habitation or lacking basic amenities adequate for letting to help reduce waiting lists of local authorities; and if he will make a statement.

The Parliamentary Under-Secretary of State for the Environment (Mr. Christopher Chope): There is a statutory duty upon local authorities to take action against unfit properties, including those lacking basic amenities. Where such action is taken, financial assistance may be available under the new system of renovation grants starting on 1 July, to help owners carry out the necessary repairs.

Mrs. Golding: I thank the Minister for his reply. I thank him also for visiting my constituency to see the problems on the former coal board site at Crackley. As a result of his visit, the council has written to the owners of the empty properties, none of whom has had the courtesy to reply. When will the Government give additional powers and moneys to local authorities to help them to solve that serious problem?

Mr. Chope: I enjoyed my visit to Newcastle-under-Lyme, and I was grateful to the hon. Lady for her presence. Newcastle-under-Lyme has done well as a result of the Government's housing policies. This year, its housing investment allocation was £4·159 million compared with only £1·69 million last year. That was an increase of about two-and-a-half times. I hope that that gives some satisfaction to the hon. Lady on the resources front. I have said that the local authorities have the appropriate statutory powers. The problem is that some authorities are not exercising those powers.

Mr. Brazier: Does my hon. Friend agree that one of the best ways of returning such properties to active use would be to go further in liberalising the rented sector? Shorthold tenancies are a step in the right direction, but there is a need to go much further.

Mr. Chope: My hon. Friend is right. The liberalisation that we have already implemented has brought many more properties into use in the private rented sector. In the light of that success, the Government may be looking for further progress.

Mr. O'Brien: Has the Minister read the report of the Association of District Councils, published six months ago, which states that one in seven houses in England and Wales is in need of repair and that the total bill would be a massive £36 billion? The ADC, which is Tory controlled, has urged the Government to provide additional moneys to the public and private sectors so that a start can be made on repairing badly needed houses. Is the Minister aware that the greatest concentration of poor private sector housing is in the north of England? When will he do something about that? Or does he intend, like his predecessors, to sit back and let further decay take place?

Mr. Chope: All Conservatives are concerned about the quality of the housing stock. The Government's record on improving housing is exemplary. I remind the House that during the last year in which the Labour Government were in office only £90 million was spent on home improvement grants. That massive sum has been exceeded fourfold in many years since then. There are regularly more than 100,000 improvement grants a year now, whereas under the Labour Government we were lucky if there were more than 50,000. That is an example of the Government's fine record on private sector housing.

Mrs. Maureen Hicks: Does my hon. Friend agree that, whatever we say about the private sector, the most effective way of reducing local authority waiting lists is to start on our own doorsteps, as it were, and to fill the empty homes that are available for occupation? There are about 2,000 such homes in Wolverhampton. If we were to collect the rent arrears of £7 million and invest that sum for the homeless, we would begin to get somewhere. There is much rhetoric about the homeless, but I am sure that as a result of the community charge the local authorities will begin to get their house in order.

Mr. Chope: My hon. Friend is absolutely right. The best thing that the people of Wolverhampton can do for themselves is to vote for a Conservative council on 3 May.

8. **Mr. Turner:** To ask the Secretary of State for the Environment what representations he has received over the provision of capital investment in housing following the autumn statement; and if he will make a statement.

Mr. Michael Spicer: My right hon. Friend receives such representations from time to time, including some drawing attention to the large increases in public expenditure provision for subsidised rented housing that we have announced.

Mr. Turner: Does the Minister accept that the Government's current housing investment policy is disastrous? The bottom has fallen out of the private sector and there is a major problem with pre-1919 houses. Are not hundreds of thousands of people waiting for proper accommodation, including the elderly and the handicapped who need specialised accommodation and who will die before it is provided under this Government's policies? As for Wolverhampton——

Mr. Speaker: Order. The hon. Gentleman should ask only one question.

Mr. Spicer: Public expenditure on housing is massive —£3 billion in housing revenue subsidy; £3 billion in housing credit; and a doubling of Housing Corporation expenditure up to almost £2 billion. The Government are spending astronomical sums. We inherited very bad housing stock from previous Governments, especially Labour ones. The real problem is bad Labour councils not managing their stock properly.

Mr. Channon: Is my hon. Friend aware that the large amount of housing investment made available to the voluntary housing movement is most welcome? Can he forecast the number of dwellings likely to be forthcoming as a result of that money?

Mr. Spicer: The current average build from that money is about 17,000, rising to 20,000. In two years' time, the figure will rise to 34,000 a year.

Mr. Tony Banks: When will the Minister at the Department of the Environment stop making cheapjack political points—*[Interruption.]*

Mr. Speaker: Order. The hon. Gentleman must make his own judgment about those matters.

Mr. Banks: Ministers are making cheapjack political points out of the homeless. It is all very well for fat Conservative Members to laugh about homelessness. More than 70 per cent. of my constituency casework relates to housing. If all these wonderful things are being done by the Government, why has homelessness in London doubled during the past 10 years?

Mr. Spicer: I have not been making cheap political points; I have been making rather expensive ones during the past 10 minutes. One reason why the hon. Gentleman represents a constituency with such bad housing is that the housing authorities there and in surrounding constituencies are run by Labour councils. They have mismanaged their housing stock——

Mr. Tony Banks: Those are cheapjack points.

Mr. Spicer: I am giving the facts. I am not necessarily making political points, but simply pointing out the facts to the hon. Gentleman.

Local Government Finance

9. **Mr. John Marshall:** To ask the Secretary of State for the Environment what representations he has received about the level of community charge in Barnet.

Mr. David Hunt: I continue to receive representations on many aspects of the community charge.

Mr. Marshall: Does my hon. Friend agree that the community charge in the London borough of Barnet, whose schools had the best results of any local authority in England and Wales and which educates 2,000 refugees from Brent each day, compares very favourably with that of other local authorities? Will he confirm that its community charge of £338 compares well with the £498 imposed by Brent, £534 imposed by Camden, and £573 imposed by the London borough of Haringey? Does not that contain a message for the community charge payers of Barnet next week?

Mr. Hunt: I agree completely with my hon. Friend. Community charge payers in Barnet pay a £70 contribution to the safety net, without which the charge would be £268. Last week, I had the opportunity of visiting Barnet with my hon. Friend. The most common fear expressed to me by shoppers in the high street was of boundary changes. They asked me to make absolutely certain that none will be made, so that they will not suffer the consequence of becoming charge payers in Brent, Haringey or Camden.

Mr. Blunkett: Barnsley and Calderdale would benefit from the same poll tax levels as in Barnet, as that would help them to sustain some of their services. Over the past two years, the Minister and his predecessors have been happy to present the nation with estimates of gainers and losers showing that, according to the Government, 60 per cent. of the population would gain from poll tax. When the true figures were known, the Minister and his Department refused to produce them, despite pressure from myself, my hon. Friend the Member for Birmingham, Perry Barr (Mr. Rooker) and many other right hon. and hon. Members. Will the Minister confirm that figures from the House of Commons Library's statistical section reveal that, in reality, 28 million people will be losers under poll tax—79 per cent. of the population—and that the figures that he and his Department use are wholly mythical?

Mr. Hunt: That is absolute nonsense. We have published all the figures. The statistics that have been published on many occasions, at frequent intervals, show clearly that as a consequence of the changes to the system, 60 per cent. of households will benefit. Those that do not benefit—such as in Barnsley—would do so if Conservatives were in charge of their councils. The message clearly coming through is that with a Conservative council, one pays a lower community charge. Conservative councils cost less.

Waste

10. **Mr. Colvin:** To ask the Secretary of State for the Environment what is his Department's target for the percentage of household waste that could be recycled using *(a)* source separation and *(b)* mechanised separation; and if he will make a statement.

The Under-Secretary of State for the Environment (Mr. David Heathcoat-Amory): Our aim is to recycle 50 per cent. of the useful content of household waste by the end of the century. Achieving that will depend on the right mix of collection and sorting facilities in each area for each waste stream and, above all, on encouraging the market for recycled materials and identifying the environmental benefits of recycling and the real costs of alternatives, such as disposal to landfill.

Mr. Colvin: Has my hon. Friend heard the news that Birmingham city council, in co-operation with the private sector, is managing to recycle 92 per cent. of domestic waste without the need for separation? I thank my hon. Friend for visiting my constituency to see for himself the work done in that respect by Test Valley borough council. What measures does the Department have in mind to encourage local authorities, either with cash or in kind, to recycle more domestic waste?

Mr. Heathcoat-Amory: I know of the scheme that my hon. Friend mentioned, and it sounds very interesting. Test Valley borough council has an excellent record of recycling. I can offer an additional incentive, in that I shall be introducing a new provision into the Environmental Protection Bill allowing waste disposal authorities to pass on to waste collection authorities such as Test Valley the financial credit for avoiding landfill costs by recycling waste instead.

Mr. Andrew F. Bennett: Does the Minister accept that Greater Manchester waste disposal authority has done extremely well with its experiments in the mechanical separation of waste? However, the move from an experimental to a permanent basis will depend on the price

that it can obtain for reclaimed materials. What steps are the Government taking to ensure a guaranteed price for reclaimed paper and plastics?

Mr. Heathcoat-Amory: I have heard of that scheme. I have no theoretical preference for separation at source or the later mechanical separation that he mentioned. We are undertaking a number of experiments to see which is the best system. Most recycling makes economic and environmental sense. The Environmental Protection Bill will have the longer-term effect of raising the cost of landfill, which gives added economic incentives to recycling.

Mr. Mans: Does my hon. Friend agree that in creating a market for recycled products—in particular waste paper—it is important to set an example? Will he have a word with colleagues in other Departments to encourage them to use recycled paper, as the Department of the Environment does?

Mr. Heathcoat-Amory: Yes, Sir. That is under active consideration in all Government Departments. I confirm that my Department uses recycled paper for all correspondence, and I hope that hon. Members will consider using recycled paper for their correspondence from the House.

Rents

11. **Mr. Bill Michie:** To ask the Secretary of State for the Environment how many councils have so far set rent increases above Government guidelines in England and Wales.

Mr. Michael Spicer: About 75 per cent. of the English authorities which have announced their rents for 1990-91 have set rents above the guideline. On present information, the average rent increase per week is 76p above the guideline.

Mr. Michie: Is not that another sign that the Government have made a pig's ear of the assessment of rent levels to local authorities, as they did with the standard spending assessments and the poll tax? Is not it time that the Government admitted that, and had the courage to apologise to local authorities for the incompetence of the Department of the Environment? There is no doubt that it is having a disastrous effect on the economy of local authorities. Before the Minister answers by saying that Sheffield is Labour controlled, I should tell him that obviously it has had to put up rents because the guidelines are low. In Tory-controlled Redbridge, rents have gone up by £15 a week.

Mr. Spicer: The variations are not excessive. I said 76p and that is not an excessive variation on the Government's estimate. When making their estimates, the Government took into account all the rent rebates that had to be paid and the cost of borrowing. One variant is the maintenance budget, which councils set for themselves. Another variant is rent arrears, and one problem is that in many areas large rent arrears go into the accounts and affect other people's rents. Throughout the country, rents in the public sector are well below market values. That is representative of the subsidies that we are giving towards rents.

Mr. Ron Brown: But surely, morally and politically, those councils have no right to implement Tory policy on the poll tax or on rents. The Minister should say that those councils can resist and fight back. If democracy means anything, the fightback of the common people means a tremendous amount. People power does not happen only in eastern Europe. It can happen here. Does the Minister agree that those elected representatives can resist and fight back, and should not it be encouraged?

Mr. Spicer: The hon. Gentleman may be surprised to hear that, if I follow him correctly, I agree with him. The Government have done precisely that. They have given local authorities a great deal of discretion over the way in which they raise rents. That is precisely the discretion that they are exercising, so I think that I agree with the hon. Gentleman.

Housing

14. **Mr. Gregory:** To ask the Secretary of State for the Environment if he will list the 10 local authorities with the highest number of empty properties.

Mr. Michael Spicer: Local authorities with the highest number of empty council dwellings in April 1989 were Manchester—[HON. MEMBERS: "Labour."]; Liverpool—[HON. MEMBERS: "Labour."]; Sheffield—[HON. MEMBERS: "Labour."]; Salford—[HON. MEMBERS: "Labour."]; Birmingham—[HON. MEMBERS: "Labour."]; Sandwell—[HON. MEMBERS: "Labour."]; Hackney—[HON. MEMBERS: "Labour."]; Southwark—[HON. MEMBERS: "Labour."]; Wolverhampton—[HON. MEMBERS: "Labour."]; and Newcastle upon Tyne—[HON. MEMBERS: "Labour."].

Mr. Gregory: I thank my hon. Friend for that reply. Does he agree that it makes an absolute mockery of the Labour party's alleged concern for homelessness when its elected councillors cannot give proper care to the homeless within their areas?

Mr. Spicer: I could not agree more with my hon. Friend. The only other figures that I could have read out would have concerned rent arrears, which is almost the same list.

Mr. Heffer: Is the hon. Gentleman aware that Liverpool's homelessness record is one of the best in the country? Might not that be due to the fact that, since 1983, when Liverpool city council came under Labour control, it has regularly been building houses for the people who live in the area? Is not it true that many of the so-called empty houses are blocks of flats that were built when the Tories were in power and that they are being demolished because they are a blot on the area? Is the Minister aware that the Government practically destroyed industry on Merseyside and that many rent arrears are due to the great poverty in the area?

Mr. Spicer: I am delighted to hear what the hon. Gentleman says. I respond to him by asking him a question: who gave Liverpool the resources to build those houses?

Mr. Dickens: Does the Minister agree that the picture is very much blacker than the list he gave in reply to the question? Is not it a fact that throughout the United Kingdom about 100,000 homes are standing empty in Labour-controlled council areas which, at a stroke, could take 400,000 people off the homeless list? Is not that

diabolical? Instead of carping and shedding tears about it in this place, should not the Opposition get on to their friends in Labour councils about the homeless?

Mr. Spicer: I could not agree more with my hon. Friend. The figure of 100,000 has to be compared with only 40,000 people currently in temporary accommodation and 11,000 in bed-and-breakfast accommodation. My hon. Friend is absolutely right.

Mr. Madden: When the Tory flagship in Bradford is sunk without trace, will the Minister give a firm assurance that there is no prospect of his Department blocking grants for the building of new homes for rent and for the modernisation of older homes on the Lower Grange estate in Bradford, where many of my constituents have been living in the most deplorable conditions for many years?

Mr. Spicer: It is this Government who have made the method of allocating credits across the country as transparent and objective as possible. We shall continue to use that objective assessment method in the future as we have done in the recent past.

Local Government Finance

15. **Mr. Stern:** To ask the Secretary of State for the Environment when he expects to announce the final levels at which relevant local authorities have been community charge-capped.

Mr. Chris Patten: The date for announcing final caps will depend in part on how authorities react to the caps that I proposed earlier this month, but I expect the capping process to be finalised in time for all capped authorities to set their new budgets by June or July.

Mr. Stern: Does my right hon. Friend find it deplorable that Bristol and Avon are about to waste more community charge payers' money going to court to get the right to spend more community charge payers' money? Is not this a case of heads, charge payers do not win, and tails, they lose?

Mr. Patten I note what my hon. Friend says. I am sure that many of his constituents will raise an eyebrow about what has happened. I cannot comment on any case before the court, but my hon. Friend will be aware that there have been at least five judicial reviews on rate capping and that the local authorities failed to win any of them.

Mr. Benn: Has the Secretary of State's attention been drawn to a letter that is being sent out by the right hon. Member for Henley (Mr. Heseltine) to people who write to him about the poll tax, in which he boasts that, when he was Secretary of State for the Environment, he persuaded the Cabinet not to proceed with the poll tax, that he believes that there will have be changes to a system based on the ability to pay and that he intends to take a close interest in the matter? Would not it be a good idea for the Secretary of State to consult his predecessor, who takes the view, shared by many people across the whole political spectrum, that the poll tax is a disaster and cannot continue to operate?

Mr. Patten: I am delighted that my right hon. Friend the Member for Henley (Mr. Heseltine) intends to take a continuing close interest in the evolution of the community charge. However, I am bound to say that my right hon. Friend's description of what he did when he was in the Cabinet, which I am sure is accurate, is slightly less illuminating than some of the descriptions of how the right hon. Gentleman justified his time in Cabinet.

Rents

17. **Ms. Primarolo:** To ask the Secretary of State for the Environment whether he will issue a definition of affordable rents.

Mr. Chope: Housing benefit is available for those tenants who would otherwise have difficulty affording their rents. In addition, subsidies to local authorities and housing associations enable rents to be kept within the reach of people in low-paid employment.

Ms. Primarolo: Yes, we know that, but the Minister was asked for a definition of affordable rents, given that rents vary for different reasons. Council house rents have been forced up by the Government, housing association rents have been forced up by the new financial arrangements and the pressure of interest rates, and housing benefit levels set a maximum rent of £55. The combination of all those factors, in addition to the reduction in the number of people claiming benefit, is to trap people on low pay in their poverty. That housing policy is against the declared aims of the Government and forces people into a poverty trap. What do the Government propose to do about it?

Mr. Chope: Average council rents at about £24 a week are far from unaffordable. The hon. Lady will accept that what is an affordable rent in any given case must be a subjective matter.

Mr. David Nicholson: Is my hon. Friend aware that there is a considerable difference between many council rents and the rents charged by the all-too-small private rented sector? Does he agree that those who are fortunate enough to have council homes should pay realistic rents for good accommodation and that the revenue from such rents should be used to accommodate people who are in housing difficulty?

Mr. Chope: I agree with my hon. Friend. It is the Government's policy that people who occupy council housing and can afford to pay reasonable rents should do so and that those who occupy council housing and cannot afford the rents should be entitled to housing benefit.

Coastal Pollution

18. **Mr. John P. Smith:** To ask the Secretary of State for the Environment what measures he is taking to reduce the risk of excess nutrients building up around the coast.

Mr. Heathcoat-Amory: Details of measures which will reduce inputs of nutrients to our coastal waters are listed in the United Kingdom North sea action plan. The decisions to ban dumping of sewage sludge at sea and to treat all substantial sewage discharges to sea will further reduce nutrient inputs by between 10 and 20 per cent.

Mr. Smith: I thank the Minister for that reply. What does he propose to do to prevent Welsh Water from redirecting sewage discharge from Cardiff bay to the Bristol channel should the bay development go ahead, as

that will add greatly to the risk of eutrophication in the Bristol channel? The matter concerns hon. Members on both sides of the House.

Mr. Heathcoat-Amory: So far, eutrophication has not been found to be a significant problem in United Kingdom coastal waters and has not increased significantly in recent years. However, the development plans to which the hon. Gentleman alludes will be carefully considered by my Department with that in mind.

Mr. Barry Field: Does my hon. Friend agree that while there has been a welcome across the broad spectrum for banning sewage effluent outfalls, it will be many years before we can provide alternatives because some of them are only just coming on stream, particularly in south coast areas?

Mr. Heathcoat-Amory: My hon. Friend is right. It takes time to design such schemes and to obtain the necessary planning permission, but we have made an enormous commitment, and the water companies have a substantial investment undertaking, to put in place the necessary schemes. One reason why we are having to spend so much to catch up is that some of the companies languished for too long in the public sector.

Local Government Finance

21. **Mr. Charles Wardle:** To ask the Secretary of State for the Environment how many representations he has received from tenants' organisations in favour of capital value rates.

Mr. Chope: I am not aware of having received any representations in favour of capital value rates from tenants' organisations or anyone else.

Mr. Wardle: Would not a system of capital value rates be as unfair to those on low incomes as a local income tax would be unwieldy? Is not by far the fairest and most accountable system of local government finance—subject of course to proper implementation—the community charge?

Mr. Chope: I agree wholeheartedly with my hon. Friend. The more people understand about capital value rates, the more they despise the proposition.

Mr. McAllion: If three out of four voters in England rejected a local government tax in the general election, and if a body elected—in the main—outside England subsequently ignored that vote and imposed that local government tax only on England, would the Minister describe those of his fellow countrymen who resisted that undemocratic imposition by every peaceful means open to them as shirkers and anarchists? Does he recognise that the danger of anarchy arises when Governments ignore the principle of democratic consent to law, as the Government have done with the poll tax in Scotland?

Mr. Chope: I do not follow the logic of the hon. Gentleman's argument. I am not well read in the principles of anarchy, but my clear recollection is that the question whether there should be a community charge was put fairly and squarely to the electorate at the last general election.

22. **Mrs. Maureen Hicks:** To ask the Secretary of State for the Environment what assessment he has made of the impact of the uniform business rate on bed-and-breakfast businesses.

Mr. Chope: The impact of the uniform business rate and the non-domestic revaluation on bed-and-breakfast establishments which are subject to rating will vary among properties and areas of the country in the same way as for other properties. I am pleased to see that businesses as a whole in my hon. Friend's constituency will benefit from an average rate reduction of 45 per cent. in cash terms, without transition, as a result of the new business rate arrangements.

Mrs. Hicks: Is my hon. Friend aware of the anxiety about the suggestion of the 100-day rule? Will he examine more closely the problems that it could create? If introduced, it could discourage smaller bed-and-breakfast businesses from operating. That would have a profound effect, and would work against our policy to encourage more tourists to use tourist facilities off-peak.

Mr. Chope: I have met several hon. Friends to discuss the treatment of bed-and-breakfast accommodation. We are considering the arguments that they and others have put to us.

Mr. Skinner: Will the Minister have a word with the Secretary of State for the Environment? Perhaps they could trot down to Bath together. I have been told that there has been a revolt by the business men and women of that constituency. The result of that and other developments is that we could be recycling the whole Government, not just the Secretary of State for the Environment.

Mr. Chope: My right hon. Friend dealt more than adequately with that issue earlier.

23. **Mr. Boswell:** To ask the Secretary of State for the Environment if he will list the 10 county councils with the highest percentage overspend over standard spending assessment.

Mr. David Hunt: The list is as follows: Derbyshire—[HON. MEMBERS: "Labour."]; Avon—[HON. MEMBERS: "Labour."]; Northumberland—[HON. MEMBERS: "Labour."]; Cumbria—[HON. MEMBERS: "Labour."]; Oxfordshire—[HON. MEMBERS: "Labour."]; Cheshire—[HON. MEMBERS: "Labour."]; Isle of Wight—[HON. MEMBERS: "Liberal."]; Humberside—[HON. MEMBERS: "Labour."]; Nottinghamshire—[HON. MEMBERS: "Labour."]; and Lancashire—[HON. MEMBERS: "Labour."]

Mr. Boswell: Does not that send the clearest possible message to the local government electors that Conservative councils cost them less, and that Labour and other Opposition-controlled councils cost them much more?

Mr. Hunt: I could not agree more: everywhere that we look, Labour councils cost the community charge payer more money.

Ms. Gordon: Is the Minister aware that people in the London borough of Barnet who want to go swimming go to the Swiss Cottage baths in the borough of Camden, and that people who want to take their children to one o'clock

clubs go to Parliament Hill fields, also in the borough of Camden? It is all very well for Conservative-controlled authorities to keep spending down, but their residents must use the facilities in neighbouring Labour-run boroughs because they are not provided in their own boroughs.

Mr. Hunt: With a Conservative council, one gets not only a lower community charge but better value for money and better services.

Mr. Yeo: Does my hon. Friend agree that, had we not changed the domestic rating system, the spending by the authorities that he mentioned would have given rise to such a huge burden on ratepayers that any Government who failed to get rid of rates would have been rightly and severely criticised?

Mr. Hunt: I totally agree with my hon. Friend. The Government were the first with the guts to get rid of the iniquitous domestic rating system. We still await the Labour party's statistics for what it proposes in place of the community charge.

Broadcasting Bill

3.30 pm

Mr. Speaker: The hon. Member for Paisley, South (Mr. Buchan) submitted on 14 March that the Broadcasting Bill, as amended in Standing Committee, is hybrid. The Bill has now been reported by the Committee and I am grateful for the opportunity which I have had to study the hon. Member's points.

The first point put forward was to the effect that clause 164 and schedule 14, as amended, require providers of broadcasting services to make available for general publication information relating to programmes, to the disadvantage specifically of the owners and publishers of *TV Times* and *Radio Times*.

As the hon. Member for Paisley, South said in my predecessor's words, a hybrid Bill

"is a public bill which affects a particular private interest in a manner different from the private interest of other persons or bodies of the same category or class."—[*Official Report*, 14 March 1990; Vol. 169, c. 487.]

I have studied clause 164 and schedule 14 with the greatest care. I am satisfied that it creates a class of "providers of programme services" and treats them all precisely the same way in the matter of the copyright of information about their programmes. Since there is no question of different treatment for different providers of services, the clause and schedule cannot make the Bill hybrid.

The hon. Member for Paisley, South also drew attention to the distinction between the provision for domestic satellite services and non-domestic satellite services. He will be aware that the Bill is drafted with separate definitions in clause 38 of these two classes of provider.

The hon. Member for Paisley, South referred specifically to Sky Television, but I am satisfied that it is not the case that Sky Television will necessarily, or in fact, be the only provider of a non-domestic satellite service. Here again, clause 38, as drafted, creates legitimate classes and I cannot therefore rule the Bill to be hybrid in this regard either.

Mr. Norman Buchan (Paisley, South): I thank you, Mr. Speaker, for the careful attention that you have paid to this matter. I completely accept your definition, analysis and statement. However, it creates a major problem because, regardless of the creation of a group, it still leaves the Rupert Murdoch News International holding in Sky as an isolated exception to the restrictions on holdings imposed by the Bill. For example, he owns 35 per cent. of the daily press and, for any other reason, would have been brought under the conditions to prevent monopoly control of a television station.

This was a genuine and serious issue and we shall have to pursue it in other forms. I hope that the Government will take on board the fact that a monopoly of exception has been created and that steps will be taken on Report to rectify this difficult and dangerous issue of cross-media ownership, which was expressly said in the White Paper to be excluded.

Points of Order

3.33 pm

Mr. Peter Rost (Erewash): On a point of order, Mr. Speaker. A motion on the community charge appears on the Order Paper in the name of the Leader of the Opposition for debate today. In line 4, the House is invited to deplore the allegedly "partisan way in which" community capping has been applied. As the authorities that have been capped have been granted leave for judicial review by the courts, may I invite you, Mr. Speaker, in view of the long-established conventions about the sub judice rule in the House, to deliberate and, if necessary, to rule on whether it is appropriate for the House to debate the partisan way in which it has been drafted and whether the motion is in order?

Mr. Speaker: This matter was raised with me yesterday just after questions. The case has not yet been set down and the matter is not yet sub judice.

Mr. Dennis Skinner (Bolsover): On a point of order, Mr. Speaker. I wonder whether you have received any request from the Chancellor of the Exchequer or any of the finance Ministers to make a statement today about the disastrous trade deficit figure of £2·2 billion, which is more than 50 per cent. higher than the amount expected by the Government and City sources? You will recall that, on a number of occasions when the figures have been announced, the Chancellor or one of his deputies has come to the House and been questioned. Someone must stop the run on the pound——

Mr. Speaker: Order. I have received no such request.

Mr. Skinner: You should have.

Mr. Speaker: Order. Perhaps I should have, but I have not.

Mr. Barry Field (Isle of Wight): I should like to raise a point of order, of which I have given you notice, Mr. Speaker. We have learnt that the Liberal county council on the Isle of Wight is one of the top 10 overspending councils in the country, that the Liberal local income tax would be more than £900 per taxpayer, and that the Labour party has admitted that it would not replace the community charge for at least two years, so it is clear that the community charge is here to stay.

The local Labour party is advertising a petition that is to be presented to me. I believe that, as community charge officers can use any source of information, hon. Members would be obliged if you would rule, Sir, on whether such a petition would be subject to parliamentary privilege.

Many Members of Parliament come to the Isle of Wight, even retired Members, from the other parties. Some of them have pledged that they will not pay the community charge. I would not want to be put in the invidious position where a community charge officer could demand that he see the petition and discover that Labour Members of Parliament on the Isle of Wight had signed it and refused to pay the community charge. In that circumstance, my constituents might feel that I had been less than even-handed in my treatment of the petition.

Mr. Speaker: The hon. Member gave me notice of his point of order. I judge the matter to be hypothetical at the moment. I do not know what sort of petition it will be, but

if it is a petition to the House, once it has been presented it is in the possession of the House and will not be available for inspection by non-Members.

Mr. Bob Cryer (Bradford, South): Further to the matter raised by my hon. Friend the Member for Paisley, South (Mr. Buchan), Mr. Speaker. I am not questioning your ruling. However, the Broadcasting Bill will give a privileged position to Rupert Murdoch and Sky Television. As I understand it, your argument is that the Bill's provisions would apply to all people in the same position. However, the cost of setting up satellite television is so high that, in effect, Rupert Murdoch is in a privileged position. Given that fact and the representations that have been made, and accepting your non-hybridity ruling, I ask you seriously to consider the amendments that are tabled on this issue and to give them preference in the selection process.

Mr. Speaker: I shall certainly give careful consideration to that point. However, I must first see the amendments on this subject after they have been tabled.

Mr. Bill Michie (Sheffield, Heeley): On a point of order, Mr. Speaker. As you well know, I rarely raise points of order, but I have been driven to do so, mainly because of planted Question 14, which allowed the rag, tag and bobtails on the Conservative Back Benches to do their pantomime act of saying, "Labour, Labour, Labour." My local authority was named and we do not have the opportunity to challenge the Minister's figures or claims. People should bear in mind that some houses are empty because of Government grants for refurbishment, and so on. Why cannot we have the right to reply?

Mr. Speaker: The hon. Member has the right. If he seeks to take part in today's debate, he will be able to do just that. We have a busy day ahead of us, but I will take Mr. Gow.

Mr. Ian Gow (Eastbourne): On a point of order, Mr. Speaker. Will you reconsider the ruling that you gave a moment ago in response to the point of order of my hon. Friend the Member for Erewash (Mr. Rost)? The House is aware that yesterday an application was made to the High Court by certain county councils which have been capped and that yesterday the High Court gave permission for a judicial review to proceed. In those circumstances, and as the proceedings have been begun and upheld in the preliminary stage, is not the matter sub judice, whether or not that affects what will happen?

Mr. Speaker: The hon. Member is a distinguished lawyer. I am not a lawyer, but I have looked into the matter with particular and special care to make certain that I have got it right. I am satisfied that the case has not yet been set down and that, therefore, is not sub judice.

Mr. Roger King (Birmingham, Northfield): On a point of order, Mr. Speaker. I have read carefully the motion for debate this afternoon presented by Her Majesty's Opposition. Of course, we are all aware that it is an important debate. Having read the motion, I wonder whether the whole motion appears on the Order Paper. I refer you to line 8, which says:

"and bring forward a fairer system of local government finance so that . . ."

I believe that there may be a line or two missing after that because the motion makes no reference to what type of fairer local government taxation the Opposition propose. It makes no reference to a roof tax or local income tax. One would have thought that an Opposition motion would have mentioned that. Will you confirm that the full motion appears on the Order Paper; or has an error been made by the printers?

Mr. Speaker: No error has been made. We had better get on with the debate because we may hear about that very matter.

BILL PRESENTED

Australian Constitution (Public Record Copy)

Mr. Attorney-General, supported by Sir Geoffrey Howe, Mr. Secretary Hurd, Mr. Secretary Waddington and Mr. Solicitor-General, presented a Bill to exclude one of the record copies of the Commonwealth of Australia Constitution Act 1990 from the public records to which the Public Records Act 1958 applies: And the same was read the First time; and ordered to be read a Second time tomorrow and to be printed. [Bill 132.]

Interdicts and Injunctions (Amendment)

3.41 pm

Mr. Tam Dalyell (Linlithgow): I beg to move,

That leave be given to bring in a Bill to amend the Fair Trading Act 1973 to allow the courts further powers of interdict and injunction to prevent purchasers of assets of firms which are the subject of a potential enquiry by the Office of Fair Trading or the Monopolies and Mergers Commission from pre-empting possible decisions of the Secretary of State for Trade and Industry arising from recommendations of the Commission.

In moving this ten-minute Bill on the seemingly dry subject of interdicts and injunctions in the name of my parliamentary colleagues who are members of the Amalgamated Engineering Union group, may I say that, although the matter seems as dry as dust, it concerns the industrial base of our country and jobs.

The Atlas steel foundry in Armadale in west Lothian supplied the high integrity steel from which many of the Dreadnoughts were made. I am grateful for the presence not only of my senior colleagues and my party leader but of that of the Leader of the House. In Westminster Abbey today he may have been thinking about the ships at Gallipoli. The heavy steel for those ships was probably forged, if they were Clyde-built, in the Atlas steel works in Armadale. The steel foundry is unique in that it has extremely heavy cranes and kilns/furnaces which are not found anywhere else in Britain. If certain work—not all of it—were not done in Armadale, it would have to be done at Schaffhausen in Switzerland, Linz in Austria, by Thyssen at Gelsenkirchen in Germany or, arguably, in Turin. We are dealing with a unique facility.

William Cook plc of Penistone acquired that foundry. I hasten to add that in this Bill I seek to criticise no one, least of all William Cook. It acquired the foundry and, according to my hon. Friend the Member for Sheffield, Central (Mr. Caborn), Andrew Cook is a go-ahead and progressive force in industry. However, it bought the foundry in order to close it and take away certain key assets. I referred the matter to the Office of Fair Trading, which has taken the case seriously and, for three weeks, has been working hard on it, with the possibility of referring it to the Monopolies and Mergers Commission.

However, the nub of the issue, which forms the genesis of my Bill, was that when it became clear that the Office of Fair Trading was looking seriously at the case, it seemed as if William Cook plc was taking away some of the key components of the electric furnace. That would present the Office of Fair Trading and, if a referral were to be made, the Monopolies and Mergers Commission with a fait accompli. Therefore, the Amalgamated Engineering Union decided to try to get an interdict or an injunction in the Court of Session in Edinburgh.

I am in no way criticising the court or the judge because he gave us a perfectly good hearing, but we could not prove our case because there was a geological flaw. We could not show, albeit that there were other bidders, that William Cook plc had done anything wrong in law. I do not think that I misrepresent the judge by saying of Lord Marnoch that when it came to the judgment his line was that he wished he could have helped, but he could not in law.

Mr. Bob Cryer (Bradford, South): The law should be changed.

Mr. Dalyell: For that reason, as my hon. Friend says, I believe that we should consider introducing new laws or changing the law. This Bill is about giving the courts flexibility and discretion that they do not have at present so that they can say that people should wait and see, and prevent a fait accompli from being presented to other bidders in industry until the Office of Fair Trading and the Monopolies and Mergers Commission have had time to look at the matter. Such a problem could come to all of us.

I said that my ten-minute Bill would be succinct, and so it will be. I know from last Friday that such Bills often have a difficult passage in the House. Sometimes people speak for 90 minutes in order that a Bill should not be heard. On this occasion, I hope that if my ten-minute Bill, in that form, does not see the light of parliamentary day, at least my senior colleagues, the deputy Prime Minister, and those Conservative Members who have done me the courtesy of being present and of giving me a good hearing, will reflect that what happened to the steel foundry in Armadale could happen to them.

There is an understandable reason for giving the courts the discretion not to alter events in finality—that is a matter for different laws—but to say that the Office of Fair Trading and the Monopolies and Mergers Commission should not be presented with a fait accompli.

Question put and agreed to.

Bill ordered to be brought in by Mr. Tam Dalyell, the parliamentary group of the Amalgamated Engineering Union, Mr. Stanley Orme, Mr. Ken Eastham, Mr. Richard Caborn, Mr. David Clelland, Mr. Jimmy Dunnachie, Mr. John Evans, Mr. Ted Garrett, Mr. George Howarth, Mr. Robert Hughes, Mr. William McKelvey and Mr. Bill Michie.

INTERDICTS AND INJUNCTIONS (AMENDMENT)

Mr. Tam Dalyell accordingly presented a Bill to amend the Fair Trading Act 1973 to allow the courts further powers of interdict and injunction to prevent purchasers of assets of firms which are the subject of a potential enquiry by the Office of Fair Trading or the Monopolies and Mergers Commission from pre-empting possible decisions of the Secretary of State for Trade and Industry arising from recommendations of the Commission: And the same was read the First time; and ordered to be read a Second time upon Friday 4 May and to be printed. [Bill 133.]

3.49 pm

Mr. Richard Holt (Langbaurgh): On a point of order, Mr. Speaker, arising out of the presentation of the Bill by the hon. Member for Linlithgow (Mr. Dalyell). Is it in order for a group such as the Amalgamated Engineering Union parliamentary Labour group to be a sponsor of a Bill in the House, because it must surely include Members of the other place as well? Would not the Bill's list of sponsors have to have that group removed, or should not the names of the individuals in it be submitted?

Mr. Speaker: Only the names of the hon. Members that were given will go down on the Bill.

Mr. Holt: How do we know who they are?

Mr. Speaker: The hon. Member for Linlithgow (Mr. Dalyell) mentioned them.

Opposition Day

[11TH ALLOTTED DAY]

Local Government Finance

Mr. Speaker: I have selected the amendment in the name of the Prime Minister. In view of the large number of hon. Members who wish to participate in the debate, I propose to put a limit of 10 minutes on speeches between 6 pm and 8 pm and I would ask those who speak before and after that time broadly to bear that limit in mind.

3.50 pm

Mr. Bryan Gould (Dagenham): I beg to move,

That this House condemns the unfair and excessive burden which the poll tax has imposed on many millions of people, regrets the further burdens placed on some local authorities and the communities they serve as a consequence of charge-capping and deplores the partisan way in which it has been applied; expresses concern at the heavy burden imposed on many enterprises, and particularly on small businesses, by the uniform business rate; and calls upon the Government as a matter of urgency to review the operation of the poll tax and the uniform business rate and bring forward a fairer system of local government finance so that individuals and their families, businesses and local authorities can all be relieved from the burdens they impose.

In common, I imagine, with most hon. Members, I have received thousands of letters about various aspects of the poll tax. Many of their writers have objected to the principle of the poll tax, some of them perhaps unconsciously echoing the criticism rather surprisingly made by Adam Smith, who is sometimes put forward as guru of the right. Many other letters have complained about the tax's unfair impact and others have asked about —indeed, complained about—the unworkability and the difficulty of administering the poll tax and the expense that has been involved in setting up the systems—in employing new staff, buying new software programmes and so on.

Other letters have expressed concern about the impact of the poll tax on the exercise of civil rights, because many people have noticed the increasing body of academic and other research that shows the worrying trend towards a substantial falling off in the numbers of those on the electoral register, and they are very worried that that is the consequence of the poll tax having inhibited people who fear that by exercising their right to vote they will somehow be caught for the purposes of paying the tax.

Still other writers—all these points are familiar, I am sure, to hon. Members on both sides of the House—have expressed concern about the pressure that the poll tax has put on family life: about their obligation to maintain an adult child or an elderly relative for whom there is suddenly a new responsibility.

Moreover—I believe that my experience is unlikely to be unique in this respect—the overriding question that has increasingly been asked by the great majority of those who have written is about why the poll tax bill is so high—*[Interruption.]*

Mr. Roger King (Birmingham, Northfield) *rose*——

Mr. Gould: I shall give way in a moment.

Conservative Members who were making a fuss a moment ago will know, if they are honest with themselves and the House, that such inquiries have come with just as great bewilderment—and, I dare say, greater outrage and anger—from people living in Conservative-controlled authorities as from those living in Labour or otherwise politically controlled authorities. They want to know why the bills that they were promised by the *Daily Express* in 1986 would be only £50 a head, which they were promised by the right hon. Member for Cirencester and Tewkesbury (Mr. Ridley) about a year ago would be about £178 a head, and which they were promised by the present Secretary of State would be only about £278 a head, have averaged £90 more than that most recent forecast and now average about £360.

The answer that they understand and accept, because it is the true answer, is that the bills are so much higher than forecast right across the country because the Government got their sums wrong. It is not just the Labour party which makes that point. It is made by independent bodies of all types such as the Chartered Institute of Public Finance and Accountancy and others. It is made by Tory-controlled local associations such as the Association of District Councils and the Association of County Councils. They say that the Government made a series of mistakes. First, they chose to assume that local government expenditure for the financial year just completed was £1·6 billion less than it actually was. They did that primarily by choosing to overlook the fact that many local authorities had to dip into their reserves to maintain their spending even at that level.

The bodies that I have mentioned noticed that the Government made no allowance in their calculations for the additional costs of collecting the poll tax or community charge. The Parliamentary Under-Secretary estimated those costs at £400 million, but most people believe that that is a substantial underestimate. The Government also chose to overlook the fact that local authorities have had to accept a range of new obligations and duties, many of them imposed by the Government. No allowance was made for those new obligations.

The Government made the ludicrous assumption that every authority would collect 100 per cent. of the poll tax that was due to it. I do not think that one borough or district treasurer in the country has budgeted on that basis, because everybody understands that the incidence of collection for the poll tax will be lower than it was for the rates. Therefore, the best or perhaps the most optimistic estimate for the collection rate is about 95 per cent. It might even be more prudent to budget for a 90 per cent. collection rate.

The most remarkable mistake was that the Government solemnly assured local authorities that the rate of inflation on the basis of which those authorities should prepare their budgets for the coming financial year, now the current financial year, was initially to be 3·8 per cent. It has now been slightly revised upwards, but it is still nowhere near the true rate of inflation, which, as we all understand and deplore, is running at twice the Government's initial estimate.

The cumulative effect of that catalogue of mistakes has led the Secretary of State himself unconsciously to admit that a gap has arisen between the real level of local government spending and the level that the Government assumed in a fit of super-optimism would be the case. He complains about that gap and has assumed that it is about £3 billion.

Mr. John Maples (Lewisham, West) *rose*——

Mr. Gould: I am advancing a continuous argument and I shall give way to the hon. Gentleman when I have finished it.

The Secretary of State has said that he has put a figure of over £3 billion on that gap. The bad news for poll tax payers is that, because of the way in which local government finance is now structured, every pound of that gap, every penny of the deficit, now falls on the hapless poll tax payer. Every £1 by which the Government's estimate has fallen short of what is required by local government, means that an extra £4 will have to be found from the poll tax.

There is a charitable explanation for that sad catalogue of errors. It is that the Government are simply incompetent. On the day when a £2·2 billion trade deficit has been announced, that explanation has a certain persuasiveness. However, I do not think that this was simply a catalogue of errors. I think that the Government deliberately set about creating this shortfall for reasons which I shall shortly elaborate.

Mr. Maples: If, as the hon. Gentleman suggests, the Government got all this arithmetic so disastrously wrong, how did the Labour-controlled authority of Barking and Dagenham, which includes his constituency, manage to set its charge at just £2 over the Government's suggested figure? Is he saying that the Government were too generous with their grant for his council or is it uniquely efficient?

Mr. Gould: I am glad that the hon. Gentleman is making the case that the Government's errors were not uniform and comprehensive, but they nearly were. The experience of my borough gives the lie to the oft-repeated claim that the poll tax in Labour councils is always higher than in Tory councils.

Let me return to the thread of my argument. I had carried the House with me to the point where we had explored this catalogue of errors and I had suggested that simple incompetence was hardly an adequate explanation. I believe that the Government deliberately set out to create that shortfall because they wanted to build into the poll tax the unfairness, the high bills and the oppressive burdens that are now manifest. Why should they want to do that? *[Interruption.]* I know that Conservative Members do not want to listen, but they should hear the argument because it may help them to understand why they and their constituents are in such difficulties.

The real explanation is to be found in a close textual analysis of the claims that have so often been made for the poll tax. Let us reflect on the theory that underlies it and has so often been advanced as the major case for bringing it about. It was that local government was irresponsible, spent far too much and did so because it was not accountable to those who received the services. It was argued that, because everybody would pay it, the poll tax would improve the accountability of local government.

It was only a small step from that to conclude that one way to make that accountability really bite and have an impact was to ensure that when people found that they had to pay the bills, those bills were substantial and hurt. The theory was that outraged poll tax payers would turn in anger and point the finger of accusation at their local authority and demand that the bills be reduced and services cut. The theory went further, because it was assumed, against the evidence that we now have, that that charge, that action and that demand would be made most intensively against Labour local authorities.

That was the theory, and the game was given away by the previous Secretary of State, the right hon. Member for Cirencester and Tewkesbury, who argued, when criticised about the unfairness of the poll tax, that it was criticised only by those who had been taught to believe that the rich should pay for the services provided to others. There we have the nub of the argument.

The problem with all that is that the accountability that was meant to do the Government's dirty work for them, which would enable them to walk away from local authority finances, saying that it was nothing to do with them, and which was meant to allow them to sit back while irate poll tax payers undermined and weakened local authorities, has backfired in the Government's face. The reason for that is that Conservative Members have been joined by Conservative councillors and activists all refusing to play the part written for them by Conservative central office. They refuse to accept that the fault lies with local authorities.

Mr. Bill Walker (Tayside, North): If the hon. Gentleman's analysis is to be believed, how does he explain that in Scotland, in the second year of the community charge, 20 councils have kept their spending at last year's levels or below and the remainder are within the rate of inflation? Can he also explain why, today in Scotland, the Labour party has announced its proposals for its alternative to the community charge, which the hon. Gentleman has not yet endorsed? That does not surprise me, because it was not able to specify the different categories of homes and how they would be affected.

Mr. Gould: I shall gladly deal with Scotland later in my speech, when I shall invite the House to contemplate the rather mysterious meeting that was arranged between Strathclyde regional council and the right hon. Member for Ayr (Mr. Younger), whose specific purpose it was to consider amendments to the community charge. That was something of which the Secretary of State seemed to be unaware, and it shows how widespread is the anxiety within the Tory party about the poll tax as it has worked out.

The theory of accountability went wrong because many millions of people throughout the country were able to watch on their television screens Conservative councillors in West Oxfordshire resigning the Tory whip. They saw Conservative social clubs in Morecambe disaffiliating from the Tory party. They saw Conservative voters, Members and activists marching and protesting about the poll tax. So they knew that the Government's efforts to use accountability as a weapon against local authorities in general, and Labour local authorities in particular, would not hold water.

It is because of that growing realisation that we have had a succession of measures introduced almost day by day—for example, safety nets, transitional reliefs, changes to rebate schemes and new exemptions. These measures have been introduced by a Government who finally understand—I pay tribute to many Conservative Members for helping the Government to come to this realisation—that accountability has backfired in their face. The poll tax payer now holds the Government responsible for accountability.

Several Hon. Members *rose*——

Mr. Gould: I shall give way to the hon. Member for Birmingham, Northfield (Mr. King) because I feel that I have an inkling of what he wants to ask.

Mr. Roger King: I am grateful to the hon. Gentleman for giving way. He is as generous as ever. I listened with keen attention to his remarks about the community seeking accountability from local authorities. According to him, that will not work. I draw the hon. Gentleman's attention to an article that appeared on the front page of the *Birmingham Evening Mail* last Friday. It was headed "Pasting for City Council". The council has been conducting MORI opinion polls over the last few years to ascertain the views of the local community on how well it has been performing. It seems that

"some 73 per cent. of Brummies blame the Council for wasting too much money on non-essentials, foreign trips and parties. And 57 per cent. believe the council is remote, out of touch and impersonal."

That is a Labour council. What advice will the hon. Gentleman give electors in Birmingham on 3 May? They would be presented with a lower community charge by both the Conservative and the Liberal parties and they are faced with a £406 charge from the Labour party.

Mr. Gould: On 3 May, accountability will have its day. That is the accountability which the Secretary of State was unwilling to trust when he chose to charge cap 21 authorities with less than a month to pass before the voters had the opportunity to express their judgment.

If we are to exchange press comment on the performance of local authorities and local communities, I wonder whether the hon. Member for Northfield read the report in yesterday's *Evening Standard* under the headline "Poll Tax Disowned by Tories". The article refers to the campaigning of the Tory group in Bromley, a borough with a considerable history in the annals of Tory politicking. In its leaflets and electioneering material the Tory group states:

"The community charge was introduced by central Government, not by Bromley councillors. Whatever your views on the current performance of central government, the forthcoming elections are about local government."

Mr. Roger King *rose*——

Mr. Gould: No, I shall not give way. I have another press clipping about the state of public opinion.

I refer to the poll which was published in *The Independent* today. I mention that only in passing, but it shows the 26-point lead that the Labour party has over the Conservative party. The most significant feature of the poll is that 55 per cent. of that large and growing band of people who are described as Tory defectors gave the poll tax as their reason for ceasing to support the Tories. When asked what they thought of the various options, only one in seven of the dwindling band of Tory supporters said that the poll tax was their preferred method of financing local government.

I intend to pursue the theme of accountability because so much was made of it putting the case for the poll tax. Yet as I have just mentioned, when all else had failed, when all the subterfuges and diversions and little escape routes had been tried and had failed to assuage concern, at last the Secretary of State felt obliged to concede that accountability had gone out of the window; that it was no longer the name of the game. On 3 April, just a month from the opportunity that millions of voters would have to express their views in the ballot box on the size of their poll tax bills, the Government had to intervene to sweep away accountability and to introduce charge capping—

Mr. Nicholas Bennett (Pembroke) *rose*——

Mr. Gould: I shall not give way, as I want to make the point that the Secretary of State had to introduce charge capping for local authorities.

Heaven knows how much midnight oil was burnt and how many hours of effort were put in by civil servants to produce the mathematical miracle of 20, rising to 21, local authorities that excluded every Tory authority. The amazing aspect is that the Secretary of State managed to produce a list that included local authorities whose poll tax bills were actually below the Government's assumed charge for those authorities. He managed to produce a list that included authorities that were contributors under the safety net. However, the list excluded some authorities that would appear on any list based on those with the highest poll tax bills. The right hon. Gentleman managed to produce a list that excluded Tory authorities that would have been included on any list of authorities that had most sharply increased their spending over last year. He even managed to produce a list that excluded Kensington and Chelsea.

I shall let the House into a secret. We did quite a bit of work chopping and changing the various criteria that the right hon. Gentleman might use—yet we found it virtually impossible to come up with a combination that would exclude Kensington and Chelsea. However, the Secretary of State has found a way to do that. The conclusion reached by the hundreds of people in Tory authorities who have written to us is that that list was a political fix. It was a political exercise—a concession to the fact that accountability could no longer be relied upon. All that was left to the Government was to try to shift the blame for the fiasco on their hands.

The Secretary of State for the Environment (Mr. Chris Patten): Is the hon. Gentleman aware that in order to cap Kensington and Chelsea I would have had to cap 58 local authorities? Is it the Labour party's position that I should have capped 58 local authorities?

Mr. Gould: I do the Secretary of State the honour of assuming that he knows his way around his own criteria a little better than he has just suggested. The fact is that under almost all combinations of criteria, Kensington and Chelsea figures high on the list. Indeed, on the combination of criteria that most people assumed that the right hon. Gentleman would use, Kensington and Chelsea came 21st. That is why many people assumed that he would produce a list of just 20, which he did.

Even the Secretary of State understood that, had he produced a list based on criteria that produced 20 local authorities excluding every Conservative authority, but with that same set of criteria producing a Tory 21st local authority, it would be extremely embarrassing to draw the line just before that Tory authority appeared on the list.

Charge capping is a political exercise which is unlikely to succeed. I set aside the question of judicial review. I am delighted that a High Court judge has agreed that there is a case to answer, and I shall be interested to see how that legal argument pans out. Even as a political exercise,

[Mr. Gould]

capping is unlikely to succeed because it necessarily destroys the only case that was ever really made for poll tax—that it would increase accountability.

I suspect that many Conservative Members are uncomfortably aware that capping has immeasurably increased the anger of poll tax payers in Tory local authorities. They are the people who write in to complain, "How dare the Secretary of State draw up a list that excludes my Tory-controlled borough, which has imposed a whacking great poll tax bill on me?"

Contrary to the Secretary of State's efforts and expectations, charge capping has made the Government even more directly responsible for poll tax bills. Every aspect of local government finance—central Government grant, uniform business rate, and now the poll tax itself—comes under central Government control. In effect, charge-capped bills are those which have been issued by the Government under their own authority, and the remainder are, by implication, bills which the Government say can go ahead. Every poll tax bill that has arrived and is about to arrive bears only one set of fingerprints—the fingerprints of a guilty Government.

Mr. Ian Bruce (Dorset, South): As the hon. Member for Dangenham (Mr. Gould) worries about the poor and needy, who have great difficulty paying the community charge, what advice does he offer the Labour-controlled local authority serving Weymouth and Portland? Putting aside the cost of the community charge, that authority has, according to the old system, imposed an increase in money collected from all sources of 50 per cent. How would Labour deal with that situation? That authority is not being capped because its budget has risen only from £4 million to £6·5 million, but clearly that increase is costing my constituents a lot of money.

Mr. Gould: The invented figure of a 35 per cent. rates increase that the Secretary of State has used sometimes is just as much vitiated as the poll tax calculation by the mistakes that I enumerated earlier, in terms of providing central Government grant. That is the major explanation. The hon. Member for Dorset, South (Mr. Bruce) ought to advise his constituents to pursue the matter with the Government, because they are responsible for the gap and for the supposed rates increase.

So much for accountability as a feature of the poll tax. Turning to the uniform business rate, we immediately encounter a paradox. The uniform business rate is in many respects the stablemate of the poll tax, yet whereas we were told that the poll tax had the major virtue of increasing accountability, somehow and mysteriously there is no mention of accountability in relation to the uniform business rate. Not only does it entirely overlook accountability but it totally denies it. It provides instead for a centrally-fixed national rate which breaks the link between local authorities and their local business communities.

The reason why the Secretary of State's business community is so worried about the uniform rate is that it offers no opportunity to respond to revaluation—which we welcome—by giving local authorities the power to fix their business rate according to local conditions. Conservative Members know as well as anyone how poorly the uniform rate is regarded. I would take a bet that every one of them has received representations from local business men to that effect.

The ability to meet the needs of local business communities has been taken from local government and is now entirely in the hands of central Government. That is why, when the Secretary of State encounters opposition from his business community through the organisation called Business Against Rate and Rent Increases in Bath—the most high profile of the growing number of protests up and down the country—and when he promises to see them but is reported as saying that he will do so only as a constituency Member of Parliament, he was profoundly wrong. The business community was right to ask to see him as the Secretary of State for the Environment, because he and the Government have introduced the uniform business rate, and have imposed it on business men up and down the country. There is no point in speaking to the local constituency Member of Parliament, because the uniform business rate is central Government policy.

Mr. David Nicholson (Taunton): Does the hon. Gentleman accept that the UBR in my constituency and that of my right hon. Friend the Secretary of State would, on former values, have involved a lower rate bill than the rates exacted by Somerset and Avon county councils? Does he agree that the rise in the business rates bill in my constituency and that of my right hon. Friend was caused by the revaluation, which was delayed for 17 years? What is the Labour party's position on revaluation? Would it cancel it, or would it postpone it, or would it go for an entirely different system of business taxation for which there is no consensus among industrial and business organisations?

Mr. Gould: As some of the more attentive hon. Members may recall—I am sure that the Secretary of State does, because he referred to it this afternoon—I have had no hesitation in supporting and endorsing the revaluation. Where the Labour party parts company with the Government is that they have built on and exacerbated the revaluation with a national rate which takes no account of local conditions. The hon. Member for Taunton (Mr. Nicholson) is wrong. If the business rate could be set by local authorities, it could be made to offset the impact of revaluation.

Mr. Chris Patten: I am afraid that the hon. Gentleman misunderstands the point. In my constituency and in many others the uniform business rate is 10 per cent. lower than the local non-domestic rate, so how does that square with his argument?

Mr. Gould: I shall leave it to the Secretary of State to make his case to his recalcitrant business communities. That is his problem.

May I also bring to the right hon. Gentleman's attention the real problems that local business men face. As the Institute for Fiscal Studies has pointed out, a large proportion of businesses will face an increase in their business rates. That increase will be particularly felt in the south-east, among small businesses, in retailing and in small high-tech businesses. Those businesses are offered——

Mr. Tony Favell (Stockport): Will the hon. Gentleman give way?

Mr. Gould: No, let me continue for the moment. Those businesses are offered, as protection against the increases, a transitional scheme which, true to form and typically of the whole poll tax fiasco, is less generous than it seems.

The principle is that most ordinary and large businesses will be no more than 20 per cent. worse off in each of the next five years. The truth is that that 20 per cent. increase per year—said to be the upper limit for any increase—is a cumulative increase which takes no account of inflation. In reality, even with a 6 per cent. inflation rate, that transitional relief will be exhausted after three years.

Any business that changes its premises, moves to new premises, leaves premises empty, refurbishes, makes additions or makes any alteration to premises will lose the transitional relief immediately. That is why one will find a range of shop fronts boarded up in high streets in so many of our towns and cities; they will be unlettable. Anyone who took on those premises would immediately cop the full increase in uniform business rate, and that is what is proving so damaging to so many business communities.

I hope that the Secretary of State will tell us what explanation he gives his own business community on the subject and that he will bring us up to date on the Government's proposals for mitigating the worst effects of the poll tax. Decisions are needed soon. We cannot afford delay for much longer if local authorities are to be able to gear up for whatever changes the Government have in store. We need to know which of the options that have been floated in recent months the Government intend to settle on.

Are we to have—I shall give way to the Secretary of State on this point, although I suspect that he wishes to deal with it in his speech—the removal from local government expenditure of major items of expenditure, such as education or teachers' salaries? I think not, because the Prime Minister has made it clear that she is opposed to it. Are we, then, to have the restoration of central Government grant to make good——

Mr. Favell: Will the hon. Gentleman give way?

Mr. Gould: No, I do not intend to give way for the moment. I should be grateful if, for a change, the hon. Gentleman would listen.

Are we to have the restoration of that £3 billion deficit in central Government grant? I think not—although it must be an attractive option—because it would put the Government in desperate straits in terms of their finances. How would they find that £3 billion—and probably more—to make good the gap without disappointing their followers' expectations that they might be able to offer yet more mysterious and insubstantial tax cuts in the run-up to the general election? How would the Secretary of State guarantee that an increase in grant would result in lower poll tax bills? Is not it likely that local authorities, which have been bled dry and have had to cut their services in the most painful and damaging fashion, would use any additional grant to restore their services, thus leaving poll tax bills unchanged? Are we, therefore, to have, as I think has also been floated, a universal form of charge capping? Is that what is in store? That would be the final admission that accountability is off the agenda.

Perhaps there is to be the banding of incomes—sometimes called the Mates option. The Secretary of State knows well, because he voted it down, that that is full of practical problems and that it would create all sorts of poverty trap implications. Furthermore, it denies the original purpose of the poll tax.

Mr. Anthony Beaumont-Dark (Birmingham, Selly Oak): Will the hon. Gentleman give way?

Mr. Gould: No, I do not intend to give way again. I am about to end my speech.

Always, of course, lurking in the wings is the right hon. Member for Henley (Mr. Heseltine). Earlier this afternoon we heard from my right hon. Friend the Member for Chesterfield (Mr. Benn) that the right hon. Member for Henley had carefully distanced himself from any responsibility for introducing this iniquitous tax. The point is that we do not yet know from the Government, although local authorities desperately need to know, what is their solution to the problem. They are aware of the problems. There is an excellent amendment on the Order Paper in the name of the right hon. Member for Shropshire, North (Mr. Biffen). If the rules of order permitted it, Mr. Speaker, I would say immediately that we accept it and that we invite the right hon. Gentleman to join us in the Lobby. We also know, as hon. Members heard from my quotation of the case of—

Mr. Beaumont-Dark: Will the hon. Gentleman give way?

Mr. Speaker: Order. I distinctly heard the hon. Member for Dagenham (Mr. Gould) say that he did not intend to give way again.

Mr. Beaumont-Dark *rose*——

Mr. Speaker: Order. The hon. Member for Dagenham has given way generously. Interventions take up a lot of time. Many hon. Members, possibly including the hon. Member for Birmingham, Selly Oak (Mr. Beaumont-Dark), wish to participate in the debate.

Mr. Nicholas Bennett: On a point of order, Mr. Speaker. I seek your advice on the motion that stands in the name of the hon. Member for Dagenham (Mr. Gould). It refers to a fairer system of local government finance. We have heard nothing about that during his speech. Does the hon. Gentleman intend to speak to his own motion?

Mr. Speaker: I do not know, but what I do know is that if he is interrupted again we may never get there.

Mr. Gould: In order to show how generous I am, and out of my regard for the hon. Member for Birmingham, Selly Oak (Mr. Beaumont-Dark), I shall give way to him as a last gesture.

Mr. Beaumont-Dark: Will my hon. Friend—[HON. MEMBERS: "Oh."] That was said on purpose. In this House one can have friends across party lines. I agree with the Opposition that the policy put forward by my own right hon. and hon. Friends is somewhat less than satisfactory. That is at its kindest. I believe that the way in which the community charge will fall is unsatisfactory and unjust and that the way in which the uniform business rate will affect small businesses in particular is neither fair nor just.

Does the hon. Gentleman accept, however, that we are talking about vast billions of pounds that have to be found for local government expenditure? Although I think that my right hon. Friends are wrong, because the community charge does not take into account ability to pay, that

[Mr. Beaumont-Dark]

money will have to be found, whatever the Opposition say. How are they going to find such sums? What sort of policy will they put forward, because, in the end, the money will have to come from somewhere?

Mr. Gould: I am glad to carry the hon. Gentleman with me to some degree at least, in that he joins us in the criticisms which the vast majority of people make of the Government's proposals. [HON. MEMBERS: "Answer the question."] I am coming to the answer which hon. Members will find extremely useful.

The Government well understand—at least, they have no excuse for not understanding—that the time has come for them to recognise the fiasco that they have created. I have referred to the efforts that Tory local authorities and councillors are making to distance themselves from central Government. I have also referred to the poll in *The Independent*, which shows how much the poll tax is damaging Tory prospects in the local government elections. I have referred to the amendment tabled in the names of the right hon. Member for Shropshire, North and some of his hon. Friends as just the tip of an iceberg which demonstrates how much concern and anxiety exists on Conservative Benches. I have also drawn attention to the meeting—we look forward to hearing an explanation of that meeting—which mysteriously has been organised between senior officials of Strathclyde regional council and the right hon. Member for Ayr. All those factors demonstrate how much difficulty the Government are in.

For the sake of all those who want to live in a fairy-tale land where people do not understand what our Labour replacement for the poll tax will be, let me read from the report in *The Independent*. When people were asked what alternatives to the poll tax they favoured, Labour's system of taking income and property values into account was the most popular—*[Interruption.]* Unlike those Conservative Members who are or pretend to be ignorant, 43 per cent.—*[Interruption.]* I repeat for those who did not catch that figure that 43 per cent. not only understood and were familiar with Labour's alternative, but actually found it preferable to any other proposition. The next most popular alternative was a return to the rates, which was favoured by 17 per cent. A local income tax, which is favoured by the Liberal Democrats, was preferred by only 16 per cent. and surprisingly, only one in seven of that dwindling band of Tory voters—those who intend to vote Tory in the local elections—favoured the poll tax

Let me quote from *The Independent*. *[Interruption.]*

Mr. Robert Key (Salisbury): Ssh.

Mr. Gould: I am grateful to the hon. Member for Salisbury (Mr. Key): I think that he will enjoy this. The article states:

"Even among the fairly small sample of intending Conservative voters, Labour's approach is preferred to any other".

We have now reached a point at which even the Government must understand——

Mr. Jim Sillars (Glasgow, Govan): Will the hon. Gentleman give way?

Mr. Gould: No, I will not.

Even the Government must understand that the game is up. Even they must now understand that the time for political posturing is over; that what is now required is a recognition that the Government——

Mr. Tony Marlow (Northampton, North): On a point of order, Mr. Deputy Speaker. We have just been told that 43 per cent. of people understand the new Labour tax proposals. If that is the case, will the hon. Gentleman please explain them to the House?

Mr. Gould: If the hon. Gentleman had had enough wit and attention to listen to what I said, he would have clearly understood the Labour alternative.

Mr. John Ward (Poole): On a point of order, Mr. Deputy Speaker. You may not be aware that we have been trying to hear the debate for some time. So that we can understand what the hon. Gentleman is talking about, could a copy of the Labour party's policy document be placed in the Library?

Mr. Deputy Speaker (Mr. Harold Walker): If the hon. Gentleman wishes to listen to the debate, perhaps he and his colleagues should restrain themselves. I, too, am anxious to hear what the hon. Member for Dagenham (Mr. Gould) has to say.

Mr. Sillars: Will the hon. Gentleman give way?

Mr. Gould: No.

I wish to help the hon. Member for Poole (Mr. Ward). First, I shall send him a text of the major speech that I delivered in Cardiff in February; secondly, I shall send him a copy of the statement on which we based a press conference in the Mid-Staffordshire by-election on our alternative proposal; thirdly, I shall send him a copy of the briefing that we have sent to hundreds of thousands of people, which no doubt goes some way to explain why 43 per cent. of people prefer our alternative.

Mr. Roger King: On a point of order, Mr. Deputy Speaker. Is not it customary for Opposition Front-Bench spokesmen on matters of some importance to tell the House their policy, rather than hiding behind——

Mr. Deputy Speaker: Order. I hope that the debate will not be interrupted by a series of bogus points of order. Equally, I hope that the hon. Member for Dagenham will be given the opportunity to express himself to the House.

Mr. Gould: I am in a generous mood. I made an offer to the hon. Member for Poole, who intervened on an earlier bogus point of order. I shall also make a bargain with the Secretary of State: I shall send him copies of the same documents as soon as he sends us a copy of his statement on the Tory alternatives to the poll tax. That is the question to which people faced with horrific bills desperately need an answer. That is not in the interests of the Tory party, although we well understand why the Tories are running scared; people who are terrified out of their wits need to know the answers. We need to hear those answers from the Secretary of State now.

Mr. Bill Walker: On a point of order, Mr. Deputy Speaker. Is not this a United Kingdom debate on local government finance, on a motion on the Order Paper tabled in the names of Opposition Members? Earlier today, a statement was made in Scotland to which I referred in an intervention in the speech of the hon.

Member for Dagenham (Mr. Gould)—you were not here, Mr. Deputy Speaker. Is it in order for a local government debate of such magnitude, especially as it affects Scotland——

Mr. Deputy Speaker: Order. The Chair will judge whether contributions to the debate are in order at the time that they are made and in the light of the wording of the motion. I hope that we can now get on.

4.39 pm

The Secretary of State for the Environment (Mr. Chris Patten): I beg to move, to leave out from "House" to the end of the Question and to add instead thereof:

'believes that almost every adult should make some contribution towards the cost of local services from which they benefit, with relief for the less well off; welcomes the embodiment of those principles in the community charge; notes that the scale and pattern of payments is related to ability to pay with 10 million people receiving rebates at a cost of £2·5 billion; welcomes the willingness of the Government to listen to constructive suggestions for improving the new system with a view to prompt implementation of any necessary changes; further notes that living under Labour costs people more; and deplores the fact that the Labour Party have not had the courage or honesty to come forward with their own proposals before the local elections on 3rd May.'

Mr. Sillars: The Secretary of State will know that I am extremely grateful to him for giving way. The Government amendment accuses the Labour party of not producing the goods in respect of the roof tax. Is he aware that the reason why the hon. Member for Dagenham (Mr. Gould) was afraid to give way to me—[HON. MEMBERS: "Oh!"] Oh, yes. It is usual for an hon. Member to give way across the Chamber, not just to hon. Members on his side. He was afraid to give way to me because the Labour party in Scotland today produced figures for the roof tax. The average figure that it gave per household is £420, whereas two years ago under the rating system the average per household was £498. Will the Secretary of State, on my behalf, ask the hon. Member for Dagenham how it is possible to reach a figure of £420 per household, unless the Labour party is prepared to cut services massively in Scotland?

Mr. Patten: I will answer the hon. Gentleman's question straight away. I am sorry that, doubtless because of an oversight, the hon. Member for Dagenham (Mr. Gould) was unable to do so.

The only question people were not asked in the hon. Gentleman's moving peroration was whether they believe that there are fairies at the bottom of the garden. Had they been, doubtless the fairies could have produced the statistical information to which the hon. Member for Glasgow, Govan (Mr. Sillars) drew attention.

I am sure that hon. Members have looked forward to this debate. It is no secret that, on balance, the Opposition have opposed the community charge. However, they have been a little reluctant to give their alternative. They have had 12 Opposition days this year but have not chosen to use one to discuss the community charge. We assumed when the Labour party tabled the motion—the Leader of the Opposition graced us with his presence for a few moments, although he had some difficulty staying awake—that the Mandelson veto had been lifted and that we would hear its alternative to domestic rates and the community charge. Given hon. Members' high expectations, the speech of the hon. Member for Dagenham was a disappointment. My hon. Friends were only too eager to hear what he had to say and they will read his speech with interest to discover what the 43 per cent. believe in.

Once again, the hon. Member for Dagenham came to the Dispatch Box empty-handed. I should like to deal later with some of the points he made, but may I start with the position today? We have introduced the community charge on the basis of the revenue support grant settlement announced last July which allowed for an 8·5 per cent. increase in aggregate external finance for local government. We distributed that grant under the new formula, the standard spending assessment. Since last autumn, my hon. Friend the Minister for Local Government and Inner Cities—I pay tribute to his work over the past few months—and I have introduced the transitional relief scheme and have announced that contributions to the safety net will end after the first year instead of continuing for four years. In his Budget statement, my right hon. Friend the Chancellor of the Exchequer announced the doubling of the ceiling on capital disregards.

Whatever our political disagreements, and although there are exceptions to which my hon. Friend the Minister referred earlier, by and large, the administrative arrangements for this extremely complicated new way of raising—*[Interruption.]* The administrative arrangements in local government have worked pretty well. I congratulate the majority of local authorities on issuing bills in early April, net of transitional relief and benefit, despite the late introduction of the transitional relief scheme. All the local authority officials who worked so hard to secure that outcome are to be congratulated.

This is one of the biggest changes that has been made to our social and economic life for decades. I can say, with perhaps more personal authority and witness than any other hon. Member that it has not been an entirely hazard-free enterprise, but nor would have been a revaluation of domestic rates or the introduction of whatever the Labour party would put in place of domestic rates and the community charge. If it were easy, straightforward and popular, it is conceivable that the Labour party would have announced its proposals.

Mr. Tam Dalyell (Linlithgow): Does the Secretary of State accept that, in year two of the poll tax, the parliamentary banter seems out of place? May I say, with all sincerity, that for constituency Members of Parliament year two is sheer misery? If it has worked out so well, why is Lothian authority being asked to provide self-defence courses—I banter not and I do not exaggerate—for employees who must administer the tax? It is far from a laughing, yah-boo matter.

Mr. Patten: I wish that I had waited a moment or two before giving way to the hon. Gentleman, because there is something to which I wish to refer now and a little later. It is not surprising that, as we have introduced this substantial change, we have encountered several problems, anomalies and difficulties, such as the treatment of holiday caravans, which was referred to in a parliamentary statement by my hon. Friend the Minister for Local Government and Inner Cities, as well as the larger difficulties to which I referred delicately a moment or two ago.

[Mr. Patten]

We have made it clear that we intend to look at fresh evidence on the standard spending assessments, whether it be from local authority associations or individual authorities before the grant distribution next year. Several other issues have been brought to my attention by my hon. Friends. A range of constructive criticisms has been made by them and by others. It perhaps will not surprise the most distinguished of my right hon. and hon. Friends that not all the criticisms and proposals that we have received have been mutually compatible, but I dare say that that is in the nature of the argument.

We shall review all those issues in the next few weeks. Of course, it is important that, by the time we make the rate support grant settlement statement for next year, in a few months' time, we should have resolved all those matters and be able to say whether we need to make any modifications and, if so, what they should be. The basic principle remains the same: almost everyone should make some contribution to the cost of the services from which all people benefit.

Mr. Gould: I assure the Secretary of State that Labour Members are listening carefully to his comments, because the nature of the language that he uses shows that he offers substantial change. The right hon. Gentleman concedes fairly, as he has done before, that the standard spending assessments are somewhat less than perfect. Can we therefore conclude that he may be disposed not to contest the application for judicial review by those charge-capped authorities?

Mr. Patten: That was an ingenious way of asking a question—suggesting that I had made a statement that I had not made. Distinguished lawyer though the hon. Gentleman is, he would have been surprised had I given him such an answer, which he would have been able to send to his and others' learned Friends elsewhere. I said that we were prepared to consider fresh evidence on the SSAs, whether from individual authorities or from local authority associations. I have already made that clear in the House and I make it clear again. I do not think that it can be said that we are groaning under the weight of fresh evidence from local authority associations or local authorities, but we are prepared to listen to what people say.

Mr. Peter Hardy (Wentworth): Does the Secretary of State accept that it would have been highly desirable for those south Yorkshire authorities such as Rotherham which have real difficulties and relatively low spending assessments to have their position examined before he made his poll tax-capping announcement? Does the right hon. Gentleman realise that it is unreasonable and unacceptable—I made this clear in an early-day motion tabled this week—that an authority such as Rotherham should receive as a standard spending grant a sum 459 per cent. lower than that for the city of Westminster, which is much more affluent?

Mr. Patten: No. I believe that the grant distribution formula that we used was right. Whatever the hon. Gentleman thinks about the SSA formula, the proposed Rotherham budget was 15·4 per cent. above the rescaled grant-related expenditure assessment—the previous distribution formula. It would not be fair to argue that somehow everything had gone wrong because of a new SSA rather than the GRE. I repeat that we believe that the formula was right, but we are prepared to consider fresh evidence on it.

Mr. Richard Tracey (Surbiton): I am sure that my right hon. Friend agrees that next week the electors in London and elsewhere should know on what basis they should compare local authorities. Will my right hon. Friend confirm that they should compare on the basis of community charge payments? My right hon. Friend will recall that, at the launch of the Labour party's local government campaign, the hon. Member for Dagenham (Mr. Gould) said that it would be at least two years after a Labour Government being returned—an unlikely prospect—before they would come forward with an alternative to the community charge. Does not that mean that people going to the polls next week will know that the community charge will be in place for at least four years and that they must judge that Conservative councils cost less?

Mr. Patten: Conservative councils certainly cost less. My hon. Friend did not refer to the figures, but the standard spending assessments in London, for example, show that Labour authorities are spending £216 and Conservative boroughs £3 a head above their SSAs—a difference of £213. That is a substantial reason for everyone in London voting Conservative next Thursday.

Mr. Martin Redmond (Don Valley) *rose*——

Mr. Kevin Barron (Rother Valley) *rose*——

Mr. Patten: I shall give way and then make progress.

Mr. Redmond: The right hon. Gentleman said that the SSAs would be reviewed. Is he prepared to move the 30 April deadline for the authorities that are poll-capped and select a new date? He will be aware of the difficulty that people have had in trying to arrange a meeting with him to discuss this subject.

Mr. Patten: I cannot move that deadline, but I am prepared—as I must be in relation to my statutory obligations and requirements—to consider carefully an alternative budget, should one be put forward by a local authority. If I reject that budget, I must explain to the House of Commons why I have done so and get its support.

Mr. David Blunkett (Sheffield, Brightside) *rose*——

Mr. Patten: Perhaps I could give way first to the hon. Member for Rother Valley (Mr. Barron). [HON. MEMBERS: "Give way."] All right—I give way to the hon. Member for Sheffield, Brightside (Mr. Blunkett).

Mr. Blunkett: I am sure that my hon. Friend the Member for Rother Valley (Mr. Barron) will forgive me. In 1985, the Secretary of State for the Environment was faced with the same dilemma, in terms of local authorities having to present their cases quickly for redetermination and asking for additional time to be granted. It was felt at that time that the Secretary of State had the discretion to allow that. I ask the present Secretary of State to reconsider his answer with a view to allowing those authorities some limited additional time to consider their position.

Mr. Patten: I am not prepared to reconsider the position. As I said, if local authorities contest the caps or budgets that I have proposed, they have a statutory right to propose alternatives, and I then have to consider those alternatives and explain to the House why I either reject them or accept them. That is the right way to proceed and the way in which I intend to proceed.

Mr. Barron *rose*——

Mr. Marlow *rose*——

Mr. Patten: One last point and then perhaps I can make a little progress. The hon. Member for Rother Valley has been trying to intervene.

Mr. Barron: My constituency is in Rotherham metropolitan borough. For the first time under this Government it has been capped, and all its public expenditure will come in future from central Government. How will the accountability test apply next Thursday in the Rother Valley constituency, which has to suffer a share of the £7·9 million in cuts, yet four of the seven wards are not fielding Tory candidates?

Mr. Patten: I do not mean to make my point in a polemical or rhetorical way, but I have great difficulty understanding the hon. Gentleman's argument.

Mr. Barron: The Secretary of State echoed the words used in 1986 by the Conservative spokesman, now the Conservative party chairman, who said that people who believed that the poll tax was set too high had the right to go to the ballot box and to get rid of the councillors who set it. There are no Conservative candidates in 11 Rotherham seats. The Conservatives are denying their people a chance to vote and going against the accountability which was laid down in the legislation on Second Reading and which was supported by many Conservative Members.

Mr. Patten: It is true that the best way of capping overspending and excessive charges in the long term is by voting Conservative. I very much hope that people throughout the country will take advantage of that where they can.

Mr. Marlow: For even greater clarity, will my right hon. Friend expand on a point that he made a couple of minutes ago? I think that he said that in London the average Labour authority was spending £216 above SSA and the average Conservative borough a mere £3 above SSA. Does that mean that if the average Londoner votes Labour it will cost him or her £4 a week? If so, the House should know.

Mr. Patten: Yes, if they are lucky it will cost them that much extra a week. It will be perhaps £8 extra a week for a married couple. In several boroughs, some of which I have visited in the past few weeks, people would have considered themselves lucky if it had cost them only £4 a week extra.

Mr. Allen McKay (Barnsley, West and Penistone): Will the Secretary of State give way?

Mr. Patten: I shall give way, but then I wish to make progress.

Mr. McKay: I wish to ask the Secretary of State a question on his statement about the spending assessments, which was fair enough. He is probably aware that my authority has been capped to the tune of £10 million.

Mr. James Hill (Southampton, Test): Good.

Mr. McKay: I heard the word "good". Does the hon. Gentleman believe that the decimation of the education system is good? I will tell him why he wishes the authority to be capped. It is because he knows nothing about it. When he says "good", he should realise what he is saying. What I am saying is serious.

Does the Secretary of State realise that in the short space of time that the £10 million of savings will have to be found the sum will become £13 million? Will he take that into consideration? We are now into the next financial year and by the time that savings or cuts can be made, we shall be part way through the year. The £10 million will become £13 million. Will he take that into consideration and the fact that we must put right the effects of Government policy?

Mr. Patten: We have taken that fact into consideration in setting our cap. We also notice that the cap still leaves a budget for Barnsley which is 17·7 per cent. or £118 per adult over the SSA.

Mr. Favell: The hon. Member for Barnsley, West and Penistone (Mr. McKay) tried to put the fear of God up his constituents about the possibility of savings in the education department of his local authority. Is my right hon. Friend aware that it has just come to my knowledge that in Stockport it costs £400,000 a year to provide the wage packets?

Mr. Patten: Facts such as those and ways in which we could secure far greater value for money will emerge increasingly frequently as the discussion about the community charge and the best ways of funding local government finance becomes more intense.

Before giving way on several occasions, I said that we were prepared to consider in the next few months what changes and modifications may be required next year. We must also be clear about the background to the current arguments and to any changes. Last year, local authorities increased their spending by 9 per cent. over the previous year. That represented an increase in expenditure of £2·7 billion. This year, local authorities intend to increase their spending by 15 per cent. That represents an increase in cash terms of £4·6 billion. There is no easy, cost-free way in which the consequences of spending at such levels can be dealt with. We must recognise that it simply is not the case that town halls and county halls live outside the normal economic rules of the world.

Mrs. Alice Mahon (Halifax): Will the Secretary of State give way?

Mr. Patten: No, not for the moment.

In the rest of my speech I wish to deal with four issues. First, who pays the community charge? Secondly, how much do people have to pay? Thirdly, I wish to make a few remarks about the uniform business rate and revaluation. Fourthly, I shall come back to the issue with which the hon. Member for Dagenham flirted in his speech—how we should raise revenue for local government.

Who pays the community charge? I said earlier that our community charge is based on a simple principle—that

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almost everyone should make some contribution to the cost of local government services. The key words are "some contribution". The reliefs and benefits available make sure that not everyone pays the same.

I was interested in the campaign of the Labour-controlled Association of London Authorities, which placed several advertisements in the newspapers about benefits and reliefs and generally about the community charge, although it did not call it that. I draw the attention of the House to two points. First, the advertisement said that a small percentage of people in London

"may well be entitled to transitional relief . . . A few might find themselves entitled to a rebate of up to 80 per cent."

The advertisement referred to "a small percentage" and a "few". The House should know the latest figures that we have on benefit entitlement and relief. Over 10 million people in Great Britain are entitled to community charge benefit and reliefs. The cost in the coming year of those benefits will be £2·9 billion. About half those who are entitled to benefit will receive the maximum. I do not know whether that is regarded as "a small percentage" or as "a few".

The cost of the benefits and reliefs is 20 per cent. more in real terms this year than the cost of rate rebates and community charge benefit in Scotland last year.

Mr. Gould: That is because the bills went up.

Mr. Patten: I am coming to that. The improvements in the taper have ensured that another 650,000 people are entitled to benefit at a cost of £125 million. In England alone, we reckon that about 7·5 million peopie will benefit from transitional relief. The cost for the whole of England, Wales and Scotland will be £387 million. The total cost of benefits and reliefs in the coming year will be £3·3 billion. That is what the Labour Association of London Local Authorities called "a small percentage" and "a few".

The advertisement said that a small percentage

"may well be entitled to transitional relief"

in London. I have looked at the figures for Barking and Dagenham, a borough with which the hon. Member for Dagenham is familiar. More than one in four charge payers will receive transitional relief there. I make a serious point to the House. It is disreputable, when the Labour party is allegedly keen on maximising take-up, to give people the impression that benefits and reliefs are less generous than they are and thus encourage them not to apply for benefit. That is intolerable and it is the only way in which one can read that advertisement.

Mr. A. J. Beith (Berwick-upon-Tweed): I assure the Secretary of State that some of us have tried hard to tell our constituents what they are entitled to. So far the Secretary of State has been unable to answer by way of parliamentary question why residents of sheltered housing schemes appear to be entitled to neither transitional relief nor special transitional relief. My attempts to obtain an answer on that point have been met with holding answers from Ministers who themselves do not seem to know why those pensioners, many of whom deserve relief, receive neither type of relief.

Mr. Patten: They are entitled to benefit and rebates, as the hon. Gentleman knows. In the cases to which I believe the hon. Gentleman refers, they were not previously paying domestic rates. Issues such as that and multiple occupation of large houses will have to be considered in the review in the next few weeks and months. I repeat to the hon. Gentleman that they are entitled to benefit.

As the hon. Member for Dagenham perceptively mentioned a few moments ago, the cost of benefits and reliefs is largely a reflection of the level of the charge, and the level of the charge is a reflection of the level of local authority expenditure, as the hon. Gentleman mentioned at the beginning of his speech.

Even if we accept every argument put by local authorities and accept, passingly, that local authorities are pluperfect, nothing conceivably justifies a 15 per cent. increase in expenditure this year. We know perfectly well that local authority after local authority has jacked up its expenditure and blamed the consequences on the introduction of the community charge.

Mr. Ian Bruce: As my right hon. Friend knows, I asked the hon. Member for Dagenham (Mr. Gould) what Labour would do about keeping down high budgets. Budgets have nothing to do with the way in which the money is collected. In Weymouth and Portland borough council, the chairman of the policy resources committee happily told me that there was nothing that the Secretary of State could do about community charge overspending because the authority's budget was so low. Is there anything that can be done, even at this late stage, to ensure that we can do something to bring relief to the constituents in authorities whose budgets have gone up nearly 50 per cent. and are spending one and a half times what they spent last year? Transitional relief does not benefit my constituents because the local authority has overspent.

Mr. Patten: Under existing legislation, I cannot cap authorities with budgets of less than £15 million, but I shall certainly bear in mind my hon. Friend's point because I know how much concern it causes.

My hon. Friend raised the matter of Labour spending. I cannot understand why the Opposition are so reluctant to accept that it is Labour that has blazed the trail in overspending this year. I thought that the Labour party prided itself on being the big spender. I thought that that vestigial remnant of Croslandite social democracy was one of the foundation stones of the political beliefs of the hon. Member for Dagenham.

If we consider the history, or this year's record of Labour local authorities, the facts speak for themselves. If we consider the relationship to grant-related expenditure assessments during the past five or six years, we see that Conservative authorities across the country, on average, spend within their GREA and Labour authorities spend, on average, 12 per cent. above. Exactly the same pattern emerges this year from the standing spending assessments.

Mr. Allen McKay: Why?

Mr. Patten: I have considered why and I shall come to that later.

In every class of authority—shire, shire district, metropolitan district and London borough—Labour authorities are spending a great deal more than Conservative authorities. Labour authorities consistently spend more than Conservative ones and it is not surprising that Labour authorities have been capped. During the past six or seven years, we have capped 70 authorities, only one of which was Conservative. This year we have capped 21

authorities, all of which are Labour or Labour-hung controlled; none of them is Conservative. The reason for that is the pattern of overspending by Labour authorities.

The Labour party is not, as I understand it, against capping in principle. The hon. Member for Dagenham now says that it is, but on the "Today" programme the hon. Gentleman said—if he said it there, it must be true:

"In extremis there must always be that reserve power to cap."

It seems that he agrees with capping in extremis, but not in Derbyshire, where the authority has spent 25 per cent. —or £157 a head—over SSA. He agrees with it in extremis, but not in Basildon, where the authority has spent 194 per cent.—or £154 a head—over SSA. We should all like to know what the hon. Gentleman means by "in extremis".

It is perfectly obvious that Labour, whether in town halls or central Government, is unfamiliar with extremis. Some of us, as we trudge wearily through middle age, are old enough to remember the days when we had a Labour Government, and they were capped by the international bankers. Therefore, it is not surprising that 21 of the 21 authorities capped this year are Labour or hung Labour.

I turn now to the uniform business rate and revaluation, on which the hon. Member for Dagenham —[HON. MEMBERS: "Give way to him."] I shall do so soon, I promise. I want to turn to the uniform business rate and revaluation.

Mr. Ian Gow (Eastbourne): Will my right hon. Friend please give way instantly to the shadow Secretary of State so that he can define to the House the meaning of the phrase "in extremis"?

Mr. Patten: I am happy to give way to the hon. Member for Dagenham if he would like to make that definition —*[Interruption.]* I think that the hon. Gentleman has taken an early bath.

The hon. Gentleman referred to the uniform business rate and revaluation, which is important—I do not say that just because it is important in Bath. He knows that, while there have been arguments about some of its details during the past months and years, the principle of the uniform business rate has been largely accepted, indeed endorsed, by chambers of commerce and other organisations representing business. That was largely because they saw it as a way of sheltering business from the consequences of excessive spending by local authorities in the wake of the decision to end business votes in 1969. Undoubtedly, in the medium and long term, business and industry, and therefore job creation and investment, are likely to be the main beneficiaries of the changes that we have made in local government finance.

There are problems, not only in the south and constituencies like mine, but elsewhere in the country. Yesterday, I was in York, where people face difficulties. But those difficulties have nothing to do with the uniform business rate; they are the result of revaluation.

I am afraid that the hon. Member for Dagenham does not understand. In my constituency, Bath—the same will be true elsewhere—the uniform business rate is 10 per cent. below the non-domestic rate previously set. If small businesses in my constituency were still paying rates on the old basis, they would be paying more this year because of Avon's overspending than they are paying with the revaluation. They will pay 15 per cent. plus inflation. Therefore, the uniform business rate——

Mr. Gould *rose*——

Mr. Patten: I shall give way to the hon. Gentleman if he wants. If he cannot explain "in extremis" at least he can ask me a question.

Mr. Gould: I assume that "in extremis" is a phrase known to the right hon. Gentleman, even though it may not be known to his hon. Friends.

The uniform business rate, like any other rating system, depends, first, on the property's valuation and, secondly, on poundage. If the valuation goes up, provided that the local authority has the power to fix the poundage, it can reduce the poundage.

Mr. Patten: Would the hon. Gentleman like to list those Labour authorities that have recently reduced the poundage? It will not take him long.

Mr. Gould: The Secretary of State's memory may not go back very far, but I have at least taken the trouble to check the figures. If the Secretary of State would care to look at the figures for the last time there was a revaluation he would find that in most local authorities up and down the country, when valuations went up substantially—roughly doubled—in most cases, the poundage was roughly halved.

Mr. Patten: There are many examples, of which my constituency is one, where the uniform business rate is lower than the non-domestic poundage. So businesses in my constituency are being protected from excessive spending by Avon; and since the business rate has been increasing year after year by 1·3 per cent. more than the rate of inflation, pegging the business rate to—at most —the rate of inflation each year will give a substantial bonus to businesses. I am perfectly happy to give way continually to the hon. Member for Dagenham if he will tell me which Labour local authorities have reduced their business rate poundage. The truth of the matter——

Mr. David Howell (Guildford): My right hon. Friend is approaching the uniform business rate in a constructive way, but will he bear in mind the fact that, on Third Reading, his predecessor promised that links between local enterprise and local government, which are important to some of us in my part of the world, would be preserved and strengthened—not broken—despite the nationalisation of the business rate? How does he see the Government redeeming that promise?

Secondly, my right hon. Friend will be aware that, when a new business is acquired under the new conditions, the acquirer does not get any of the benefits of the graduation or transition to the uniform business rate. Is he applying his mind to that problem, because it is a serious deterrent to the acquisition, growth and trading of new businesses?

Mr. Patten: On the first point, the consultations that have taken place in the past will continue. I believe that they are extremely important, as is the relationship between local councils and local business communities.

Secondly, because it is a tax on property, the relief applies, as my right hon. Friend will know, to the property rather than to the business, whether the business is new or not. Following my right hon. Friend's logic, we should, I suppose, have to apply the transitional relief to new buildings and new property. I undertake to look at this

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issue again, but I foresee that it would be very difficult to get round the principles that I have mentioned—I think that they are principles of some substance.

Mr. David Nicholson: The Secretary of State's comment on the second point advanced by my right hon. Friend the Member for Guildford (Mr. Howell) is welcome, as this is most important to Conservative Members. Will he confirm that business and industry are paying no more in real terms in the coming year to local government than they paid last year? Will he also confirm that their contribution will be capped, in terms of inflation, from now on?

Mr. Patten: That is exactly what I hoped I had said earlier, but I am delighted that my hon. Friend has afforded me the opportunity to make myself clearer than I evidently was a few moments ago. I think that the principles that we have applied to transitional relief are sound and substantial. The point made by my right hon. Friend the Member for Guildford would be difficult to accommodate within those principles; nevertheless, I am prepared to consider it, but I cannot promise to do so with a mind as open as he might like it to be on this occasion.

One point about transitional relief is of considerable importance to local businesses, particularly small businesses. A number of them have argued that at the end of the transitional period of five years they are likely to face a steep increase in their bills. We are prepared to extend the transitional period if, after the next revaluation, small businesses face a steep increase on top of the 15 per cent. tranches of increase that will have occurred in the intervening period.

Miss Kate Hoey (Vauxhall): As the right hon. Gentleman is dealing with anomalies associated with the UBR, what does he feel about the fact that about 150,000 voluntary sports clubs are being valued in the same way as businesses? Many of them—small cricket, rugby and sailing clubs—have been facing enormous rises that will force them to close. Does he accept that the way forward is to provide mandatory rate relief for all voluntary sports clubs facing the uniform business rate?

Mr. Patten: I do not believe that most sports clubs are facing the problems to which the hon. Lady referred.

I have spoken about the UBR, but not yet about the revaluation, on which I have an important point to make. It is significant that we have established once again, on the record, that the Opposition wholly support revaluation. I am delighted to hear that, and I think that it is also supported by the Liberal Democrats. So there is support throughout the House for revaluation. I hope that the Labour party will express that support when campaigning in the south of England, and that the Liberals will do likewise when campaigning in seats such as mine. I am sure that they express their enthusiasm for revaluation when campaigning in, say, the north and the west midlands. I was in the west midlands last week—in Derby, Walsall and Wolverhampton—where, at the end of the transitional period, they will have gained a 40 per cent. reduction in local business rates. That result of the revaluation shows a proper regard for the changes that have taken place in our regional economies and in the national economy over the past two decades.

Mr. Richard Shepherd (Aldridge-Brownhills): We have taken a locally predicated supply and demand economy and translated it into a national tax, and we now have unevenness on that basis. The sum of £610 million—on the unabated figures—is to be transferred from London to other areas. The Secretary of State may think that wholly reasonable; I do not know the circumstances of Bath, but my right hon. Friend is asking local traders and suppliers to find £610 million over the abated period. That has consequences for their profits and losses. The company that I know personally faces a valuation rise from £10,500 to £356,000, giving rise to a tax payable of £110,000 after we have ended abatement.

This is destructive of business and small business. What proposals does my right hon. Friend have to ameliorate or reform the system?

Mr. Patten: If my hon. Friend is as honest a man as I am sure he is, I assume that he makes exactly the same remarks in his constituency, because it is benefiting from the revaluation. We are talking about a rebalancing of resources and tax over five years, and it is conceivable that, if the period is extended, these sums will not have to be found over the five-year period—it is important to remember that.

With respect to my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd), I have found it instructive to look at business rates as a proportion of the rents being paid by local businesses, and to look at rates as a proportion of turnover. Typically, they constitute 1·5 per cent. to 2 per cent. of turnover in most of the cases that have been drawn to my attention.

Mr. Norman Tebbit (Chingford): Does my right hon. Friend agree that, in effect, an important regional and industrial policy is involved in these changes? In essence, places such as Amersham and Henley are surrendering resources that are going to places such as Stockton. The money is going from the softish industries such as financial services and retailing to manufacturing industries. Since these changes will also reduce the north-south divide, they will have the overwhelming support of one or two of my right hon. Friends who represent some of the seats that will lose the resources to others in the north.

Mr. Patten: I cannot comment on the particular examples that my right hon. Friend drew entirely at random, but it is one of the great anomalies of life that, just as those who are most enthusiastic for investment in infrastructure—in principle—are most resistant to it in practice, so very often those who are theoretically enthusiastic about shifting resources to the regions and the north and manufacturing raise one or two doubts when such a shift actually starts to happen.

I look forward to the hon. Member for Dagenham intervening several times in the next part of my speech. At the end of my speech I want to deal with the ways in which we should fund local government spending. Until this year we have funded it on the basis of a tax on property. That is notionally determined and long out of date, and everybody recognises the grave difficulties that would have arisen in revaluation. We saw some of those difficulties in Scotland.

The hon. Member for Dagenham does not agree, but every political party agrees that we could not have continued with the rates. The question arises about what we put in their place. We have put forward the blindingly

obvious and are implementing our proposals. To its credit, the Liberal party has put forward proposals for a local income tax. I do not agree with those proposals because at a stroke they would wipe out the income tax cuts that we have made over the past 11 years. According to the author of those proposals, every couple with a joint income of £12,000 or more would pay more under the Liberal proposals than under the community charge. Of course, they would mean that we would have to face the prospect of a man such as Mr. Bookbinder being Chancellor. At least the Liberals have had the honesty to put forward their proposals.

Mr. Tim Janman (Thurrock): My right hon. Friend is correct about the honesty of the Liberal party. The hon. Member for Dagenham (Mr. Gould) mentioned a MORI opinion poll. Does my right hon. Friend know whether any of the people questioned in that poll live in the constituency of Dagenham? If they do, were they aware when giving their opinions on the various alternatives to the old rating system that Labour's roof tax will be £872 on a property worth £80,000? Such properties are certainly not uncommon in Dagenham. According to the speech of the hon. Member for Dagenham there would be a local income tax on top of that.

Mr. Patten: I am a man of almost inordinate charity and I know how the opinion poll was taken. It was a telephone poll and, by accident—it is a contingent factor of history—all those who were telephoned had been sent in advance a copy of the statement that the hon. Gentleman promised to us. I am sure that they were all well informed about Labour policy. Labour's approach to this issue has been a humiliating story. Its behaviour has lacked principle and has been governed throughout by the cheapest expediency. It is a long story and I will not trouble the House or frighten the horses by going through it.

I am sorry that the hon. Member for Birmingham, Perry Barr (Mr. Rooker), who was the previous Opposition spokesman on local government, is not in his place. Speaking two and a half years ago on 24 September 1987 to the Association of Metropolitan Authorities he said:

"I am saying to NEC policy makers 'Hang on a minute. What is our policy on local government?' Putting it at its boldest we have not got a policy. That is the actual truth."

Unlike his hon. Friends, I do not think that the hon. Gentleman cared for the Trappist approach to policy-making. We have been hanging on, not for a minute, but for two and a half years and, putting it at its boldest, that is still the actual truth.

The hon. Member for Dagenham went through an encyclopaedia of excuses about why Labour does not have a policy and overturns policy after policy. In November last year, nearly six months ago, he explained the position. He said:

"Labour is looking at a range of options, some of which will be single taxes and some of which will not."

Last night we had pendulum voting which some of us found rather confusing. The hon. Gentleman obviously has a pendulum approach to policy-making. He said:

"Nothing is set in concrete."

Concrete has nothing to do with it. I listened to the hon. Gentleman's speech in today's debate and from that it seems that nothing is set in raspberry jelly.

What does the Labour party favour? Is it a roof tax, a floor tax or perhaps a window tax? The party cannot say and it will not say. If it is to be a tax on property values, how will it be calculated? How will areas such as the south be affected or streets where values have changed? How will council tenants and people who have taken advantage of the right to buy be affected? Again Labour will not say and cannot say.

Mr. Richard Holt (Langbaurgh): Will my right hon. Friend give way?

Mr. Patten: Yes, for the last time.

Mr. Holt: My right hon. Friend does the Labour party less than justice. In the House we cannot get one squeak from the Opposition Front-Bench spokesman on local government and its financing. However, the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley) sneaked to the north-east of England and let the cat out of the bag. He said that Labour would reorganise local government and bring in regional government and give it the unfettered right to raise taxes.

Mr. Patten: I am sure that if we ask the hon. Member for Dagenham about that he will send us a copy of the press release. Labour cannot and will not say whether the tax is to be imposed on individuals or on households. Apparently not everyone will pay. Fewer people will pay, so I guess that those who pay will pay more. Apparently most will pay less, but there is still a certain amount of explaining to do.

Dame Elaine Kellett-Bowman (Lancaster): I see that the hon. Member for Mid-Staffordshire (Mrs. Heal) has entered the Chamber. What does she have to say?

Mr. Patten: I am sure that we will have a contribution later in the debate.

It is difficult for us to do better than Labour in describing Labour's position. In February, the hon. Member for Glasgow, Garscadden (Mr. Dewar), when he was half-launching half the Labour party's plan for Scotland, said that it would have been cynical to withhold the plans until after the regional elections in May. It would have been cynical in Scotland, but apparently it is not cynical in England. More to the point, the right hon. Member for Sparkbrook spoke two years ago at the outset of the Labour party's local government election campaign. The nominal deputy leader of the Labour party said:

"If we are to have a Labour Government we must start straight away to begin . . . to tell the people not simply what we oppose but what we would put in the place of Tory legislation. I take as my example the poll tax. Our local government campaign must not be and will not be a series of attacks on the Government. Simply to oppose is the sort of vacuous opposition which the people of this country despise. We must and we will offer our alternative."

We know that Labour believes that local authorities should spend more, except in extremis—whatever that may mean. We know that the Labour party thinks that that spending should not be met by ratepayers, because it does not believe in rates. We know that it does not believe that it should be paid by charge payers because it does not believe in the community charge. We know that, whatever the level of spending, those who will have to meet it will, in almost all cases, be better off. One of two questions have to be answered. The hon. Member for Garscadden called it cynical and the right hon. Member for, Sparkbrook called it vacuous and despicable.

[Mr. Patten]

I cannot improve on those judgments, and I do not for one moment believe that the House will take a different view when it votes tonight.

5.40 pm

Mr. Ronnie Fearn (Southport): We are all aware of the hardship that the poll tax will create and is creating. Across the country, local papers have been deluged with letters from people, some young and many old, who fear that they will not be able to cope with the added burden of the poll tax bill. The anguish that comes across from these letters is hard to ignore. In one such letter, an elderly gentleman claimed that, after 50 years of being a responsible, law-abiding citizen, and after fighting a war to defend his freedom and that of his fellow countrymen, he would, for the first time in his life, break the law, A pensioner in Canterbury—a council tenant hit by the double jeopardy of a 55 per cent. rent rise and the poll tax bill—found that she was not entitled to the same rebate as she had had for her rates, and is now left with £15 a week to cope with food, clothes and other necessities. Such is the effect of this most unfair poll tax.

I do not condone the breaking of the law, and all our candidates are saying that, but I understand the depths of despair that people feel. The tax not only makes people break the law but disfranchises many people. I mean not just those people who deliberately leave their names off the electoral role—estimated at 15,000 in Strathclyde alone—but those who are so disillusioned that they will not cast their vote in the coming local elections, or any other elections.

I met a gentleman on his doorstep last week. He told me that he was 82 years old and had voted in nearly every election since before the war, and always voted Conservative, but would never do so again because he would never vote again. I found this very sad. I stayed talking to him for 10 minutes, and I found that the poll tax was the final blow in a long round of hard knocks. I managed to convince him that there is a fair alternative—a local income tax—and that there is a party that puts people first and whose ideology is not centred on politics. He agreed to give it one more go, and I arranged a lift to the polling station for him. I do not know for whom he will vote, but at least he will vote, and that was the aim of my argument.

The point of the story is that it is similar to the experience of many other hon. Members. I am doing it not to plug local income tax—I shall do that later—but to highlight the disillusionment that the poll tax has brought, and the effect that that will have on the elections. There is already a worrying trend of low turnouts in elections, particularly local government elections. That has worrying implications for democracy and gives the lie to the Government's claim that the poll tax will lead to more accountability. Perhaps Professor Peter Townsend's words express it better than mine. He said:

> "The poll tax is as much a blow to democracy as it is an unforgivable charge on the poor. It will encourage people to pick up their belongings and fly by night."

On top of that, non-registration for the poll tax will lead to distortion in local finance and will add to the burden of the law-abiding resident.

The law-abiding resident is already being penalised in some areas, and has no chance of holding local government responsible. I am referring to the safety net, as a result of which a resident of one area pays for a proportion of the services in another. I am not disputing that some form of safety net is required, but it should be a special grant from central Government, paid for out of general taxation rather than out of the pockets of those least able to pay.

There is something illogical and disgraceful about a system that insists that somebody living in rented accommodation in, say, Camden and just making ends meet, should pay £75 towards making the poll tax burden of somebody living comfortably in, say, Wandsworth, a lot lighter. There is something even more illogical and ridiculous about a system that can catch Greenwich, which, if it had to spend in line with its standard spending assessment, would have its community charge set at minus £7 a head. The Government's extraordinary judgment about the needs of local people is a major cause of some of these anomalies.

I am never too sure whether the devastating effects of the Government's programmes on our citizens are the result of complete incompetence and ignorance of what happens in the real world, or are merely a case of a bull in a china shop, intent only on reaching its objective, regardless of cost.

Mr. William O'Brien (Normanton): Will the hon. Gentleman take into consideration the joint and severe liability? A family with a 20-year-old daughter on a low income will qualify for the 80 per cent. rebate, but a housewife with no income does not qualify. Will the hon. Gentleman dwell on that anomaly, which has been brought about by the actions of the Secretary of State?

Mr. Fearn: I shall dwell on that for a moment, but the dwelling will be from the point of view of what happens on the doorstep. More often than not, the housewife comes in answer to one's knock and she usually says that she is penalised. Not many of the men say that, because they believe that they should be paying for something. The Prime Minister has always said that she sticks up for the housewife, but she is not doing so in this case.

It is well documented what nonsense the standard spending assessments are. No account has been taken of economic deprivation in the service block headed "all other services", which covers items of expenditure from recreation to school crossing patrols. According to the Association of Metropolitan Authorities, quoted in a Local Government Information Unit document published in April 1990:

> "The incorporation of an economic deprivation indicator would increase the standard spending assessments for 33 of the 36 metropolitan districts by as much as £64 per poll tax payer in Knowsley and £55 in Newcastle."

In Oxfordshire, the education SSA would allow expenditure below the amount necessary to maintain the current year's spend, which would involve a cut equivalent to getting rid of 128 primary teachers and 162 further education teachers. No account is taken of the additional amounts required to implement the Government's education reforms.

Police authorities, including the Merseyside police authority, are finding that the assessed level of capital expenditure, net of grant, falls far short of the supplementary credit approvals. The new system of

finance, combined with the recent announcement of the credit approvals for 1990-91, is causing great concern because of the implications for policing.

As a former spokesman on health for my party, I am concerned about the implications for community care. I only hope that the recommendations on cost by the various working groups on this matter will be fully supported and funded by the Government. Perhaps the Minister will clarify this. Whether the funds should be earmarked to prevent moneys from being used for other services and to keep the level of tax low will have to be decided before the scheme takes effect.

I am worried, too, about the new finance system and that it may prove to be an excuse for the non-existence or the poor quality of a particular service. A recent response by an officer of Epping Forest district council to an inquiry by a local resident illustrates why I am concerned. The resident inquired why his road was never cleaned and he was informed that to provide such a service would mean adding £7 to his poll tax bill. He was somewhat surprised as he thought that he was paying for road cleaning. He was not too pleased with the officer's response because he knew that the council had added £20 to his poll tax bill to cover the interest charges on the cost of new council offices, which had soared from £4 million to £15 million. It is a monstrosity of a building. I might add that it does not even have a letter box.

Will community care services be safe in the hands of councils such as Epping Forest? For the first time, Essex county council has introduced charges for home helps, which provide a vital lifeline for care in the community.

Standard spending assessments do not have any link with the type, level or quality of services that are provided. The new finance system is flawed with dramatic consequences. Areas of deprivation are seeing vital resources transferred to more affluent areas. The true effect of the transfer is hard to see as the safety net serves to hide the effects as well as to soften them. Even with the safety net in operation—this is according to figures published by the Local Government Information Unit—the north-west is set to lose £86 million in 1990-91. Once the safety net has been pulled away, that loss will increase to £113 million. The losses will result in a higher poll tax or a reduced level of service. Either way, local communities and local people will suffer.

Many of the anomalies are the result of changes to the business rating system. The uniform business rate is as much of a disaster as the poll tax. Some areas are losing vast amounts of income as central Government distribute funds according to the population of poll tax payers and not according to the businesses in the area. The UBR removes yet another source of local determination from local government to central Government. Local business will have no links with the local community and, as a result, it will feel less responsible towards it and local residents.

Parish councils, which have benefited from a business precept in the past, often as a recompense for noise, smells and general mayhem, will be the losers this time round. Many parish councils will no longer be able to run community and recreation services. Their parent councils will wield more power.

Rate bills spell ruin for many small businesses. On top of high interest and mortgage rates, their rate bills will be devastating. It is a sad reflection on the Government that their policies will kill the very enterprises that they claim they wish to see prosper. It is not only in Bath that shopkeepers and the managers of other businesses are up in arms. That is the position in many other areas, including Canterbury, where some shopkeepers and others are facing increases of 200 to 300 per cent. The future is bleak for them. As their margins become tighter, they will find it increasingly difficult to wind up and sell their businesses. Mortgage rates, interest rates and the UBR without transitional relief, which a new owner would not be entitled to, make the prospect of selling a business extremely poor.

There are spin-offs from the UBR that will fall on the consumer. London Transport is already saying in press statements that the extra £34 million that it will have to find in the next financial year will have to be funded through even higher fares.

Liberal Democrats have a five-point plan to ease the burden of the UBR as well as an alternative policy which we would introduce along with our alternative local income tax system. One of the five points is that transitional relief should be applied to all businesses that existed in April 1990, regardless of whether they move premises subsequently. We should like to see the Government introduce a land value tax with some possible exemptions for agricultural land, for example. A land value tax which was set locally would preserve the essential link between business and the community and would enhance local accountability.

Local income tax enhances local autonomy. The rate is determined locally and is collected by the Inland Revenue. Employers would deduct a standard rate of local tax with an end-of-year adjustment by way of a refund or bill through the Inland Revenue. In practice, 70 to 80 per cent. of local income tax payers would receive rebates through the Inland Revenue. The system is fair because, unlike the poll tax, or the Labour party's roof tax, it is based on the ability to pay. It is easy to administer and cheaper to collect than the poll tax.

The Labour party's roof tax is unfair, as a tax on property bears no relation to an individual's ability to pay. The elderly widow would pay the same as the family of four or five. The Labour party would tax home improvements. The roof tax is also a tax on energy conservation measures. The two-tax system that appears to be on the books for England and Wales is likely to be a nightmare. In Sefton, for example, the official figures of the Department of the Environment show that for a property valued at £50,000 the bill would be £523. That would rise to £744 for a property valued at £80,000.

The Labour party should have courage and should announce in principle what form its tax will take before we embark on the local elections. If local government is to be accountable, the electorate should at least have the right to know for what it is voting. With the Liberal Democrat system of local income tax, local autonomy will be increased by allowing the local authority to raise more funds through local taxes, with a corresponding drop in central funds and a cut in national income tax. That would be in stark contrast to the steady drop in Government funding and increases in central Government control.

Despite all the talk about the poll tax making local government accountable to local people, it still represents only about 25 to 30 per cent. of local government income. The rest is controlled by central Government. Even the poll tax is subject to central control, as the recent capping fiasco has shown.

[Mr. Fearn]

If the Minister wishes, I shall send him a copy of the Liberal Democrats alternative policy together with our charter for small businesses and a copy of our publication entitled "Local Income Tax—The Best Way". I shall probably send him an invoice at the same time. The catch phrase that appears in many Conservative leaflets—I have seen them locally in my ward, my town and in surrounding districts—is "in touch". The result of the local elections will prove that the local Conservative parties and their friends in central Government are very much out of touch. Perhaps the poll tax will prove to be the Government's Waterloo.

Several Hon. Members *rose*——

Mr. Deputy Speaker: Order. I remind the House that at 6 o'clock we shall commence 10-minute speeches.

5.58 pm

Mr. Robert B. Jones (Hertfordshire, West): The last time that I heard the hon. Member for Dagenham (Mr. Gould) speak in the Chamber was on Second Reading of the Environmental Protection Bill. During the consideration of that Bill in Committee it was said that it was the weakest performance of any Front-Bench spokesman from either side of the House for many years. At any rate, that was the position until today, when the hon. Gentleman capped his own performance. It was an extraordinary admission that the Labour party is not prepared to come clean on its proposals for local government.

When Mr. Speaker welcomes guests to this place he stresses that Parliament is about the clash of opinions, about resolving issues by debate. It is not possible to resolve by debate if only one side is putting forward its point of view and no constructive alternative is being presented by the party that seeks to be the alternative Government. That is disgraceful behaviour towards the House and an abdication of democratic responsibility and of everything for which we stand.

No one can pretend that the introduction of the community charge is easy or could ever have been conceived to be easy. It is the greatest upheaval in local government finance for a century. However, it is intended to achieve two important objectives—fairness and accountability. On fairness, the hon. Member for Southport (Mr. Fearn) drew a parallel between a widow and a family of four living next door and earning a living. That point was best put by one of my constituents, Mr. Richard Clark, who said in a letter that if he went into a pub and ordered a pint of beer, he would expect to pay £1·20. If a family of four ordered a round, what should they pay? The answer is obvious.

The system is not aimed only at trying to correct that sort of unfairness; it is intended also to correct the unfairnesses of the rateable value system. In my local the other day, we were talking about the rates that people used to pay. Obviously, people now compare what they paid in rates with what they are paying in community charge. One of my friends, who is also my dustman, lives in a one-bedroom council flat. He was paying £500 in rates. Another of my friends is a self-employed roofer, and he and his wife live in a three-bedroomed semi-detached in the same town. They paid £400 in rates. Another of my friends is a wealthy socialist who lives in a four-bedroom period house in the old part of Tring. He paid £300 in rates.

Of course, if there had been a revaluation many of those problems would have been sorted out—but over the 10 or 15 years until the next revaluation, until the next time that a Government had the courage to pick up that baton, those unfairnesses would have crept back into the system—especially in areas where properties are being improved, thereby making these areas better and better. Unfairness was inherent in the way that rateable values were calculated.

Another fact that we all forget is that the old grant distribution formula was inherently unfair because it took the rateable value of an area as its proxy for the wealth of that area. In the county of Hertfordshire, part of which I represent, average rateable values were 25 per cent. above the national average, yet incomes were only 10 per cent. above the national average. The net effect was that, even if local authorities had spent at the targets laid down by central Government, the amount of grant received would have been minuscule compared with many other local authorities. In its last year of the rating system, Hertfordshire county council received no grant from central Government.

Dacorum borough council, my district authority, received £1 million. Under the new system, it gets £16 million. That is extremely welcome. Were it not for the safety net, it would have received even more than that. Any system that is designed to recognise the needs of areas and also their resources to raise funds for their own purposes must be complicated. The trouble with the old system was that it relied entirely on rateable values on the resources side, and addressing that problem has caused many of the difficulties in moving to the community charge.

The second important point is accountability. It was wrong that, under the old system, as little as one quarter of the number of eligible electors paid rates. There could not possibly be proper accountability. However, there are other barriers to accountability, some of which need addressing. How can there be proper accountability when charges are levied by three different tiers of local government—by county councils, borough councils and parish or town councils?

I accept that it is difficult to reform the local government structure at the same time as reforming finance, but not all tiers have elections this year. In the shire areas, the county councils are not holding elections. They have used the opportunity to increase their precepts while the poor mugs who have to face election are struggling to keep their precepts under control. There cannot be proper accountability while there is a multi-tier system. We must move towards a single-tier system. Redcliffe-Maud was absolutely right, and we should have grasped that fact way back in the early-1970s.

If there are elections only every four years, accountability cannot be made to bite when everyone is paying the community charge. If there are elections for the whole of councils, as there are in London, there is a better case for accountability—at least one year in four. This year there will not be proper accountability for the principal councils in the shire areas.

Another problem is that people simply do not know what they are paying for. How many times have we heard people say, "What is the local authority doing about the

hospital?" People often think that the only service they receive for their community charge is having their bins emptied—or not emptied, depending on where they live. They do not realise that 70 per cent. of the money goes on education—teachers' salaries and overheads.

We have a difficult task in trying to educate people. Despite all the good measures taken by past Secretaries of State through the leaflets that accompanied rates' bills, and which now accompany community charge bills, it is an unfortunate fact that people do not read them. They throw them away and so are unaware of the facts. Therefore, those who claim that the simple answer to the problem of the community charge is presentation should remember what happened to previous pious intentions.

Another point about accountability is the safety net. I know that some authorities have had more than their fair share of grant in the past, just as my authority has had less than its fair share. It is difficult to move that money at one time. That has made it all too easy for people to suggest that the community charge is above the levels suggested by the Government because of the safety net, not because of overspending by local authorities.

The hon. Member for Dagenham said that many of the letters that he had received objected to the principle of the community charge. That is certainly not my experience in Hertfordshire, West. Like other hon. Members, I have received a great deal of mail, but the vast majority of letters have begun, "I accept the community charge in principle, but I object to the amount that I am being asked to pay."

Of course, the amount of community charge depends entirely on the policies of local authorities. It is not true simply to say that that is a product of what is happening this year; it is also a product of what has happened in past years. Hertfordshire had a Liberal-Labour majority between 1985 and 1989. During that time, the council increased its spending by £40 million more than the rate of inflation. It increased the number of staff from 33,000 to 38,000. Of course, those people cannot be sacked overnight. The problem cannot be brought under control instantly.

That is compounded by another factor: what happened to the reserves? In the run-up to the 1989 county council elections, the Labour party raided the balances to levy an artificially low rate. That artificially low rate is now being compared with what is an artificially high community charge, which is having to bear the burden not only of normal balances but of restoring the balances. When saying, "Labour councils bad; Conservative councils good," it is easy to forget that the reason that many of the Conservative councils that have not done as well when setting their community charges this year find themselves in that position is because there were opposition majorities on those county councils in the four years between 1985-89.

We are now up against the 10-minute rule. I wish to deal with two or three matters about which we must do something. No introduction of a new tax is without its problems. My right hon. Friend the Secretary of State has been open in saying that he will consider suggestions and advice during the next few months. I welcome that. One matter—it is not a high-cost problem, but it has caused a great feeling of injustice for a few people—is the discretion given to local authorities in what they can levy on empty homes. I mean not only second homes, but homes that are empty for one reason or another.

A distinction should be drawn between ordinary cases and the person, perhaps of limited means, who has inherited a house and cannot obtain a rebate on his second property—not all local authorities are very considerate about such cases—or the individual who has to live in another part of the country by virtue of his employment. A Territorial Army caretaker took the Government's advice and come south to my constituency for a job, so he has to pay the community charge in Hertfordshire and in Yorkshire. That cannot be right. Owning a second house is not necessarily a measure of one's personal wealth or affluence. It can be a matter of necessity or an accident of history.

My right hon. Friend the Secretary of State has a much more difficult task when it comes to the standard spending assessment. Many years ago, my right hon. Friend the Member for Henley (Mr. Heseltine) suggested simplifying SSAs—or grant-related expenditure assessments, as they were then—but found that local authorities wanted to complicate matters still further by adding more and more factors to be taken into account. Local authorities have themselves to blame to some extent for the SSA system.

I advise my right hon. Friend the Secretary of State not to go for wholesale changes. Any problem he may solve that way will throw up other problems elsewhere.

Mr. Speaker: Order. The hon. Gentleman will have to write to the Secretary of State instead. I call Mr. Eric Illsley.

Mr. Dalyell: On a point of order, Mr. Speaker. Is there any chance of you waiving the sub judice rule to allow the Government to make a statement, if they apply to do so, on the charge against Dr. Christopher Cowley in relation to the alleged Iraqi weapon? It is a matter of urgency, and possibly the Government ought to make a statement tonight.

Mr. Speaker: The hon. Member for Linlithgow (Mr. Dalyell) has me at a total disadvantage. I shall look into that matter. Mr. Illsley.

6.11 pm

Mr. Eric Illsley (Barnsley, Central): In view of the limited time available to me, I shall confine my remarks to the problems confronting Barnsley local authority, which is one of the 21 that have unfortunately been charge-capped. The Secretary of State has given as a reason the fact that the standard spending assessment levied by the Government has been exceeded by 17 per cent. That is hardly surprising, given the very low level of SSA applied to Barnsley under the Government's formula.

In the past, the grant-related expenditure assessment had precisely the same effect. A former Minister, the right hon. Member for Suffolk, Coastal (Mr. Gummer), on a visit to members of Barnsley's local authority, said that Barnsley and Greenwich would always come at the bottom of the list because of peculiar factors affecting them. Tonight I want to inform the Government of the reasons for Barnsley's low SSA.

In the past, under GREA the resource element always came to the aid of the authority, enabling it to meet expenditure levels. The maximum amount of demand on the collection fund that will now be made by Barnsley, according to the figure levied by the Government, will be £132 million, compared with the previous level of £142 million—yet the Government have given no indication of

[Mr. Eric Illsley]

how they arrived at a figure £10 million lower. We are still no wiser as to why £10 million has been lopped off the local authority's spending ability.

Barnsley metropolitan borough council will have to accept that degree of capping, request a redetermination of its budget, or look to the Government to take more into consideration the special factors that I shall outline and revalue Barnsley's SSA. After all, as I said during Question Time today, the SSA is the basis of charge capping.

Earlier, the Secretary of State said that if Barnsley chooses to be a high-spending authority, it will have to suffer the consequences. The truth is that, in common with a cluster of authorities identified by the Audit Commission, Barnsley has a very low standard spending assessment, ranking 35 out of the 36 metropolitan districts. It even came low on the list of grant-related expenditure assessments. Manchester has an SSA of £1,170 per adult, Liverpool £1,068, and Birmingham £1,060. Why are their figures much higher than Barnsley's SSA of £669 per adult for providing the same level of service?

The timing of the capping announcement places an extra burden on authorities in trying to identify savings, having already started the financial year. If savings can be made—I am not saying that they can—there is little time to implement them. If an authority has to consider redundancies, it will need to give 90 days' notice, and then the financial year will be nearly half gone. Barnsley will have to identify savings of £10 million six months into its budget.

Another problem is that Barnsley has already sent out its community charge bills. Charge payers will have to be re-billed, and I am told that no indication can be given then of any sum that the individual might have paid already. A community charge payer who settled his bill in full the day that he received it will be re-billed for the new amount, but the second bill will give no indication of the sum that he has already paid. Previously, local authorities were allowed time before the implementation of capping to identify possible savings and to put their affairs in order.

Barnsley has always fared badly, even though its spending under all headings is below the national average. Its spending per head of the population for 1989-90 as identified by the Audit Commission was £525 per head, compared with the average metropolitan district figure of £509. However, its spending on education was £286 per head, compared with the metropolitan average of £320, and on social services £66 per head compared with £85. As to staffing per 1,000 population, Barnsley has 9·7 teachers compared with 11·42 for the average metropolitan district, and 21·53 staff of all kinds compared with the average of 24·54 per 1,000 population. How can the Secretary of State accuse Barnsley of being a high-spending authority when the Audit Commission's own figures show that its expenditure is below average in almost every category?

This year, Barnsley's expenditure would have increased from £115·5 million to £134·6 million. Inflation accounts for £11 million, including £3·5 million resulting from the Government's teacher pay awards. Barnsley's share of the joint authorities' funding following abolition of South Yorkshire county council will increase from 14 per cent. to 17 per cent.—another £4 million. There is a further £8·2 million additional spending. I shall not list all the categories, but some have been imposed by the Government. They include accelerated debt repayments, capital grants that can no longer be credited to revenue, and the cost of implementing the poll tax itself.

Over the next 12 months, Barnsley will also have other special needs. Spending on education accounts for about 70 per cent. of Barnsley's total budget, so the likelihood is that any savings that must be made as a result of capping will come from education. That is at a time when the authority is desperately trying to improve its educational attainment. A new tertiary college due to come on stream in September could lose £1 million of funding, which will set it back from the outset and place students at a disadvantage. The savings that would have to be identified, were the charge capping implemented across the board, are some £4·95 million.

I refer the Minister to an article in *The Guardian* on 17 April which identified some of the problems in Barnsley. We were a little annoyed by the article because the picture shows a school which was earmarked for closure in 1986. The authority is trying to identify the real problems but *The Guardian* identified a school that was due to close as a result of rationalisation and not as a result of poll-tax capping.

The article goes into some detail about Barnsley's education spending problems. Local management of schools will be coming up this year, as will the extra cost of implementing the national curriculum. Each secondary pupil in Barnsley costs £1,470 as compared with the figure in Barnet of £1,600. Barnsley has the highest primary and secondary pupil-teacher ratios out of the 10 cluster authorities identified by the Audit Commission. We spend £42·80 on books and equipment for secondary pupils. Only three metropolitan districts spend less than that, and the average is £55. The average ratio of computers to pupils is 1:50, but Barnsley has 1:70. We have no modern language assistants employed by the authority. My hon. Friend the Member for Rotherham (Mr. Crowther) will confirm that that district employs 26. Educational achievement for post-16-year-olds is the lowest in the country, yet we are cutting money from Barnsley's budget.

I shall quickly run through the other problems. Barnsley still has 14 per cent. unemployment; we have tried to identify an industrial partnership with a major industrialist, but that has now been shelved because capping has meant that we do not have the money——

Mr. Deputy Speaker (Sir Paul Dean): I am sorry, but the hon. Gentleman has had his time.

6.21 pm

Sir George Young (Ealing, Acton): I hope that the hon. Member for Barnsley, Central (Mr. Illsley) will forgive me if I do not take up his points about Barnsley because it was a detailed speech on his constituency about which I obviously know nothing.

It is quite clear to me why the Labour party has chosen this subject today. It is a crude attempt to convert the unpopularity of the poll tax into votes on 3 May without giving any details of its own schemes. It is this week's Hong Kong. I have spent much time recently on the doorsteps of Ealing, and my constituents are not so naive as to fall for that. They realise that if they all went out on 3 May to vote Labour, the poll tax would still be there on 4 May and, what is far worse, they would have lumbered themselves with an administration which, however funded, would spend more than a Conservative administration and

over four years it would cost each of them at least £150 more, and the money would be spent on projects with which they disagreed. I am optimistic that in my constituency the Conservative party is poised to do well on 3 May.

The debate provides an opportunity for Conservative Members to analyse the difficulties posed by the poll tax —to ask why the matrons of Maidenhead have been marching—and to try to identify a way through.

There are three reasons why the poll tax is unpopular. First, it was introduced, as my hon. Friend the Member for Hertfordshire, West (Mr. Jones) has just pointed out, at a far higher level than its authors envisaged or people were led to expect. Secondly, any structural change, well meant or not so well meant, brings turbulence and a reaction against it. Thirdly, the tax is seen to be unfair because it is unrelated to the ability to pay. The impact of the first two problems will probably erode with time. The third reason is timeless and potentially lethal.

The Government are in a state of terminal schizophrenia about the question of ability to pay. On the one hand, they say that the community charge is linked to the ability to pay, and, on the other hand, they have set their face against linking the charge more directly to incomes, which are the best measurement of ability to pay.

At present, the community charge is no more linked to the ability to pay than local authority rents. I have never heard a Minister say that local authority rents are linked to the ability to pay. Indeed, they have claimed the opposite—that we are moving towards a system of market rents. Housing benefit takes the strain for those who cannot afford them. The existence of housing benefit for a minority does not mean that rents are linked to ability to pay; it means exactly the opposite. The same is true of the community charge. It is a flat-rate, local tax on being over 18. It is wholly unrelated to the ability to pay.

Community charge rebate is related to ability to pay, but to argue that, because rebates are available to those in one part of the income spectrum, the tax as a whole is related to ability to pay is nonsense.

Nor do I buy the argument that, because central Government pay half the cost of local government through the revenue support grant, and because that is funded through progressive taxation, it is legitimate to raise the rest through a flat-rate tax. On the contrary, because central Government fund their services through progressive taxation, it is even more illogical to ask local government to fund its services from a regressive flat-rate tax. It makes no sense to abolish the rates because the widow is paying the same as the four wage earners next door, and then to justify the new system by saying that those wage earners pay more for local services than the widow because they pay more in tax than she does.

The shift in the burden of taxation away from the better-off and on to the shoulders of the less-well-off is the fundamental objection to the poll tax. No arguments about rebates or revenue support grant meet that criticism head on. Until we meet it head on, we shall always be on the defensive.

Another reason why the charge is unpopular is its high incidence in relation to the forecast made when the legislation was going through. One solution advocated by some of my hon. Friends is to spray the problem with money. The sum which gets us to the starting block is £3 billion. That seems to me to be an un-Conservative and somewhat defeatist solution.

I put to one side the question whether the country can afford an extra £3 billion at the moment. Even if we could, it would be £3 billion of dead money, and we would have nothing to show for it—no new schools, hospitals or railway lines, no better benefits for the disabled and no more homes for the homeless and all the other projects that every hon. Member could find to spend money on. It would simply be a £3 billion funeral bill for the poll tax, not only next year but every year because we will never be able to get the money back without jacking up the tax to a level deemed to be unacceptable.

Such a solution does not solve the underlying problem, because we are still left with a system of funding local government in which we have manifested our total lack of confidence because it is unable to bear the burden of funding local services. A similar solution to transfer education or the police to the central taxpayer is an intellectually more honest argument, but it suffers from all the same drawbacks as the £3 billion I have mentioned and from further disadvantages.

I happen to believe in a plural, decentralised society, with decisions taken locally where possible and with local accountability. Local democracy is an integral part of our total democracy, subservient to Parliament but complementary to it. The more we centralise decisions, the more we move to a bureaucratic monochrome, unresponsive society——

Mr. Favell: Will my hon. Friend give way?

Sir George Young: No, I am sorry; I have not time.

That move seems to have nothing to do with Conservative philosophy.

Instead of saying that, because we have such a deeply unattractive means of funding local government, we must do more centrally, we should ask how we can fund local government so that we do not have to centralise any more so that we can continue to decentralise and push responsibility downwards.

What are we to do to put the funding of local government on a sound footing? Any solution must solve the political imperative that faces our party. The poll tax casts a shadow over our prospects at the next election. We have devised a system about which the gainers feel guilty and the losers feel livid.

The gloomy prospects are alleviated by two factors. The first is the turbulence factor caused by introducing a new tax. Much of the unpopularity of the tax is simply due to the change. Any new Government would have to deal with that turbulence in exactly the same way that we have to deal with it. In two years' time, the Labour party threatens to throw another large stone into that pond. It will find it has to answer many of the questions that we are having to answer now about gainers, losers and costs. The second factor is that the solution adopted at present by Opposition Members seems to me even nuttier than the poll tax.

I come to my own solution, which is totally unoriginal. I put it forward in an article in *The Guardian* in 1987 and the House voted on a derivative of it more than two years ago, when it was defeated by 25 votes. Many of my colleagues who voted against it then now wish that they had not. It starts from the present position, builds on the only strength of the poll tax over the rates—the

[Sir George Young]

broadening of the base of local finance—and addresses its fatal weakness by moving away from a flat rate to a banded rate linked to ability to pay.

It does so without using PAYE, which would weaken the visibility of the tax, and without the town halls knowing all the details of our incomes, which would be obtrusive and expensive. It would do away with the bureaucracy of the community charge register, and it would not hound the poorest in society for a tax that they could not afford. It would involve town halls precepting individuals not on the rateable value of their properties but on their taxable incomes the previous year, allocated to one of a number of bands notified to the town hall by the Inland Revenue. That system is made infinitely more attractive by this year's move to the independent taxation of women.

Parliament can set all the parameters: the number of bands, whether there should be a maximum level, and so on. The details are for discussion. Other countries have exactly such a system. None of them has a poll tax. Such a solution would neutralise at a stroke the political disadvantage of the poll tax. The Opposition would find it difficult to denounce such a scheme and virtually impossible to threaten to repeal it.

With such eloquence as I can command, I urge the Government, in their forthcoming review, to examine the merits of such a scheme, which has a number of advantages.

6.30 pm

Mr. Peter L. Pike (Burnley): I do not intend to follow the line taken by the hon. Member for Ealing, Acton (Sir G. Young), although he has criticised the unfair way in which the Government have introduced the poll tax. I want to refer to the speech made by the Secretary of State for the Environment. During the final 15 minutes of his speech he attacked the Opposition for not being prepared at this stage to declare exactly what is their alternative to the poll tax. I wish that we were able to do that. However, we must ensure that we provide a workable alternative to the poll tax that is cheap to collect and that is fair. We do not have civil servants to help us, so it is right that we should take time to produce a workable alternative.

After the Government had been in office for eight years, they decided to introduce the poll tax. They believed that it provided the solution to local government finance. However, they are now faced with all the problems that surround it. The Opposition have made it clear that they will ensure that the poorest people, who have to pay 20 per cent. of the poll tax, will receive a 100 per cent. rebate. That is a fundamental principle that will be enshrined in our proposals.

The Secretary of State referred to the higher-spending local authorities. That issue has been debated on many occasions. In the main, Labour-controlled local authorities are in areas of deprivation where the need to spend money is greatest. If we believe in democracy, we must allow democratically elected local authorities to determine what services ought to be provided. That is what local government is about. I shall always fight for that principle, but the Opposition are 100 per cent. committed to obtaining value for money when it comes to the provision of local authority services.

People have written to me saying that it is hypocritical of the Government to talk about accountability in connection with the poll tax when they are extending the right to vote to people who may have left the country up to 20 years ago. They make no contribution to this country in terms of taxes paid and in most cases have absolutely no intention of returning to live here.

In answer to a question I put earlier, the Secretary of State told me that the Government intend to make no change to the present system—that nearly all people must make a contribution to the provision of local services. According to a written answer that I obtained last week from the Secretary of State, the Government are not prepared to say what action they are prepared to take to deal with the problem of the poll tax failing to take account of ability to pay. If the Government had taken note of what the Opposition said in Standing Committee and on the Floor of the House when the Local Government Finance Bill was debated two years ago, that problem would not have arisen.

Thousands of people in my constituency and millions of people throughout the country cannot afford to pay the poll tax. I refer to those who are in receipt of too much benefit or whose earnings are at a level which means that they do not qualify for a rebate. The treasurer of Burnley borough council put it to me that, even if he wanted to waive collection from certain people on the ground of poverty, he would not be allowed to do so without going to the courts. He asked me why that power has not been granted to borough treasurers. He believes that they ought to be able to decide to waive the collection of poll tax where it would be foolish to try to collect it.

The Government have increased the savings limit to £16,000 before people are disqualified from receiving a rebate. I said at the time that the Government announced the change that they would have done far more for many more people if they had raised the lower limit of savings from £3,000 to £4,000, £5,000 or £6,000. As for special help for people who will be paying £156 more in poll tax than they paid last year in rates, the Government say that in Burnley the poll tax should be £166. A single person living alone, therefore, would have had to pay only £10 in rates last year to qualify for special help. Burnley was a low-rated area, but that is totally unrealistic.

I have met representatives of the chamber of trade in my constituency. They are concerned about many aspects of the uniform business rate. I intend to refer to one of those aspects: small shopkeepers who live over their shops. There has been a considerable increase in their rateable value. Despite the transitional protection, they will have to find more to cover that increase. In addition, they have to pay the poll tax. The average family in Burnley is £6 a week worse off under the poll tax, so people have less to spend in the corner shops. The elderly and the poorer members of the community depend on the corner shop. The Government pretend that they are the friend of the small shopkeeper and the small business, but in many instances small shopkeepers are not one-time or two-time losers; they are three-time losers on account of the way in which the uniform business rate operates.

The chamber of commerce has voiced its concern about many aspects of the uniform business rate and the poll tax. One point that has been made forcefully to me by chamber of commerce representatives is that, if employers are forced to deduct money from the wages of their employees because they have not paid the poll tax, it will cause an

industrial relations problem that employers do not want to have to deal with; they do not want to have to enforce, on behalf of the Government, this unfair legislation.

Finally, I want to look at Lancashire in a little more detail. On more than one occasion Lancashire county council informed the Secretary of State that it will receive £138 million less in Government grant this financial year than the amount it received in the last financial year.

Lancashire county council wrote to the Department of the Environment on 6 February stating:

"the Government has adopted a new spending formula which expects Lancashire to spend less in real terms in 1990-91 than it would have done under the existing GREA formula".

On 22 November 1989, Burnley borough council wrote to me, stating:

"a Standard Spending Assessment based on two factors cannot reflect the true spending needs of this or any other District Council."

It professes that the standard spending assessment fails to take into account grants or contributions from county councils.

The Government have a long way to go to solve the problems of the poll tax. They have failed to show that they are prepared to make any positive response. The electorate will show their view next Thursday and will repeat it whenever the next general election is called.

6.40 pm

Mr. Tony Favell (Stockport): In common with my right hon. and hon. Friends and Opposition Members, let me make two suggestions to my hon. Friend the Minister for Local Government and Inner Cities, whom, I am glad to see in his place. First, he should not listen to the admonishments from the Opposition about the uniform business rate, which is a thoroughly decent measure. For far too long businesses have been driven out of such places as Liverpool, Manchester, Stockton and some parts of south London which are run by loony left councils and the people living there have suffered. It is thoroughly decent for the Government to ensure that businesses have the confidence to invest in those areas.

Secondly, if the standard spending assessments are to be refined—there is some force behind that argument—will my right hon. Friend consider the possibility of legislating to the effect that, if a council wishes to exceed its standard spending assessment, it should first have a local referendum so that people are consulted about whether they wish their council to spend on all the services which are continually suggested by Opposition parties?

Mr. Allen McKay: Will the hon. Gentleman give way?

Mr. Favell: No. I have only 10 minutes.

One would think from listening to Opposition Members, and one or two of my hon. Friends, that the community charge has no friends. It has a friend here. I am not alone in that.

Mr. Janman: I am a friend of the community charge.

Mr. Favell: My hon. Friend agrees with me.

I have a marginal constituency, and I realise that appealing to one or two people who have to pay a bit more puts my seat in jeopardy. I am prepared to do that because I believe that the community charge is good for the country and for my constituency.

The community charge has other friends. First, there are widows—everyone has forgotten about widows—who have been driven out of their homes because in next-door houses three or four big wage earners are paying the same rates as they pay. My mother was driven out of her two-bedroomed bungalow in Sheffield, which she had received from my father's estate, because she simply could not afford to pay the rates. That is disgraceful. Deserted wives and those separated from their husbands are in exactly the same position. They might not be parading in Trafalgar square, but they are friends of the measure. There are also those who feel that everyone should contribute to local services. Local services involve giving as well as taking.

The Opposition have spotted a rich vein in young people aged 19 or 20 who are making no contribution to local services which they enjoy as much as anyone else. Students get local authority grants. Why should they not pay 20 per cent. towards their community charge? I see absolutely nothing wrong with that.

In recent years, young people have had a wonderful run. One has only to look at the pubs, the discotheques and the shops. The gear on sale is all for young people. It is not too early for them to learn that local services involve give as well as take.

Many people are friends of the community charge because they feel that everyone should contribute to local services. Many people, including many Conservative Members, feel that at long last local councils should be accountable to the people whom they serve. The hon. Member for Dagenham (Mr. Gould) said that he did not think it was possible and attacked us for trying to make local authorities accountable. One thing that his long speech made clear is that, if ever the Labour party got into power, it would not make local authorities accountable to the people whom they are meant to serve.

Local authorities do not serve the poor, the rich or any one section of the community; they are meant to serve everyone. In my surgery, the complaints about local authority services come not from the rich but from council house tenants who cannot get repairs done. They cannot get local authority staff to answer the telephone civilly, answer a letter or come round when they have problems. They come from council house tenants who wish to buy their homes and cannot even get a reply to their letters. They come from council house tenants who are living on estates where the council does not even bother to repair the pavements or collect the litter. They are not friends of the council. They want the council to be accountable. They are not in favour of the loony left councils in Liverpool and Manchester who buy votes from minority oddball groups.

The man in the street wants value for money from the council. He does not want the extra 1,000 employees whom Stockport council has taken on in the past three years. He does not want it to cost £400,000 merely to provide the wages of employees in the education department. He wants value for money. He wants services to be contracted out to people who can provide decent services. In Stockport recently, refuse collection was contracted out, saving £1·3 million a year. Why was that not done years ago if the local authority was worried about what it costs to maintain all the people who are meant to be working for the council?

During the 1980s, local authorities were exempt from what was going on elsewhere in the economy. Every shop, office, factory, hotel or business has had to provide more with fewer people, but at the town halls the party has gone on.

[Mr. Favell]

Anthony Crosland spoke in Manchester in May 1975. He appealed to the patriotism of local authorities. He said, "The party's over." The party was not over then, it has not been over since, and it never will be until the town halls are made accountable. I appeal to the few faint hearts among Conservative Members to recognise that town halls must be accountable. That is what the people want. I am completely behind the community charge and, come the next election, we will see that the majority of people in Britain are, too.

6.48 pm

Mr. George Galloway (Glasgow, Hillhead): The speech of the hon. Member for Stockport (Mr. Favell) was breathtaking in its simplicity. I hope that the hon. Gentleman will forgive me if I do not follow him down the byways that he travelled.

While you were here, Mr. Speaker, and perhaps even more after you left, there was an extraordinary amount of laughter from Conservative Members. At first I thought that they had lunched rather well, but then I saw friends of mine on the Conservative Benches who scarcely lunch at all so I realised that it could not be that. For a group of sailors sitting atop a flagship which is simultaneously burning and holed below the water line, I found it an extraordinary performance. Given the current opinion polls, I thought that it was demob happiness, but then I concluded that it was nervous laughter as the Conservative party faces the prospect of judgment by the electorate next Thursday.

Amid all the public school hilarity, there was no sense of the tremendous forces at work in response to the poll tax. The only Conservative Member to speak with any sense so far—the hon. Member for Ealing, Acton (Sir G. Young)—talked about the forces that have moved the matrons of Maidenhead on to the streets. Others mentioned the forces that have moved the burghers of Bath to call a general strike of tradespeople and shopkeepers in protest at what Conservative Members found so funny this afternoon.

Perhaps it was the sense of dread as they watched the Labour by-election victories in such places as Cornwall and Devon, where Labour has not won seats for several generations that made Conservative Members laugh; perhaps it was the amendment in the name of the right hon. Member for Shropshire, North (Mr. Biffen) which was concentrating their minds and making them so nervous; perhaps it was the resonance that the scarcely covert campaign of the right hon. Member for Henley (Mr. Heseltine) is finding in Tory ranks around the country that made them nervous. If they are not nervous, and the laughter was genuinely careless, Conservative Members are behaving like turkeys voting for an early Christmas.

The essence of the first two hours of this debate was summed up by my hon. Friend the Member for Linlithgow (Mr. Dalyell) in a sentence. He said that there was a sense of complacency, and that Parliament was addressing a subject which apparently dealt only with England. There was no appreciation of the fact that this is year two of the poll tax for the people of Scotland; there was no sense of Conservative Members' having grasped the popular revolt and uprising that is occurring in Scotland—statistics that I shall give in a minute—in opposition to the poll tax; nor did the House seem to understand the deep sense of offence felt in Scotland at the unseemly scramble by Conservative Members to patch up this or that amendment to try to make the scheme more palatable.

For the 12 months in which the poll tax was being rammed down the throats of the people of Scotland, Conservative Members did not want to know: that includes the right hon. Member for Henley, who voted for the poll tax to be imposed in Scotland but has latterly found some sense of opposition to it. There was no sense of the pain felt by hundreds of thousands of people in Scotland.

I do not think that Conservative Members are aware that, in Glasgow alone, 107,000 people have been issued with summary warrants because they are so far in arrears with their poll tax. Some people—like me—are refusing to pay out of a sense of solidarity with the far greater number who cannot pay their poll tax bills—107,000 in the city of Glasgow.

Mr. Janman: Labour charges.

Mr. Galloway: The hon. Gentleman says "Labour charges." Even he would not regard Glasgow district council or Strathclyde regional council as loony left.

Mr. Janman: Will the hon. Gentleman give way?

Mr. Galloway: I do not have time.

Some 400,000 people in Strathclyde region—nearly a quarter of the population—have been issued with summary warrants because they are so far in arrears with their poll tax payments; some 200,000 people in the Lothians—many in the Scottish capital, Edinburgh—have been issued with summary warrants. Strathclyde regional council has a financial shortfall of £100 million.

The worst is yet to come. The benefit arrestments have begun to arrive at the Department of Social Security offices in Scotland. Any day now, clerks in those offices will be asked to axe the poll tax out of the social security benefits of people whom the Government regard as on the brink of absolute poverty—at subsistence level. They will have part of their benefit seized to pay the poll tax. Is that what Conservative Members find so funny? Some 15,000 people in Strathclyde region have left the electoral register in the past 12 months because they cannot pay the poll tax; children are leaving the parental home because their mums and dads cannot pay the poll tax. Conservative Members find it all so funny.

In an interview with the *Scottish Daily Express*—what else?—the Prime Minister said that people such as me who are refusing to pay the poll tax for reasons of solidarity are anarchists and shirkers. That is rich coming from a woman who is seeking to abolish the state more completely than any anarchist could. If she has ever done a real job, it was a long time ago.

Mr. Holt: What have you done?

Mr. Galloway: I have worked hard all my life with my hands, and not as a bookie's runner. I am not an anarchist or a shirker. I am not even especially left wing. I am not in the Campaign group or the Tribune group. However, I am standing alongside the hundreds of thousands in Scotland who cannot pay the poll tax that Conservative Members find so funny.

I started my speech with a watery metaphor, and I shall finish with one: the Tory flagship is beginning to take on one hell of a resemblance to the Titanic, and Ministers are doing little more than rearranging the deckchairs.

6.57 pm

Mr. Jacques Arnold (Gravesham): Is it not a fact that people on social security receive rebates of up to 80 per cent., and that social security was upped to take account of the national average of the 20 per cent. level? I attended this debate because I wanted to know Labour's policy, but its position remains gloriously unclear. The right hon. Member for Islwyn (Mr. Kinnock) does not yet have a policy—a consistent record; the hon. Member for Glasgow, Garscadden (Mr. Dewar) has a policy, already known as the roof tax, the details of which are still confidential; and the hon. Member for Cunninghame, North (Mr. Wilson) has the figures, which he believes should be shown to the local voters of Scotland before their regional elections on Thursday week.

Perhaps wisely, those hon. Members did not want to let the Scottish people into the details of the secret before their votes were in the ballot box. I say "wisely" because this morning they announced some figures that did not add up. Apparently, however, they intend to use Scotland as a test-bed for the roof tax before extending it to England and Wales.

I was curious to know what impact the roof tax would have on my constituents in Gravesham. Given the current precepts from Gravesham borough council and Kent county council, the roof tax would be as follows: on a house valued at £30,000—there are few, if any, in Gravesham—it would be £234; on one valued at £80,000 it would be £625, which is more than double the current community charge; and on one valued at £120,000—there are many in my south-eastern constituency—the tax would be no less than £936, and so upwards.

Both the Labour and Liberal parties have enthused about a local income tax. On the same basis as precepts, Gravesham people would pay a local income tax of 5·1 in the pound from the first £1 of their income. That is based on the spending of careful Conservative authorities. If Gravesham council were Labour-controlled, the bills would be far higher; for example, local people are paying a community charge of £293, whereas people in Labour-controlled Thurrock, just across the Thames, are suffering a charge of no less than £414.

Opposition Members claim that there is no significant difference in the precept between Labour and Conservative authorities. The hon. Member for Dagenham (Mr. Gould) told us that in the debate on community charge capping on 3 April. He went further in a Labour party press release on 18 April, when he said:

"The average poll tax in Conservative and Labour councils hardly differs."

Really? There is a marked difference in the community charges of Conservative and Labour areas.

Statistics compiled by the Library show that the average community charge of districts that have Conservative unitary authorities—London or metropolitan boroughs—or are under Conservative shire county and district councils, of which there are 95, is £333. In Labour-controlled areas, of which, sadly, there are 73, local people suffer an average community charge of £384. Although £51 may not be a lot for the hon. Member for Dagenham, it certainly is for most people, particularly when the services of Labour councils are usually no better and are frequently worse than those from Conservative councils.

In the three similar Liberal-controlled districts, the average community charge is £360, an effective surcharge of £27 for the rarity value of Liberal control.

Those figures mask the reality. We forget too easily the impact of the safety net, whereby, perhaps because of the misguided generosity of the Government, by and large, residents of prudent Conservative authorities are obliged to subsidise the residents of wasteful Labour authorities. If those surcharges and handouts are stripped out, the arithmetological inexactitude of the hon. Member for Dagenham almost becomes a case for reference to the Advertising Standards Authority.

Totally Conservative areas are charging an average of £305, compared with the rip-off in totally Labour areas of £412—a differential of no less than £107 per head for the privilege of voting Labour. Totally Liberal areas are charging £392—a Liberal addition of £87 compared with Conservative areas. Those raw figures show the result of the "party that can". They certainly can. They can take local people's money in grand style.

I have some further examples of rip-offs. Were it not for the generosity of the Government's safety net, people in the London borough of Greenwich would be paying £620. The rest of us are subsidising Greenwich residents by no less than £212 per head, just because they have a traditionally wasteful Labour council. Lambeth's real rip-off is £575, not the £548 that it tried to levy on local people. Southwark would have had to charge £550 were it not for our subsidy of £160, and Hammersmith and Fulham would have had to charge £535 but for our subsidy of £111. One could go on and on. The only consistent link between those councils is their tradition of Labour dominance.

Opposition Members like to claim that Conservative authorities have high charges. Many of those charges are levied after the addition of hefty contributions to the safety net. A full £75 is paid by every man and woman in districts such as Westminster, Kensington and Chelsea, Wokingham, South Buckinghamshire and Chiltern. In Gravesham district, people are being levied £15. The consistent thread between those contributing authorities is that they are Conservative-controlled, but scant thanks for that money is forthcoming from the Labour party.

We are debating the largest ever reform of local government finance and taxation. There are bound to be teething troubles and inequities when introducing such a vast reform, as there are in this case. I welcome the undertaking given by my right hon. Friend the Secretary of State to consider those anomalies, and refer him to some that should be considered. They include the fairness of a full levy on non-working wives and mothers. Should we be imposing a equal levy on such people, who are not earning but who are contributing to the future of the nation by bringing up our children?

Should there be unequal treatment of the old and infirm in retirement homes and of those who remain in their own homes, frequently cared for by relatives with the support of community care?

Are there not injustices in vacant homes incurring standard community charge, occasioned by death and probate or by working away from home, and in the

[Mr. Jacques Arnold]

transition between lets of accommodation rented out by landlords, frequently widows, with only one additional property?

We must address such anomalies, and we have this year to get them right. We should not be panicked by the scaremongering of the Labour party, which is exploiting people's natural fears and understandable dislike of tax. Local government is inevitably expensive and we should not hide that from our constituents, but nor should we hide the record of the parties on value for the money taken.

The Labour party may be enjoying itself at the moment, but the British people are not fools and they will look at the facts. When they see the facts of the Labour party's proposals, when it has the courage to divulge them, the grins will be wiped from Labour Members' faces.

7.5 pm

Mr. Jeff Rooker (Birmingham, Perry Barr): The Labour party made it abundantly clear when the poll tax legislation was being considered by the House that it did not want the poll tax at any price and that it did not want to gain political advantage from it. That point was made repeatedly, is on the record and still stands today.

I apologise to the Front-Bench spokesmen for missing most of their speeches, but that was because of my attendance at the Public Accounts Committee.

There is not a single problem raised about the implementation of the poll tax by hon. Members and people outside the House about which a warning has not been given. Warnings were given when the House was considering the legislation in 1987 and 1988. The Government published warnings in their 1981 Green Paper, "Alternatives To Domestic Rates". Everything that could go wrong with the poll tax is listed in chapter 7 of that Command Paper, yet the Government still proceeded with it. They cannot say that they were not warned, and because of that we make no apology for reaping the political reward of opposing this unfair, immoral and undemocratic tax.

The tax cannot be administered—that was made clear by the Government in the Green Paper and in the White Paper that followed in 1983—as a person tax. Last Friday morning, I visited Birmingham's poll tax office. People with queries were queuing outside it, but inside were professional local government officers doing their best to administer the law, and a pile of envelopes in cardboard boxes at least the size of the Table of the House. That was the returned mail for the Wednesday after Easter of poll tax bills not received by citizens of Birmingham. There must have been tens of thousands of envelopes. It will not be possible to keep track of people on a daily basis, but every one of those envelopes must be chased up. It will be almost impossible to administer the tax in that way, as we said at the time.

It is disappointing that I cannot find Tories in Birmingham to defend the tax. I have four meetings planned in my constituency between tomorrow and Monday night, not all of which will be party-political platforms. Tories have been invited to send representatives to each of those meetings, but no one can be found to defend the poll tax. That has happened consistently this year.

The poll tax will cause massive dislocation of family incomes, as I have said repeatedly on the House, as those on less than average earnings pay more so that those on above average earnings can pay less. My constituency is the largest in Birmingham; three quarters of it is outer suburbs and a quarter inner city, but all areas are losers. They will pay £10 million more in poll tax than they would have paid in rates, even if the rates had increased by 12 per cent.

The people of Perry Barr do not have a spare £10 million. They will go without food and fuel to pay their poll tax bills, and as a result their mental and physical health will deteriorate. I have seen the haunted look in people's eyes when it has suddenly dawned on them how much they will have to pay now that the bills have dropped through their letter boxes. Panic is setting in among ordinary people on ordinary incomes, living in ordinary streets in ordinary dwellings, who cannot afford to pay these extra amounts which are way above the rate demands.

This is a legal tax, but the legislation was passed undemocratically in the House by the use of guillotine. I checked out the Tory Members who rammed this tax through the House. The people who backed the Tory Members who forced through the final vote on the amendment of the hon. Member for Hampshire, East (Mr. Mates) on 18 April 1988 when the Government's majority was the lowest, at 25, comprised 21 per cent. of the electorate and 29 per cent. of those who voted in a general election. There is no doubt about it: it is an undemocratic tax.

There must be criteria for fair taxation. No Labour Member would argue that we should not have taxes—I would disown someone who did. Taxes are part of the community kitty. We cannot all have our own private facilities, but the criteria must be clear. Taxes must be practical—the poll tax is not. Taxes must be fair and must make those who take local expenditure decisions properly accountable—the poll tax has nothing to do with local accountability. The costs of administration and collection must be kept within acceptable limits—the poll tax is running at three times, not twice, the level of the rates. That is not acceptable.

Taxes must encourage proper financial control. I accept that a tax must be suitable for all tiers of local government. It must stand the test of time. Any tax that cannot stand the test of time will be unworkable and unworked, because those who have the duty to work it know that it will not last, inevitably leaving problems in its wake. Those are the Tory Government's criteria, which were laid down in their 1981 Green Paper. The poll tax does not meet one of them.

I do not want my party to compete with the Government, saying, "Our system will have more people on rebates than yours." I should like a system in which no one is on rebates. No one gets rebates on income tax, because a person does not pay it unless his or her income justifies the payment. The more income one has, the more tax one pays.

The speech of the hon. Member for Ealing, Acton (Sir G. Young) will be telling. I suspect that the Government will move somehow to adopt a banded system. That is their only escape route. They will not go back to a property tax and they will not want a fully local income tax. Our view is that property should carry taxation—the occupation of property should carry taxation—and whether that money is used for local government or

national Government expenditure does not matter. I do not believe that, without the tax, property prices would be forced up, but that is not a good thing anyway.

I shall defend one, two or three taxes for local government, provided they meet the criterion of fairness. No one likes paying taxes, but people will object less to paying fair taxes than to paying unfair taxes. It does not matter whether the taxes are a mixture of property tax and income tax or whether we go the whole way and have a banded system or a fully fledged income tax. Property should carry a tax, and probably not on its value—a tax on the size of the floor area that it occupies, or even on site value. That is my public position, and I make it clear to my colleagues.

Such a system can be achieved in several ways. There is nothing unique about it, because virtually every means that one can imagine operates administratively perfectly in most other countries that use these systems. We have become hung up on this issue. We should discuss how to finance local government and, from my party's point of view, how to replace the poll tax, which must go.

I freely admit that I would prefer a mixture of taxes based on property and on income. Both can be seen to be fair and practical. Neither need cost a fortune to collect. Above all, they would not produce a massive impost and dislocation of family incomes. They would not drive people further into poverty and ill-health, as the poll tax will do, and that is why I vehemently oppose it.

7.15 pm

Mr. Patrick Cormack (Staffordshire, South): Not for the first time, I find myself very much in agreement with much of what the hon. Member for Birmingham, Perry Barr (Mr. Rooker) said. As he probably knows, I have never supported this tax. I did not vote for it when it was introduced in Scotland. I have never voted for it and have voted against it on crucial occasions.

The problem with this tax is that, to quote a recent metaphor, it fails the cricket test. This tax is fundamentally unfair and people in this country like fair play. It is not cricket. The system must be significantly amended if it is to become acceptable to people: to the elderly couple who come to my surgery and ask, "Mr. Cormack, do I give up my holiday or my car?"; to the young husband who says, "We had planned for my wife to stay at home and bring up the child, giving up her job, but now she does not think that she can afford to do so"; to the teacher who is moving into my constituency and who, because the property market is sluggish, is paying poll tax on two properties, one of which is empty; and to the vicar with a small cottage in the country which happens to be in a Labour-controlled local authority area—Labour Members may not like this point—who will have to pay a double charge, as the standard charge on a property which he will seldom occupy and which is the only property that he owns. That is unfair.

It is unfair also that a shopkeeper who is trying to provide a service in a rural community faces the problem of mixed hereditament and has to pay poll tax and the business rate. Encapsulating the unfairness of the tax is the most unfair example of all—two people in my constituency living within about 500 yd of each other, one in a mobile home and the other in a house worth £500,000, each having to pay the same. That is not fair and never could be. It is regressive taxation of the worst kind.

That is why I have consistently opposed the poll tax. I have done so not because I believe that the adult wage-earner should not make a contribution—he or she should. On three occasions I introduced a rating reform Bill which would have made every adult wage-earner pay a contribution. I had the great distinction of having among my supporters at least twice my right hon. Friend the Member for Shropshire, North (Mr. Biffen), who is in the Chamber, and on one occasion my right hon. Friend the Secretary of State for Trade and Industry. If we had moved along those lines, I do not think that anyone with a sense of fair play could conceivably have objected. But we have done something that flies in the face of our party's principles and beliefs, which have evolved over centuries. We must do something about it.

I am a realist. I fully accept that we shall not be able to abolish the charge or repeal the legislation and that we must make the system work. There are two ways in which we can do that. I urge my hon. Friend the Minister for Local Government and Inner Cities to address himself to them. My right hon. Friend the Secretary of State made a magnificent speech, but he did not address himself sufficiently to the seriousness of the situation. I am not flannelling when I say that I have a high regard for my hon. Friend the Minister and my right hon. Friend the Secretary of State. They are Ministers who can listen. It is imperative for them and for this country's future that they do.

It is important that we look at the admirable solution suggested by my hon. Friend the Member for Ealing, Acton (Sir G. Young), who has been a consistent and doughty opponent of the charge, and who talked about banding. If that were brought in, there would be a reflection of the ability to pay, and the fundamental "it's not cricket" response of so many of our constituents would be dealt with.

The other solution is one that I have advocated on many occasions with the eloquent support of my right hon. Friend the Member for Shropshire, North. It is to transfer the burden of education, or at least of teachers' salaries, to the Exchequer. I am aware that that is not a simple solution and that the money must be found from somewhere, but the Chancellor of the Exchequer has many more opportunities of raising money than the one tax that we are discussing.

If the community charge is to remain a flat rate tax, like the car tax or the televison licence—I do not suggest that they are analagous and no one should think I do—it must be at a low level which is not a burdensome and cruel imposition on people. If education, were taken out, or just teachers' salaries, leaving administration to local authorities and thus a degree of local authority control, the tax could be reduced significantly. It is impossible to do proper calculations, but I have received figures from the Library today showing that a reduction of about £150 would probably be fairly common. That is based on the Government's own basic figure of £370. My right hon. Friend the Secretary of State has all the resources at his command and could probably tell us just what a significant reduction there would be.

One of the solutions that I have mentioned must be adopted. It is no good tinkering at the edges or, as my hon. Friend the Member for Acton said, throwing money at the problem. If the Government throw in another £3 billion next year, it will be £3 billion the year after and £3 billion the year after that. That will not tackle the root problem.

[Mr. Patrick Cormack]

It will merely mask accountability which, after all, was one of the fundamental reasons why the Government introduced it in the first place.

We should also bear it in mind that education is increasingly a national service. We have a national curriculum and more schools are beginning to consider opting out of local authority control. Also, teachers' salaries are set at national level. Local authorities cannot decide that they will not pay a certain salary. And with declining school rolls in the immediate future, education is the one major service from which fewer people will directly benefit in any given local authority area.

For all the reasons that I have given, this solution should be carefully considered. I know that it is not a simple or perfect solution. Like the Irishman, I should not have started from here. I should not have brought in this wretched tax in the first place. However, we are landed with it and we must make it workable and fair. If we do not —I direct my remarks particularly to my right hon. and hon. Friends on the Treasury Bench—all the fine achievements of the Government over the past 11 years, and there have been many, will be in jeopardy. The tax will join ship money, the stamp duty and all the other taxes which so incensed people that they turned on those who brought them in. I do not wish to see the Goverment, whom I support and am proud to support, brought down by a fiscal nonsensical introduction which, if it is not significantly amended, will always be associated with this Government and will tarnish their reputation in history.

7.23 pm

Mr. Lawrence Cunliffe (Leigh): First, I record my disapproval of the time spent by the Front-Bench teams today. They took one hour 50 minutes for their opening speeches, which deprived Back Benchers of debating time. I speak from authority as someone with eight years' experience as a senior Whip defending the interests of Back Benchers against Privy Councillors, prima donnas and alleged Front-Bench seniority. It is distasteful that the Front Benchers became so involved that they practically doubled the time usually taken for the opening speeches.

Time and again during the past three years, before setting any rate, my local authority of Wigan has presented to Government officials a team of Members of Parliament and local government officers. We have done so religiously for three consecutive years. The Under-Secretary of State for the Environment, the hon. Member for Southampton, Itchen (Mr. Chope) was present on those occasions. We clearly and methodically presented our financial slate to the Minister and his civil servants. We proved that Wigan borough council was a wise and prudent spender of its people's moneys.

We were then described as a wreckless, irrational spender trying to prove a distorted political point. I ask the House to consider that I have a majority of 17,000 and the other three Members of Parliament within that area have majorities of 21,000, 16,500 and roughly 17,000. Can anyone seriously believe that we would want to make a political point in dealing with ordinary people's money and accountability to them? That is sheer nonsense. I reiterate that that label cannot be justified and I hope to show the House why.

All the figures had been submitted to the Department, first in writing and then orally. This year, the team that came to see the Minister included the leader of the Conservative group on Wigan council, and the Liberal leader. The group was a cross-section of the political parties on the council. We all agree unanimously on the submissions that we made. What happened to us? We were charge-capped to the extent of £10 million, and 1,000 local government jobs were put at risk. That was the prize for playing by the Queensberry rules and submitting the figures in advance.

Councils are penalised for being open, frank and democratic and putting their facts before the Government. I hope to show why I claim that there has been discrimination and victimisation against a Labour-controlled authority which attempted to come clean and play by the Queensberry rules.

With the exception of education, Wigan spends 5 per cent. less on all its services than any other council in the Greater Manchester area or any metropolitan district. The borough had the 29th lowest of 36 standard spending assessments for metropolitan districts. The Greater Manchester region, of which we are part, had an average 6·1 per cent. increase in its SSA, compared to the GRE figure for 1989-90. The average metropolitan district increase is 7·3 per cent. What is Wigan's? It is 0·06 per cent. We are penalised and put at the bottom of the relegation zone as we have been for some years, no matter which formula we worked under. Our SSA is £113 per head, again below the Greater Manchester average, and £118 below the average for all metropolitan districts.

What do we have to do to prove to the Minister that we are good housekeepers? Accountability has always been built into the system. Let us compare Wigan with Wandsworth, Westminster or Windsor which had a budget overshoot of £159 without being charge-capped. Wigan is permitted to spend £806 per head against Westminster's £1,486 per head. There is no comparison. Whether or not people like the north-south argument, we shall consistently perpetuate that imbalance and it will be a sore between all parties, which will be angry at the imbalances and unequal treatment meted out in the north and this part of the south. I make that comment, not as a political point, but to show that there must be concern and anxiety that such imbalances exist.

I said that, in 1987, 1988, 1989 and 1990, we came to the Minister. An independent view can be seen in *The Economist*, which claimed that Wigan was Britain's most efficient council. It states:

> "Almost 5 per cent. of the London boroughs' council dwellings were empty in April 1986, three times the Wigan figure".

It also said that housing management costs in London worked out at £250 per dwelling, against £70 for Wigan, and tenants in London paid less than 22 per cent. of total housing costs, against Wigan's 36 per cent. It continued:

> "The share of costs met from rates more than doubled to 12 per cent., three times the Wigan level."

Those were the figures for the London boroughs. I shall come to a famous borough later. I see that the hon. Member for Itchen is smiling. That famous borough was subsidised by about 17 per cent., and Wigan got nothing. *The Economist's* independent survey showed that. Wigan is not the only example. The Londoners relied on central Government grants for 80 per cent. of their spending.

Wigan is quite a proficient council with professional standards, but we got only 50 per cent., compared with the 80 per cent. received by the borough that I mentioned.

We talk in compassionate terms about children's homes, which are a serious issue. In Wigan, children's homes cost less than £10,000 per child in care, whereas in London boroughs they cost £13,000. On minor roads, £8,500 per kilometre is spent in London, and in Wigan only £3,750.

Which was the rogue borough? It was Tory Wandsworth. *The Economist* said:

"And which, you may wonder, is this wastrel borough? Or, if your politics are different, this truly socialist one? In fact, the borough concerned is neither. It is the radical-Tory Wandsworth, the model of an efficient, market-orientated" classic example of pure local government administration and accountability. If that is the case, I have a super Wigan, as against that sort of authority. The Under-Secretary won his spurs as leader of Wandsworth council.

Last week, most hon. Members received a booklet about the community charge issued by the Department of the Environment which deals with the community charge and rents. It is well-designed and clear and distinctive. This weekend, when I went back to my constituency, I was met with a delegation of tenants of rented property. They said, "Could we put it to you that we expect our rents to be dropped accordingly? The rate was £7 per week.

Madam Deputy Speaker (Miss Betty Boothroyd): Order. I regret that I shall have to call the hon. Gentleman to order. His 10 minutes are up.

Mr. Cunliffe: I have had to rush my speech, when I had the common courtesy earlier not to intervene in the speeches of other right hon. and hon. Members.

Madam Deputy Speaker: Order. I must be strict and impose the Standing Order.

7.33 pm

Mr. Bill Walker (Tayside, North): I shall not follow the example of the hon. Member for Leigh (Mr. Cunliffe) and I shall not challenge any ruling that you give me, Madam Deputy Speaker. I intend to speak about Scotland. I hope that the hon. Member for Glasgow, Hillhead (Mr. Galloway) was not suggesting that Conservative Members knew nothing about work. I am sure that he will agree that that is not so.

There is a good reason why we should consider Scotland. In the first year of operation of the community charge in Scotland, the added increase in local authority expenditure was more than double the inflation rate. That followed substantial increases in local government grant settlements. I expect that sounds vaguely familiar to hon. Members from England. The community charge is in its second year in Scotland, and this year is the year of regional elections in Scotland, and 20 councils have spending plans which are the same, or below, those of last year, and the remainder have estimates at about, or just below, the inflation rate. That shows that at least the local accountability element is working. Therefore, a major aspect of the community charge in Scotland can be said to be working.

On Monday 19 March, the Scottish Grand Committee met in Edinburgh. The matter for debate that day was local government finance—the community charge, or poll tax as it has come to be known. That was the first day that the Scottish Grand Committee was televised, and not one individual came to demonstrate about a matter that, according to some of the interventions that we have heard, has been inciting people to lawlessness. Even more interesting, that was the first and only occasion on which there had not been a demonstration when the Grand Committee was meeting in the old high school building in Edinburgh. At every previous sitting of the Committee in Edinburgh there had been demonstrations outside, but there were no demonstrations against the poll tax.

That is concrete evidence that the people of Scotland have substantially accepted, as much as people ever accept the payment of tax, that the community charge is the best means of paying for the top-up figure of local government expenditure. The bulk of such expenditure is paid by central taxation and non-domestic ratepayers. We are talking about a top-up figure, not total expenditure.

It seems that, certainly in Tayside, the regional assessors—those responsible in Scotland for the non-domestic rates—have produced valuations in my constituency that lack consistency and fail to make sense. There is nothing new about that; we had the problem before, which led us to the community charge. That problem, combined with the rates and the rate valuation, made it impossible for the Government of the day to continue with that.

In an answer given to me today, I note that in Angus the combined rate poundage of district and region in 1989-90 is 72·2p, and in 1990-91 it should be—note the reduction —53·6p. In Perthshire, the respective figures are 72·7p and 54p. Therefore, provided the valuations are sensible, the cash paid for non-domestic rates in 1990-91 should not be penal. I shall wait and see because I know from experience that the valuations are, once again, likely to have gone bananas.

What of the alternatives? Today the hon. Member for Dagenham (Mr. Gould) failed to answer the question that I put to him, deliberately avoiding it and saying that he would discuss Scotland later. He did that because Labour's proposals for Scotland—the roof tax—have been clearly outlined. The hon. Member for Cunninghame, North (Mr. Wilson) keeps telling us that we will get the details long before 3 May, but we got part of the details today. Not only did the hon. Member for Dagenham not tell us about Labour's proposals for England and Wales; he failed to endorse the statement made by Labour in Scotland today, which is not surprising. He had probably been advised about the shambles in Scotland, where the only figure given was for a typical couple in an average house—it would have been £487 last year. Any inspection of this figure will show that, allowing for inflation, let alone anything else, it is complete nonsense relative to last year's rates. So much was made clear at the meeting.

As reported on the tapes, when questioned about other properties, the Labour party in Scotland could give no answers because it has not thought through or worked through the proposals. So the Leader of the Opposition tells the world that there is little support for a tax based on property values, while the shadow Secretary of State for the Environment fails to explain or endorse the statements made in Scotland. All this means that Labour is determined to use Scotland as a guinea pig. Add to that Labour's plans for the rural economy in Scotland and its hidden agenda, which includes rates on farmland, on woodland and on farm buildings, and the compulsory purchase of estates and holiday homes, and it becomes

[Mr. Bill Walker]

clear how exciting the prospects for Scotland are. Property values will plunge and firms will be run at a loss to avoid payment of non-domestic rates. And there is more to come.

I turn now to local income tax, which is the SNP's and Liberal Democrats' recipe for the top-up figure. I note that not a single representative of those parties is present in the Chamber. I have an admission to make: for two years I tried to make a local income tax work and I could not make it work in Scotland at that time because I did not live and work in the same place. For example, I live in Blairgowrie, I work in London and my tax office is in Cardiff. Not all tax offices are computerised so that they can swap information.

This was only one of the problems. Sparsity of population in Scotland was another. The latest figures published in column 1023 of the *Official Report* on 19 April clearly show what that means. A single person on Scottish average earnings would be required to pay in local income tax £812 in Angus and £828 in Perthshire. He would be required to pay £900 in Dundee. If such a tax were ever introduced, it would clear the highlands of Scotland in a way never achieved during the clearances.

I know that there are flaws and weaknesses in the Government's proposals, but I have spent most of my life in Parliament dealing with anomalies in the rates. It would be astonishing if we brought in a local government tax that did not contain anomalies. One of our jobs is to ensure that they are removed, and I have every confidence that Treasury Ministers will do just that.

7.44 pm

Mrs. Alice Mahon (Halifax): I was a little disturbed when the debate began with the noisy and hysterical reaction from Conservative Members, which seemed to strike a panicky note. I think that my hon. Friend the Member for Dagenham (Mr. Gould) made an excellent speech in the face of all that unruly panic. He rightly referred to the undemocratic nature of the poll tax and to the considerable falling off in the numbers of those on the register—15,000 in Strathclyde alone.

The poll tax is not only unfair, it is anti-democratic and it lacks any democratic legitimacy. It is nonsense to say that the British people voted for it. The Tory manifesto for the last election, the most detailed in post-war history at about 25,000 words, contained 82 on the poll tax. The Government smuggled it past the electorate and then, as my hon. Friend the Member for Birmingham, Perry Barr (Mr. Rooker) said, they rammed it through the House.

My local authority, Calderdale, was 34th from the bottom of the league, with a very low poll tax of £297—yet it is to be poll tax-capped. Over the past 10 years, Calderdale has struggled to maintain and improve essential services while the Government have taken away more and more of its grant. Now we are told that we are profligate and not fit to set a budget. That is highly insulting to the hard-working, decent councillors who give up many hours of unpaid time because they are dedicated to the people of Halifax and Calderdale.

Why was our standard spending assessment set at 5 per cent. above inflation when the average for metropolitan authorities was 11 per cent.? It is sheer irresponsibility to poll tax-cap an authority such as ours and the Minister must know that his actions will force Calderdale to make millions of pounds' worth of cuts in services, which will hurt our area. We cannot make such cuts without seriously damaging services. We cannot get away with fringe cuts —there is no fat to cut. We are a small, moderate district authority, built up from a very low rate base, and our spending goes on real services. I defy the Minister to come and show me where there is waste.

The voluntary sector in Calderdale is worried. The citizens advice bureaux and many bodies like them which receive grants are extremely anxious. Of course, their grants have increased over the years because they have had to expand their services, given the great problems that the Government have created. The massive growth in poverty over which the Government have presided, the housing crisis, the huge build-up of personal debt and he cuts in benefit and in the NHS have inevitably led to a growth in the budget of a caring local authority. One voluntary sector body that comes to mind about which I feel strongly is the Crossroads scheme, an excellent scheme in Calderdale. Many letters in the local press have supported it, yet it is worried about cuts in its grant that might result from capping. Crossroads is a cheap but valuable service that relieves carers who look after frail people in the community. Both it and the home help service are worried, as are people who work in old people's homes.

The Secretary of State visited Halifax yesterday. As I said when raising an earlier point of order, he crept in like a thief in the night without telling anybody that he was going there. The first I knew of his visit was when I saw a letter on the notice board saying that he was to visit Halifax yesterday. That was discourteous, which was why I challenged him about it.

The right hon. Gentleman told the press yesterday that he was protecting the people of Calderdale by capping the poll tax. He visited the richest area in Halifax, Savile park. He went there to support local Tories who were launching their local government election campaign. Those local Tories said that people in Halifax were not concerned about the poll tax and that dog dirt was more of a problem. So on the day when my council was in court applying for judicial review to protect valuable services such as Crossroads, the Minister was making dog dirt his priority. I am concerned about dogs fouling the pavements, but such action on the part of the Secretary of State is beyond the pale.

In his cheap, knockabout speech, the Minister did not tell the House about the teachers who lobbied him yesterday and who told him that if he went ahead with his cuts they would put education back 15 years in Halifax. We still do not have a comprehensive education system in Halifax and to set the clock back another 15 years is unthinkable.

The Secretary of State recently accepted a system for local financial management of schools. He said that it was a good system, but is he now about to tell teachers and administrators to cut their budgets? How will he justify that? Will he tell us how many teachers and ancillary workers will be lost from the schools in which £5·6 million of cuts have to be made? The National Association of Head Teachers is considering challenging the Government in court, and no hon. Member can tell me that that association represents the loony left.

Calderdale is a large geographical area with a small population and our services are expensive to provide. That is common sense. We kept our poll tax down and, as I said,

we were 34th from the bottom of the list. The poll tax is nothing more than an act of violence perpetrated by the rich and powerful against those who have very little. I do not enjoy seeing pensioners crying in my surgery and saying that they have to take sleeping pills at night because they are anxious and do not know how they will find an extra £3 or £4 a week. To someone on a low income, such a sum can be a devastating blow to a budget.

Like my hon. Friend the Member for Glasgow, Hillhead (Mr. Galloway) I am taking a non-payment stand. I see from *The Guardian* last week that three Anglican bishops, a Roman Catholic bishop and five non-conformist leaders think that it is a good act of conscience on behalf of the poor. I support my people who cannot pay and I throw down a challenge to the Minister and to Conservative Members. They have been vocal in asking about our plans. What do they intend to do about the people who cannot pay? At what level of poverty are they prepared to come in and help such people? I know what I shall do.

The rich can always avoid taxes that they do not like, and I am quite sure that many hon. Members have lawyers and accountants to help them to avoid such taxes. The poor do not have that option, and in the face of a Government who simply refuse to listen I am proud to take a non-payment stand. With poll tax capping, the Secretary of State has acted in the best traditions of Mussolini. He is a town-hall Mussolini. It grieves me to say it, but I would not be disappointed if he ended up meeting the same fate.

7.52 pm

Mr. Den Dover (Chorley): The community charge has my wholehearted support. The principle is accepted on the doorsteps in Lancashire, but we have to look carefully at the rules and regulations that apply to the charge. The first answer at Question Time today gave the impression that we are not considering any changes to the regulations. I hope that the Minister for Local Government and Inner Cities is following the debate and that he will look carefully at the rules and regulations before setting the rate of community charge for next year and the rules that apply to it. The main benefits of this debate are that it highlights the unfairnesses in the new tax and that we can make constructive proposals about what could or should be done.

We changed the taxation system this year so that women are taxed separately. I fully support that move. Therefore, why is it necessary to make husband and wife jointly and severally liable for the community charge? That does not make sense. Some people have said that it is related to housing benefit or social security payments, but when introducing a major tax such as this we should treat it as an individual charge and honour that treatment in all its terms. An unemployed wife who is taxed separately from her husband who may be earning £15,000 or £20,000 should receive the full 80 per cent. rebate. We sold this tax to voters as an individual charge on a person for the services from which he benefits, and we must honour that all the way through.

Second homes have been mentioned. I am delighted that the Government have given local authorities the flexibility to make a zero standard charge, a half charge, a full charge, a charge of one and a half times or twice the charge. A case similar to that which applies to one of my constituents has been mentioned. A teacher living away from my constituency and teaching down south pays the community charge there and has been levied twice the charge—£730—up north on a home that she is in for only a few weeks in the year. That makes no sense.

What system should apply if the husband and wife are to be treated separately and have a second home that they perhaps own? Can the woman opt to count one of them as hers, while the husband counts the other as his main home, in which case they would pay a single charge in each home? At it is, they pay two full charges for a main home and two charges—if the local authority chooses to levy the standard charge—for the second home. Under a separate charge system they could immediately have their community charge bill halved. That is open to abuse, but I raise it as a point of principle and I hope that the Government have thought it through.

The Government have said that the rebate system is generous. I admit that an 80 per cent. rebate is more generous than that which my hon. Friend the Member for Ealing, Acton (Sir G. Young) might employ. He might have people paying half the charge, the full charge or twice the charge, depending upon their highest rate of income tax. I am delighted that students will get the full 80 per cent. rebate. However, we must consider the low rates of income that enable one to qualify for that rebate. We must change the rules. A single person of 18, 20, 25 or 30 or more may earn perhaps £50 or £60 a week. That is not a high wage in today's economy, even in the north-west. I strongly recommend loosening the rules and regulations. There should be much more of a taper in the system.

The uniform business rate has been mentioned and the north-west will benefit most from that, which I welcome. Many businesses, and especially retailers, are small traders and there are many small country post offices. I have many such businesses in my constituency. They are paying, admittedly after revaluation, five or six times their original bill. The very large do-it-yourself stores such as B and Q pay a charge based on the depth of the store, while the small business or shop has only a small depth of property. District valuers should be asked to be more lenient to small businesses. We should treat the matter on a totally new basis. We could change the community charge, perhaps relating the residential charge to the uniform business rate on mixed premises. We should be able to examine the whole thing and see what is fair and reasonable in today's world.

Some 15 to 20 years ago, when the last revaluation took place, there were no large sheds housing do-it-yourself shops such as B and Q. Such shops give a very good service and excellent value for money, but the present system is to their benefit and to the disadvantage of the small business man who provides a local service in rural areas. I want to encourage such businesses, because without them rural communities will die.

What are we to do about local government finance? I have said that the community charge is fair, but how can we overcome the problem of a family of two adults and two children of, say, 18 or 20 years of age who have to pay four community charges? In the past, their rates bill may have been about £150 and they may now be asked for £1,500. That is not uncommon in my constituency. What can one say to such people? One can do more than tell them to claim the maximum rebate to which they are entitled.

[Mr. Den Dover]

There is much unfairness in the system. Chorley had a Conservative-controlled local authority—it is only a one-seat majority—and it spends exactly in line with the Government's guidelines, and all credit to it for that. However, the Labour-controlled Lancashire county council, which, again, has only a one-seat majority, has massively overspent. Its budget this year is so enormous that rates would have had to increase by 30 per cent. Instead of the standard community charge of £278, the charge in Chorley is £360, and the extra £80 is shown in each community charge form as being the result of the policies of the Labour-controlled Lancashire county council. Unfortunately, electors and voters do not read the forms carefully.

If we are to run United Kingdom Ltd. efficiently in a tight economy and difficult circumstances, we must find better means to control spending. In general, the Government's SSAs are accurate and fair. There are two years before the next general election and the Labour party has said that it will not tinker with the system immediately, so local authorities have three or four years to bring their spending down to a fair level. The SSAs take into account the needs and requirements of the population and its demography. We have had so many different systems that, by now, we should know what the spending levels should be.

We must change the rules and regulations. Rather than cut rate support grant to local authorities, the Government should have cushioned the blow and been generous. That would have ensured that the community charge was accepted as fair and reasonable, and there would have been wider support for it. We should have less tinkering to do now. We need to look carefully at how we change the system. I was interested to hear the genuine misgivings voiced by Labour Members, and Conservative Members share many of them. We want to see changes, and I am sure that the Government will get a strong message next Thursday which will ensure that in the next few years drastic changes will be made in the level of assessments and spending.

Several Hon. Members *rose*——

Madam Deputy Speaker: Order. The 10-minute limit on speeches has been lifted, but some hon. Members have been here throughout the debate and I hope to call everybody who wishes to speak. Therefore, I appeal for voluntary restraint.

8.2 pm

Mr. Peter Hardy (Wentworth): I hope that the hon. Member for Chorley (Mr. Dover) will forgive me if I do not follow his somewhat inconsistent speech. However, I shall follow the points made by the hon. Member for Staffordshire, South (Mr. Cormack), who made historic references. I often think that we should be better off if hon. Members knew more about history. If the Prime Minister had studied English history instead of the constituents of ice-cream, I doubt that this project would ever have got off the ground.

One does not have to go back to the 14th century and what happened to the last poll tax to form the fair judgment that the Conservative party has demonstrated its unfitness to have responsibility for the direction of local Government. It has been said that this is an historic change in the reform of local government finance. Some of us were Members of Parliament when, through another historic change in local government, a reorganised system was inflicted upon Britain in 1973. That was the most inflationary exercise that Britain had ever experienced. It was clumsy and incompetent, and it caused dramatic heartache to the people in local government, for they had to make that difficult system operate.

Conservative Members with experience in local government know that that is true. Now they are perpetrating a larger, and perhaps more painful and unfair, error. It will lead to an unfair and corrupt system that has been compounded by the decision to poll tax-cap authorities such as that which I represent and others in Yorkshire.

Let me make one thing clear. It has become fashionable for Conservative Members to talk about local government as spendthrift and inefficient. I have said before that, if central Government were as efficient as local government, the country would be a great deal better off after 10 years of this Administration. Look at the Sheffield Forgemasters business with Iraq. We do not know the difference between a gun and a petrol pump. Today's trade figures are twice as bad as the Government and the City were expecting.

After the Government's decision to poll tax-cap, the director of education in Rotherham, Mr. Snowden, sent me a serious letter, and I wrote to the Secretary of State for Education and Science to ask him to take the trouble to read this letter from a splendid educationist, and to respond himself. My secretary has worked for me for 16 or 17 years. She said to me, "You know what will happen." I said, "Tell me." She said, "We will send the letter to the Department and within two or three days I will get a telephone call saying that it has mislaid the letter and could I send a copy of it." I said, "I do not think that that will happen with such a serious letter." She said, "It has happened every time we have sent a letter like that to the Department of Education and Science in the past two years." Sure enough, three days later, we had a telephone call from an official asking for a copy of the letter because the Department had lost it.

I am glad that the Under-Secretary is in the Chamber. On 3 April, the Government announced that they would be capping the poll tax. My council was condemned as inefficient and spendthrift. However, on 10 April, I got a letter from the Under-Secretary paying tribute to my council for its "tremendous effort" in administering the poll tax and in managing to send out the community charge bills. My council is efficient, but it did not know where it was. Three days after the financial year began, the Secretary of State said that it was not efficient and should be punished for being spendthrift, although apparently his colleague did not know that.

The Under-Secretary of State for the Environment used to run Wandsworth council, which seems to be one of the only two boroughs about which the Government are concerned. The other is Westminster, with which I shall compare Rotherham. Will the Minister comment on some of these figures? I have already set out some of them in a motion, but that motion tells only part of the story because I did not want to occupy too much space.

Rotherham, as the Minister knows because he has been to see it, has enormous problems. It has an above-average number of old people and of children of school age, with all the financial implications that that presents. This year,

its spending will be £821·93 per head. Westminster has fewer old people because many have capitalised on the housing boom and left. It has an enormous income from second homes, to which at least 60 or 70 Members of Parliament contribute. It is a compact area with little of the unemployment and dereliction that we face. It is not supposed to be a big spender, but its average spending is £1,181·54—£259 more than Rotherham.

Let us look at the income. The poll tax in Westminster is £195, its business rate is £292, its education grant, because it is in the metropolis, is £53·32 and it has other income of £11·11 which, together with the standard spending grant of £865·84, makes a total of £1,420·78.

According to the Government, Rotherham is a wicked authority. It has set a poll tax of £334 and there is the business rate of £292. With low rateable values and the destruction of industry over the past decade, it has received the enormously generous grant of £18·39. There is other income of £28. The standard spending grant is £188·39. That produces a total of about £861.

Westminster's income is enormously greater than that of Rotherham's, and so is its spending. Westminster's needs are not as great as the areas which my hon. Friend's and I represent and about which we are concerned. The figures to which I have drawn attention show that the spending assessments by the Government were deficient from the start. I can only express astonishment that the Government did not foresee the horrifying consequences. Indeed, they compounded them by the unfairness and corruption of the capping list which the Secretary of State produced.

The Minister for Local Government and Inner Cities (Mr. David Hunt): Perhaps my intervention will provide the hon. Gentleman with an opportunity to recover from his exaggerated statement. As he has acknowledged that the important feature is the standard spending assessment, I invite him to consider the positions of Lambeth and Wandsworth, which he has not included in the figures to which he drew attention. Lambeth receives one third more in grant than Wandsworth, yet there is a great disparity in the community charges that the boroughs have set. Westminster is budgeting to spend 7 per cent. below its standard spending assessment while Rotherham has chosen to budget excessively at 20 per cent. above its SSA.

Mr. Hardy: Rotherham is budgeting for a modest increase in the level of services that it provides to match the increase in the number of children and old people. The growth element, as it was, is only £3 million. It is a far smaller sum than that created by the additional demands made by Government policies.

In reply to a parliamentary question which I tabled, the Under-Secretary of State replied to the effect that Rotherham will be able to obey the capping order without disrupting services. I do not know what preparation was made for that answer. If the capping order is implemented, scarcely any books will be bought by the library. Of course, the Government are not worried about that. Rotherham will have to reduce the quality of school meals. There will be implications for swimming and music facilities for schools, and I am especially concerned about music. There is a fine local tradition that I wish to be maintained but I fear that it will suffer. Facilities such as the Rotherham Valley country park would go if the order were implemented. There would be consequences for street lighting which could result in road accidents, and perhaps fatalities. I suppose that that would not unduly concern the Government because they cannot find Tories in the areas which my hon. Friends and I represent.

As the Minister knows, the area which I represent has never sought to break the law. Instead, it has sought to conduct itself with civilised balance and to build structures within the community that embrace a cross-section of society. The authority has worked with the chamber of commerce and the voluntary bodies. It has worked efficiently and inexpensively to try to surmount the problems that we face. The Minister knows that that is true. The contemptible feature of the Government's actions is that they have caused anger of a sort that I have not experienced for a long time.

The Government should understand that my constituents believe that the new tax is foul, unfair and incomprehensible. It has compounded their difficulties. How can the Minister and his ministerial colleagues tell the local authority that they can match spending pound for pound or penny for pound to deal with the dereliction and other problems which he has seen? If it were still legal tender under this inflationary Administration, we would not be able to match farthings for pounds. The authority will not be able to find its way out of the problems unless there is a Government who show that they have some sense of history and a commitment to justice. That is definitely not demonstrated by the apportionment of public moneys that is the result of the poll tax.

8.14 pm

Mr. Henry Bellingham (Norfolk, North-West): I do not share the fears of the hon. Member for Wentworth (Mr. Hardy) about education. If he examines any local education authority he will find the extent of the savings that can be made. He will find administrators in ivory towers who should lose their jobs, instead of people at the sharp end losing theirs. Like all Opposition Members who have participated in the debate so far, the hon. Member for Wentworth said nothing about what the Labour party would do if it were in government. That is extraordinary, given that this is a Supply day.

I represent a constituency which has a thriving light industrial base. There are many small manufacturers in the constituency and in the main they have done quite well out of the uniform business rate. I am concerned, however, about small retail businesses, including small village shops and retailers in the high streets of King's Lynn and Hunstanton. When the Government decided to embark upon the UBR and set rental values in April 1988, the economy was booming. At that stage, rental values were perhaps at their peak. Retail businesses were doing extremely well.

We all know that the margins of village shops are extremely tight. Those who run them struggle to provide a service to village communities, which are sometimes remote. They are often part of the key fabric of a rural infrastructure. Even in 1988, many village shopkeepers were struggling. In the present economic climate, which is very different from that of 1988, they are finding life extremely difficult. My hon. Friend the Minister is well aware of my view that the Government must reconsider the transitional scheme for small businesses.

The Government must also seriously consider a problem that was put to me only last weekend by one of

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my constituents. He told me that he is a baker and one of my supporters. He lives above his business with two sons, who both work in the bakery. The four members of the family are paying poll tax. I told him that his previous business rate contained an element of domestic rating. I invite my hon. Friend the Minister to try to explain that to someone who is running a small village business with tight margins. If my hon. Friend said that anyone running a village shop, a pub or a bakery and living next to it or above it would be liable for only one community charge, that would make a considerable difference. I do not think that it would cost much, but it would be recognised as a major concession and a significant move forward.

My hon. Friend will probably tell me that those who run the businesses to which I have referred can make use of the transitional arrangement. I accept that, but he must face the fact that there is real concern among village shopkeepers. There is genuine concern that extends beyond shopkeepers to include many other constituents, who see village shops as a key part of the fabric of rural communities. I urge my hon. Friend carefully to consider these matters.

I have always accepted the principle behind the community charge. I was heartened by recent opinion polls that showed that about 70 per cent. of the public accepted that everyone should contribute to the provision of local authority services. The results of a poll that are reported in the *Evening Standard*—I see that my hon. Friend the Minister has a copy of the report—are similar. Accountability in local government is needed greatly. I believe that the local elections next week will not show anything like the scale of devastation that Opposition Members are willing upon us. Instead, the results will show that many electors took a sensible choice. They know well that, if they elect a Tory-controlled council, they will pay a lower poll tax. That message is getting across.

As I have said, I have always accepted the principle behind the community charge. At the same time, I have accepted that there are problems. We have a good idea, but its implementation has gone badly wrong. The other day, my right hon. Friend the Secretary of State said that, if implementation of the community charge was a dog's dinner, a rates revaluation would have been a rottweiler's dinner. I rather like rottweilers. I think that the implementation of the community charge is worse than a rottweiler's dinner; it is a feast for a large number of rottweilers. Many things have gone badly wrong. We underestimated the extent to which local authorities would seize this window of opportunity to put up their expenditure. That has resulted in higher community charge figures.

The 1981 Green Paper "Alternatives to Domestic Rates" stated:

> "The Government believes that a flat-rate annual capitation charge"
>
> of the order of £240
>
> "would almost certainly not be a practical proposition. If a poll tax were used to supplement another tax, however, the tax rate would obviously be lower, and it is in this way that a poll tax is most likely, in practice, to be able to contribute to a system of local revenues."

If the 1981 figure of £240 were inflation-uprated, it would be about £350—roughly in line with the average poll tax—yet in 1981 the Government said that that sort of level would not be a practical proposition.

The Government must find a way to bring down poll tax levels. The problem is how to do that without throwing money at local authorities and without that money going down the drain and being spent on pet schemes and projects. One of the tragedies of this whole exercise is that, over the past 10 years, the Government have gone a long way towards containing and controlling central Government expenditure on local government—indeed, they have been quite successful in containing public expenditure generally—yet at one fell swoop a great deal of money is going out of the window.

The Government must carefully consider taking a function away from local government. That could be teachers' pay, the police service or the fire service. They must then find a way to contain that and to ensure that the savings are dedicated to the community charge payer. They must also reconsider the rebate system. Like my hon. Friends, I have been confronted by constituents saying, "We have moved to a system of individual assessment for income tax. We thought that the community charge was a personal charge," or, "I am a mother at home looking after the children, yet I am expected to pay the full community charge."

The Government must consider a system of individual, separate assessment. I know that the Minister will say that a millionaire's wife could then claim a rebate, but I do not think that there are many people in that category. However, there are many thousands of people who would benefit from individual, separate assessment. It would then be a genuine personal charge and they could apply for a rebate in their own right.

I do not know what that would cost. Perhaps my hon. Friend could give an approximate figure. I do not have any idea about the probable uptake. However, it would be one way to make the community charge much fairer.

Mr. David Hunt: It is difficult to cost a proposal without more detail. Does not my hon. Friend think that it would be wrong, under such a system, to favour the non-working wife or husband of a spouse earning £30,000, £40,000 or £50,000 a year, while penalising the working wife or husband of a working spouse, both of whom were earning £8,000 a year? Such a couple would have to pay a double community charge, yet the non-working spouse and his or her partner, who had a considerable income, would pay only one charge.

Mr. Bellingham: I accept that, but my hon. Friend must remember that there is now a system of individual tax assessment. The community charge is going in the opposite direction. I accept my hon. Friend's example, but there are many people on the borderline who do not qualify for rebates, such as pensioners, pensioner couples and mothers who have decided to stay at home to look after their children. There is always a trailer in these matters and we are looking for ways to take the sting out of a system that is perceived to be unfair——

Dame Elaine Kellett-Bowman: Will my hon. Friend give way?

Mr. Bellingham: I am sorry, but I must press on.

Dame Elaine Kellett-Bowman: Why does my hon. Friend say that to everybody?

Mr. Bellingham: I am sure that my hon. Friend will have the opportunity to make her points.

Although I was pleased by my right hon. Friend the Chancellor's announcement in the Budget, I find the formula being used quite extraordinary. The first £3,000 of savings are completely ignored, while every £2·50 over £3,000 is deemed to produce £1 of notional or tariff income. That represents a marginal interest of almost 21 per cent. That is the deemed interest that people with savings of between £3,000 and £16,000 are supposed to be receiving. That is ludicrous. I ask my hon. Friend the Minister to recognise the importance of that point.

I also ask my hon. Friend to listen to the criticisms from constituents who previously were obtaining rates rebates because they were disabled or suffering from some incurable disease. For some reason, they are not receiving poll tax rebates. I hope that my hon. Friend will recognise the anomalies. He has shown that he is prepared to be reasonably open minded. He has already reconsidered the status of caravan sites. I urge him also to consider the case of disabled people who feel badly let down.

The Government must deal with the perception of inherent unfairness in the new system. Some may refer to the soft underbelly of the British people, but there is also a hard underbelly. That is characterised by a sense of fairness. I have not yet met a single top rate taxpayer who is anything but ashamed of the savings that he is making. I have not yet met a single top rate taxpayer who would object to paying more. The mood in the country has changed dramatically, and the Government must urgently and enterprisingly consider not scrapping the system, because it can work, but imposing a premium on those paying the top rate of tax. Perhaps they could pay 75 per cent. more, or even double. That would meet the argument that the Government have introduced an inherently unfair system. I am sure that every top rate taxpayer would accept my proposal and I urge my hon. Friend to find ways to implement it.

This is an Opposition Supply day, yet the Shadow Secretary of State gave a fairly abysmal performance. The hon. Member for Dagenham (Mr. Gould) did not give the House any idea about Labour's policies. That is extraordinary. It is also extraordinary that, on an Opposition Supply day—Labour's big day on the poll tax—the Opposition Benches have been marked by their emptiness. Many Conservative Members are uneasy about the community charge and they might have been tempted either to vote with the Opposition or to abstain. However, if the hon. Member for Dagenham had hoped to win us over, I have to tell him quite frankly that he went about it the wrong way. He said nothing remotely positive.

My hon. Friend the Minister has shown that he is prepared to listen. I am, of course, aware that he is moving on to new pastures. The Government, in the very phrasing of their amendment, have shown that they are willing to listen to constructive suggestions. Many Conservative Members have put forward serious and constructive suggestions. I urge my hon. Friend to show more urgency than he has previously and to consider those suggestions. Above all, I urge him to implement our proposals not in a year's time, but in the near future. We will then have a system of which we can be proud and one that will help our party and, above all, will lead to better local government.

8.28 pm

Mr. Allen McKay (Barnsley, West and Penistone): I shall begin my speech by being very constructive and giving the Minister some advice: forget the poll tax. My advice is as pure and as simple as that. I hope that the reports of our debate will be read widely outside the House. I hope that people will also read the reports of the Second Reading and Committee stages of the Act, especially the speeches made by Conservative Members.

Conservative Members waved their papers and said that the poll tax was the flagship of their party and the alternative to the hated rates system. Surprisingly, the one thing that the poll tax has done is make the public appreciate how well the old system worked, even though it did contain anomalies.

Also remarkable is the number of Conservative Members who say that the poll tax is fair but go on to describe all the ways in which it is unfair. We heard repeated today all the arguments that the Opposition made in Committee. The very points made by Conservative Members were contained in Opposition amendments that Tory Members rejected. Two years ago, we told the Government, "We accept that the rate system is unfair sometimes and that it contains anomalies, but before you introduce poll tax let us sit down together on an all-party basis and find another alternative." That offer was also rejected, and the Government have poll tax around their necks as a consequence.

Last week I had the good fortune to visit Her Majesty's forces in the Falklands, and saw there a vehicle with a notice on it reading "No poll tax."

Mr. David Hunt: Like the hon. Gentleman, I have flown thousands of miles to attend this debate. The hon. Gentleman has made clear his views on the community charge, but will he say what he considers to be his party's alternative? The hon. Member for Birmingham, Perry Barr (Mr. Rooker) proposed a floor tax. What alternatives does the hon. Member for Barnsley, West and Penistone (Mr. McKay) think that his party offers?

Mr. McKay: I shall give a personal view and a party view—[HON. MEMBERS: "Oh!"] Conservative Members will not enjoy my party's view either. Local government organisation and expenditure is in a bigger mess now than ever before, and Labour must carefully examine the possible alternatives to poll tax. We must cost them and consider the correct machinery. However, I assure the Minister that our system will be based on a person's ability to pay. It will be fair, equitable, and accountable—and it will blow the Government's poll tax to pieces.

As to accountability, my son is in the Navy, his home is in Gosport, his ship is based at Rosyth, and at present he is at sea. Where does he pay his poll tax, and how will he be accountable? What services will be provided for the poll tax that he pays? He certainly will not receive any services at sea, or at Rosyth, and he is away from Gosport for three years, apart from occasional visits.

As to financial accountability, my local authority is accountable to the people who vote in its members, one third of whom are elected every year. Each and every year that authority is accountable. It holds public meetings on its programe and its costs, which the meetings can either accept or reject. If the authority makes mistakes during the course of the year, the electorate will show their displeasure at the ballot box. It is significant that my local

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authority has been Labour-controlled for 50 years. It has 60 Labour councillors, one Liberal and two Conservatives. If the council has not been providing the right services, or if they become too costly, how is it that Labour has remained in control for the past 50 years?

Mr. Janman: How many people vote at the elections?

Mr. McKay: The poll is usually between 40 per cent. and 60 per cent., which is a very high vote.

My constituency is unique in all kinds of ways, and I really love it. It is varied from area to area. Parts of it are industrial—or they were, before 10 collieries closed. Another part of it is very rural. The problems occur in the low-value, built-up area. The larger houses are in the rural area, where the best properties are to be found. If one takes the example of the refuse service, it is far easier to make collections in the low-value built-up area than in the high-value rural area, where there are houses with drives and long paths.

An investigation of the use made of local facilities shows that the library serving the Penistone area is patronised more than the one in the built-up area. Also, I am now receiving letters about the deteriorating roads in my constituency. The worst affected are those in the rural areas, which suffer from the extremes of climate. The poll tax throws all such different considerations out of the window.

The area has a male unemployment rate of 18·6 per cent., and it is rising. Female unemployment is 5 per cent., and it is also rising. The difference is accounted for by a geographical quirk and the loss of industries such as coal, steel and engineering, whereas there has never been a great deal of work available for females. The local authority has taken upon itself to improve the situation by increasing educational attainment, which, sadly, is currently one of the lowest in Britain due to historical factors relating to a huge area that was formerly heavily dependent on industry. I have no grumbles about that. I enjoy where I live. I enjoy living among the people there and going for a drink with them. I also listen to their views and to their grumbles, and it is clear that the poll tax is the most hated of all the Government's measures.

Conservative Members have talked about refining the poll tax, but every time that it has been refined it has cost local authorities more money. The computer system that it was necessary for my local authority to install to collect poll tax cost £3·5 million more than that needed to collect the rates.

Mr. Janman: If the cost of changing from the old system to poll tax is a reason for objecting to it, given the hon. Gentleman's comments that a future Labour Government will change the system again, he highlights a major practical argument against so doing.

Mr. McKay: The answer is an overall rating and tax system. I entirely agree with the remarks about tax made by the hon. Member for Norfolk, North-West (Mr. Bellingham).

Grants to local government over the past nine years have fallen from 74 per cent. to 34 per cent. Poll tax is high in our areas because of a history of a lack of grants, lower rateable values, and the absence of any compassion or care. I agree with Conservative Members that the old system had faults but poll tax will not do away with them.

I wish that I had more time because a lot remains to be said about the issue.

Hon. Members have asked why a married couple should pay two taxes. Time and again people have asked me why they have received a poll tax notification form with their husband's income on it. We must ask ourselves who pays if 50 per cent. of that income is taken away. Is it the husband, who then has to pay twice as much, or is it central Government?

Every time we tinker with the poll tax to try to refine it, it costs someone something. However, it does not cost the Government anything. They make sure of that, but the fault lies with them; the costs stem from them.

I agree with a certain lady, for whom I have a great deal of respect, who said that, if the Government had been a charity, they would have considered the poll tax and thrown it away, because they do not mind saving face. But the Government do mind saving face; and if they spoke the truth honestly and considered the anomalies they would forget the tax.

Let us all sit down together to devise a proper system to finance local government not only for next year or the year after but for decades to come, irrespective of what political party is in government.

8.41 pm

Mr. Gwilym Jones (Cardiff, North): The hon. Member for Halifax (Mrs. Mahon) said earlier that she did not intend to pay the community charge. I was appalled when she said that apparently there are bishops and other Church leaders who support her in that non-payment. We are not far past Easter, and I seem to remember that in the Bible Jesus advocated a lawful approach to the payment of tax. I do not recall that Jesus advocated a greedy approach to the law, or said that one should obey the laws that one likes and flout laws that one does not like. When Church leaders are so out of touch with biblical principle, is it any wonder that churches are empty?

I wish to draw attention to the community charge in Wales and how it affects my constituents. I have a strong complaint against my own Front Bench, because the list of councils to be capped, which was announced on 3 April, did not include any councils in Wales. I know that that is not the fault of the Secretary of State for the Environment, because it is the responsibility of the departing Secretary of State for Wales.

In Wales, total spending by all county and district councils will increase by £223 million this financial year —a 12 per cent. increase. That burden will fall disproportionately on my constituents. Cardiff council wants an increase of £10·2 million and South Glamorgan an increase of £26 million, which is more than £36 million out of the total for Wales of £223 million.

The increase is not widely spread, because South Glamorgan comprises only five constituencies and Cardiff, with an increase of some £10 million, represents approximately three and a half constituencies. In other words, my 54,000 constituents in Cardiff, North will have to bear an impost of an extra £8 million, and that is merely the extra this year.

On 3 April, the same day that the Secretary of State made his announcement about English councils, my right

hon. Friend the Secretary of State for Wales, in a written answer, responded to my question about capping Welsh local councils. He said that he had similar powers to the Secretary of State for the Environment and that he had determined the principles upon which local councils in Wales would be capped. He had determined that no councils in Wales should be capped.

If the same formula was applied to Wales as to English local councils, that decision was wrong. In Wales, the figures for the community charge are slightly lower, I am glad to say. The charge is only meant to raise some 15 per cent. of the total of local council spending. It was laid down that the increase over standing spending assessment for English councils should be at least 12·5 per cent., an increase of £75 per adult, and capping would have to result in a reduction of at least £26 per adult. In Cardiff we satisfy at least two of the three tests.

I have it on the good authority of my colleague Councillor Martin Davies—the shadow chairman on the South Glamorgan council finance committee—that each council could easily have been capped by £50 per adult without affecting the essential services that either South Glamorgan or Cardiff council provide. Therefore, we satisfy the test of a reduction of at least £26. We also satisfy the 12·5 per cent. test. When calculated in total, the community charge for the two councils exceeds the standard spending assessment by 60 per cent. That is the size of the imposition upon my constituents.

As the figures are lower in Wales than in England, we do not satisfy the requirement where the increase has been more than £75 per adult, because the charges—some of my English colleagues may think that we are in a preferential situation—are £175 for the county council and £78 for the city council making a total of £253.

It is ironic that the neighbouring district council is the Vale of Glamorgan, which is Conservative-controlled, and which provides almost the same services as Cardiff. Whereas Cardiff is charging £78, the Vale of Glamorgan which is a smaller council and a more rural area is charging only £24. The Vale of Glamorgan has a Labour Member of Parliament, and he has directed attention to his council, saying that it is spending significantly in excess of the standard spending assessment. I know that many of my constituents would cheerfully swap their charge for the charge being levied there.

Many of us in Cardiff, North feel let down. It is significant that there is to be a change of Secretary of State for Wales. I know of and appreciate the courage of many Conservative councillors on both councils in Cardiff who did not want capping. They preferred to go into the next election in May next year better armed. However, I regret that the Secretary of State for Wales did not give that relief to my constituents and that we do not have capping.

I am well aware that the incoming Secretary of State for Wales is sitting on the Front Bench. I am glad to take the opportunity to mention an important Welsh matter when he is to reply to the debate. Perhaps this is the first reference to his new office. He may think that this is not the most appropriate occasion to refer in detail to what I have said about Cardiff, but I know that he is taking full notice.

I realise that it is now too late for Cardiff and South Glamorgan councils to be capped. Instead I look forward to the introduction of accountability. People in Cardiff are now much more interested and better equipped to see how our money is spent. I fear that the money will not be spent in the Conservative constituencies of South Glamorgan. In the two constituencies in the north of Cardiff there are but two leisure centres, and our roads are the last to be maintained——

Mr. Alun Michael (Cardiff, South and Penarth): Will the hon. Gentleman give way?

Mr. Jones: No, I do not think that I should give way because the hon. Gentleman has not had the courtesy to attend any part of the debate before and I know that many of my colleagues have sat here all day. In the interests of brevity I shall not give way.

When spending decisions are being made by the left-wing controlled councils of Cardiff and South Glamorgan, there is a political dimension and they discriminate against Conservative areas. Some of our schools are in the poorest state. For example, Llanishen high school is in such a bad state that even the local Labour party acknowledges the state for neglect that the Labour-controlled county council has reduced it to.

Of course, two of our wards last year made the mistake of electing Labour councillors, including the ward of Llanishen. That is a self-defeating, futile objective. It confirms, if confirmation were necessary, that the Labour group can continue to discriminate against Conservative areas, such as Llanishen high school. As long as there are Labour councillors, there will be no effective complaint.

Local management of schools might provide relief, but capital spending and major repairs would still be the responsibility of the Labour-controlled county council. For the benefit of the hon. Member for Cardiff, South and Penarth (Mr. Michael), who was not here earlier, the county council will be spending £234 million, an increase of £28 million, but how much has it found to rectify its neglect of schools? It has found £1·6 million.

The catchment areas of our schools are also being manipulated. Political manipulation of the education policy in South Glamorgan means that I sympathise with the proposal that education spending should be taken away from county councils. I do not support it in principle, but the experience of my constituents tempts me to adopt it. Accountability will come into play. Two local community councils in south Wales are already coming under the most intense scrutiny.

Last week, a packed meeting voted that one of the community councils should be disbanded because of the excessive community charge. That was not in my constituency, or in a Conservative-controlled area; that was in Vaynor, which is in the Merthyr Tydfil and Rhymney constituency, the safest Labour seat in the country. Electors are now deploying the accountability weapon to try to bring their community councillors to heel. Roll on next year and the Cardiff council elections. I predict that the skids are under the left. It cannot fool all the people all the time. Accountability will bring the left to heel.

Several of my hon. Friends have already referred to the standard community charge. Constituents are going to see their Members of Parliament and telling them that they have two homes, not because they want a second home but because they have moved jobs and cannot sell their former home. One of my constituents was advised at the city hall in Cardiff, I hope facetiously, that he should separate from his wife—that he should live in one of the homes while his wife lived in the other—as the only way of avoiding the

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standard community charge. If people cannot sell when they move jobs, or if they inherit a house and cannot sell it, they may face hardship.

The second home will not be liable to the standard community charge for only three months. I hope that the Department of the Environment and the Welsh Office will look again at that problem. It is unsatisfactory to leave this merely to the discretion of local councils. Already we regret the fact that local councils have not exercised discretion over setting the level of the standard community charge. I should like the exemption period to be extended from three months to at least 12 months, or even for as long as it takes if people can show that they are genuinely trying to sell the second house. They ought not to have to bear the cost of the second standard community charge when the house is clearly not their second home. I hope that there will soon be action to resolve that problem.

8.52 pm

Mr. Tam Dalyell (Linlithgow): If I express the same sentiments more gently and more softly than my hon. Friend the Member for Glasgow, Hillhead (Mr. Galloway), I hope that Ministers will listen to a Scot.

In his absence, about which I do not complain, I wish to make one remark to the hon. Member for Gravesham (Mr. Arnold). He said that Labour Members of Parliament are enjoying this. In truth, the discomfiture of political opponents can be delicious, but this matter goes far beyond the cheap discomfiting of political opponents. For a reasonably assiduous constituency Member of Parliament trying to do his job, like me, the poll tax in the second year of its operation is misery. I am not trying to have anyone on; there would be no point in doing so. However, it gets worse, not better. Any Conservative Member of Parliament, or anybody else, who thinks that these are teething troubles and that the problem will go away is mistaken. There is a geological flaw in such an argument: property is static but people are mobile. As long as people are mobile, the problem will continue.

I have been privileged to be a Member of Parliament for 28 years. My constituency surgeries now are the most embarrassing, fraught and difficult that I have ever experienced, by any exponential factor. I see that some Conservative Members are nodding; I think that they have some idea of the taste of things to come.

My hon. Friend the Member for Wentworth (Mr. Hardy) referred to the anger that has been injected into the debate. I have three questions. The first concerns a reference to my hon. Friend the Member for Glasgow, Garscadden (Mr. Dewar). Despite all the criticism that has been levelled at him, my hon. Friend has been intellectually rigid and has worked hard to obtain some solution. In the deepest sense, my hon. Friend is a very honest man. He has been struggling to find some an answer to the problem.

As for the question of a property tax, I make no bones about the fact that I should be in favour of returning to something similar to the rates. In the early 1980s, there was panic in Scotland about something that was not fully understood. Scottish rating is not the subject of the debate. However, wrong lessons were learnt as the result of an outcry by a comparatively small section of the community.

My first question is this: what are the English doing? Are they looking at the Scottish experience? If I were an incoming Minister, I would spend a week in Scotland and look at what is happening there. It has been put about by Conservative Members of Parliament who are friends of mine that they were told, "We do not know very much about Scotland, old chap. English Ministers do not have very much to do with Scotland." That is an extremely unwise attitude. The experience of the poll tax in its second year of operation is wholly different.

I ask my second question not in banter but in seriousness: what are Ministers going to do to protect the officials who have to handle the poll tax? My hon. Friend the Member for Birmingham, Perry Barr (Mr. Rooker) referred to the fact that benefit claims have been stopped in social security offices. In my region, Lothian, it is a matter of public record that courses in self-defence are now offered to social security staff, poll tax staff and local government staff. I have tabled a question as to what form of karate, tae kwan do or judo will be offered. In one sense, that is ribaldry, but when serious authorities are offering courses in self-defence, what on earth is Britain coming to?

The figures given by my hon. Friend the Member for Hillhead are accurate. In Strathclyde, 400,000 people are behind with their payments. That represents 23 per cent., or £101 million. Comparatively few people are refusing to pay as a political protest. They are mostly people who genuinely cannot pay.

That brings me to my third question, which involves sanctions. What do Ministers propose should be done, because in year two the system is that much more advanced? It is not just a question of putting letters through letter boxes but of having to deal with people who have not paid. Are there to be sanctions against 400,000 people and, if so, what sanctions will they be? For heaven's sake, we are not talking about prison, are we?

Mr. Hardy: Yes.

Mr. Dalyell: If we are, what else? My hon. Friend the Member for Wentworth has returned to the Chamber. I referred to his comment about anger. That is what we are facing.

I promised not to speak for long, so I leave it at those questions: the Scottish experience and what is being done about it, what is being offered to staff in the way of protection and, finally, the sanctions that will be applied when it comes to the crunch, because for us in Scotland it has come to the crunch.

9 pm

Mr. Douglas French (Gloucester): A number of right hon. and hon. Members who have spoken this evening have blamed high spending by local authorities as one of the chief causes of difficulties with the community charge. I would not depart from that practice in referring to Gloucestershire. If the same amount of money as has been collected in community charge this year were collected under the rating system, the rate increase this year would amount to no less than 55 per cent. or an average rates bill of £664. But that is not the respect in which I wish to blame the local authorities this evening. They stand charged with a much more serious offence which has not been covered to a great extent in tonight's debate.

I wish to focus most of my remarks on the operation of the standard community charge and pick up some of the

points made by my hon. Friend the Member for Cardiff, North (Mr. Jones). The standard community charge has been characterised by a failure on the part of local authorities to exercise appropriately the powers that they have been given to set different multipliers for different classes of property and personal circumstances.

I am bound to say that the standard charge is something of a misnomer. It is inaptly named because the community charge system is essentially based on a personal charge. In common parlance, people would regard the personal charge as standard or basic, so the use of the word standard to imply something other than what the majority of people pay is a mistake. It would be better to call it special, adjusted or exceptional to show that it is not what the average person pays. It is often but not always double what the average person pays. The average person who comes into the category of having to pay a standard charge that has been set at double rate—it is often but not always double what the average person pays—in the overwhelming majority of cases is paying a triple rate because he is also paying his original personal charge.

The main failure on the part of the local authorities in relation to the standard charge seems to be in distinguishing between its application in relation to second homes and second properties. My hon. Friend the Member for Cardiff, North made the point that second homes that are furnished and lived in for half the week or the year are deliberately retained as an additional place to live represent a category of dwelling that is completely different from a second property that a person is endeavouring to sell, but because of the difficult market is unable to do so.

When I listened to my hon. Friends the Members for Chorley (Mr. Dover) and for Staffordshire, South (Mr. Cormack) I began to wonder whether they had paid sufficient attention to the scope given to local authorities to recognise the difference in circumstances between those who have second homes and those who have second properties. I refer them to a written answer in *Hansard* on 21 March, column *658*, which was given in reply to my hon. Friend the Member for Gillingham (Mr. Couchman) by my hon. Friend the Minister for Local Government and Inner Cities. He set out in great detail the scope that is available for local authorities to recognise individual circumstances when they set the standard community charge. The important factor is that much of the bad publicity about the community charge, and much of the condemnation of it as a system, have arisen because people have picked out one or two highly emotional examples which have often related to what has been a manifestly unfair imposition of the standard community charge, normally in its double format.

Let me cite a couple of examples from close to my constituency. Miss Jean Godbold of Hucclecote lodge lives in the Gloucestershire, West constituency, but she was the talk of virtually everyone in Gloucester. She had been living in the upstairs part of her property. Owing to failing eyesight and health, she moved into the lower part of her property, and the upper part was made into a self-contained unit. She immediately received a bill for her personal community charge for the lower part of the property—correctly—and one for standard community charge for the upper part of the property. The standard community charge was levied at the double rate.

Tewkesbury council—her local council—said that that was unfair in theory and in practice. However, it did not acknowledge that, had the local authority got its act in order at the correct time—before 1 April—the problem could have been avoided. It could have created a class that made the multiplier zero-rated, and then Miss Godbold would not have been obliged to pay a double rate. The local authority then decided to blame the Government on the wrong grounds, and sought retrospective discretion to put right its mistake. *[Interruption.]* I appreciate that Labour Members do not wish to hear such examples, but I would like to give another.

Mr. and Mrs. K. Smith now reside at Woodend Cam, in the Stroud constituency, but one of them came from my constituency. They were a widow and a widower who decided to get married. They had two houses, but then they married and consolidated into one, and received a bill for the double community charge in respect of the house that they had left. The headline in the local Gloucester paper said:

"Triple poll tax a disgrace".

However, as far as I am aware, neither the press nor any of the radio stations mentioned that that problem could have been avoided if the class had been changed before 1 April, and an extension been made to what is clearly set out as class C.

Class C refers to properties that are unoccupied or unfurnished. They are allowed a zero multiplier for three months, but, provided that the local authority has created the class in advance, it has the discretion to extend the period for longer. That is especially important in the present housing market conditions. The failure to set the appropriate classes at the right time has caused more trouble, inconvenience and hardship, and has given the community charge a worse name, than almost anything else.

Three months' grace is nowhere near sufficient in the present housing conditions. Realistically priced houses are taking not three months to sell, but over a year. The people who happen to live or have properties in areas where local authorities have not taken the action when they should have are being unduly penalised as a result of a deficiency on the part of the authorities, which are seeking to blame the Government. The local authority could have extended those three months to 12 months or two years if it had thought about it at the right time and had applied it to all classes of such property in its area.

Some local authorities are using a discretion whereby they defer collection of the charge for properties that fall in that category until they have been sold. I do not know whether this is permissible under the rules—that is a matter for them and their auditors—but it makes it fairer and easier on the vendor's cash flow. However, that would not be necessary if local authorities had acted at the correct time.

I have mentioned how local authorities have not exercised the powers that they should have, but there are many examples of them exercising their powers on the basis of a misunderstanding. I am referring to those examples, plenty of which have appeared in the press, of couples who propose to get married and are living at their respective parents' homes. They buy a property to do it up with the prospect of moving into it later, but in the meantime they receive a personal community charge bill at both homes and a standard community charge bill for the house into which they propose to move, which more often than not is levied at the double rate.

[Mr. Douglas French]

Class A of the description of classes clearly refers to property requiring structural work to make it habitable. Such property is zero rated for standard community charge purposes for six months after the work is completed. If local authorities took the trouble to look at that, they would realise that there is no need for people to be caused the anguish of being sent an erroneously calculated standard community charge bill.

Similar provisions apply to property that has been inherited. There have been much publicised cases of the community charge bill arriving within days of the death of the owner of the property and being picked up by their next of kin. Several local authorities have clearly ignored the perfectly clearly set out example of class E, which provides for zero rating of standard community charge for three months after probate has been granted.

All those examples are different from second homes being occupied not as the sole or main residence but because for one reason or another someone needs or wants a second home. It may be argued that the validity of applying a double community charge is doubtful because such a second home does not require further expenditure on the roads that lead to it, that the risk of calling fire engines is no greater and that its demands on the education service are much the same as a main residence. None the less, one could sustain the argument that in parts of the country a double community charge is desirable to discourage people from having a second property. If the argument is made out that a double charge is valid in those circumstances, it follows that the argument is not made out in respect of second properties which are not occupied or wanted as second homes.

Mr. Rooker: The hon. Gentleman said that he would talk about the second home tax, but he has considered its effect outside his constituency. Should hon. Members assume, therefore, that in Gloucester everyone who is running a business is happy about the uniform business rate and that all the poll tax payers are happy with the poll tax?

Mr. French: That was an extraordinary intervention. I am talking about the standard community charge. The views of many people in Gloucester were greatly influenced by the much publicised examples that I have given. That is why I emphasise them now. It is high time that more people realised that often this is the fault not of the Government but of the local authority.

On a different point, quite serious newspapers, such as *The Times*, *The Sunday Times* and the *Financial Times*—from which I recall specific examples—have argued that somehow Members of Parliament can choose the property where they would pay the personal community charge and the property on which they would pay the standard charge. Although this news was much publicised, Members know that that is wrong and that the decision rests with the community charge registration officer. It is important to place it on record that many people have misinterpreted the position.

Mention has been made several times of mixed hereditaments where the standard community charge can apply. A flat above a shop may have been used for many years, not for residential purposes but to provide storage space for the shop. Nevertheless, it is categorised as residential property. It is therefore possible for the uniform business rate to be applied to the shop premises but for the flat above to attract a standard community charge. Such places could be covered if local authorities were to create a class order at the right time.

The Government may not have as much information as they should about the standard community charge. They do not appear properly to have registered the list of multipliers and classes that have been decided at local level. My questions to elicit that information have revealed that it has not been properly collected. On 4 April, I was disappointed to receive the following answer from the Under-Secretary of State for the Environment —my hon. Friend the Member for Southampton, Itchen (Mr. Chope)—

> "I have not yet gathered the information requested except on an informal basis from a few authorities on a basis which did not imply that it would be published."—[*Official Report*, 4 April 1990; Vol. 170, c. 665.]

I was pleased to learn subsequently that local authorities are now required to make a return by the end of May which will set out the multipliers and classes.

I hope that when those returns come in my right hon. Friend the Secretary of State will, if necessary, exercise his powers. It may be possible to have a resolution applying from 1 April that would override the powers of local authorities that had failed to exercise the discretion that they were given. That would be desirable, especially for properties for sale. A local authority could establish a class providing zero rating for 12 months. If that is not done, an undertaking must be obtained from the local authority that it will get its act in order in time for next year. Unless such an undertaking is forthcoming, my right hon. Friend the Secretary of State should exercise his powers to ensure that these much-publicised anomalies are not repeated.

9.19 pm

Mr. David Blunkett (Sheffield, Brightside): On what might be the last occasion on which the Minister for Local Government and Inner Cities takes part in a major debate on the poll tax in respect of the whole of England and Wales, I begin by saying that it has been a mixed blessing to have him as my opposite number. It has been a blessing because he has been an acceptable Minister of State in the dealings that I have had with him. I pay tribute to the fact that he has been helpful in several ways behind the scenes. It has been a mixed blessing because he has inherited from his predecessors a poisoned chalice, and no mirrors and no clever make-up could hide the truth. I regret that he has had the job, because he will carry it with him for a long time to come. I hope that he will protect Wales slightly better than England and Scotland have been protected.

Earlier, during the speech of the Secretary of State for the Environment, the hon. Member for Glasgow, Govan (Mr. Sillars) gave some figures about the position in Scotland vis-a-vis the rating system and the proposition that he described as the roof tax. He seemed to have transposed the figures he gave, so that they made no sense whatever. They were not a true reflection of the press conference of the shadow Secretary of State for Scotland.

Tonight we indict the Government for incompetence, indifference and ideological dogmatism because that is what the poll tax embodies. There have been 15 years of struggle to reach where we are now in April 1990. It is 15 years since the Prime Minister made the promise, and subsequently made Ministers hold to it, that the poll tax

would be imposed on the British people. In those 15 years, and in the past five years that it has taken effectively to implement the tax, no signals have been heeded, words of caution have been ignored and those who have spoken out and given warnings about the impact of the poll tax have been ridiculed.

If one reads the press reports of three or four years ago, when the Local Government Finance Bill was in Committee, one sees not only that the Government were indifferent and determined to push through their dogmatism but that they were incompetent. They failed to understand the basics of local government finance. During the past 10 years, they have struggled with it almost as if they were walking through a minefield.

I give the warning—the Opposition must heed it, too—that those who believe that there are simple solutions to local government finance and the problems of independent funding of local government finance and pluralistic democracy are kidding themselves. There are no simple, easy solutions or glib answers to pull off shelves. If we all remember that, the Opposition, including myself and my hon. Friends on the Front Bench, will not make the same mistakes as the Government have made.

That is why we welcome the criticisms launched against us. We are listening, hearing and taking them into account. I welcome every occasion on which Ministers have a go at the alternative that the Labour party is allegedly dreaming up. Each time they give us something new to think about, I say to them, "Please keep doing it." It is extremely helpful and it will stop us walking into the type of errors that the Government have walked into. First, they set up Scotland as a guinea pig for the experiment and walked away from the laboratory, forgetting to examine and monitor what had taken place. If they had examined the results, they might have learned more quickly what would hit England and Wales and the changes made in England and Wales that were not made in Scotland would not be uppermost in the minds of Scottish Members.

Some Conservative Scottish Members claim the heritage of the poll tax and say that they were responsible for dreaming it up.

Mr. Gould: Not many these days.

Mr. Blunkett: As my hon. Friend says, there are not many of them these days—only the zealots. Even those who are members of the Adam Smith Institute now denounce it as having nothing to do with Adam Smith.

In those early days, we were to have no rebates or exemptions, but a simple—that is how it was described—flat-rate tax. Of course, we had to have rebates to protect the worst off, and it was necessary to have exemptions, although many of them did not come until after the Scottish people had had the poll tax inflicted on them.

We were to have the phasing-in process, whereby some authorities were to have rates and tax together. The Government decided that that was too much of a mixed blessing and abandoned the scheme, just as they abandoned many of the other ideas that originated in the think tank of right-wing philosophy.

Mr. Alex Salmond (Banff and Buchan): I am sympathetic to the hon. Gentleman's point about the Government using Scotland as a guinea pig for the poll tax. That is undoubtedly correct, but have not his own Front Benchers fallen into exactly the same trap by proposing a tax on capital values, a roof tax for Scotland, which the Leader of the Opposition is on record as saying carries little enthusiasm south of the border?

Mr. Blunkett: I understood that the Scottish National party was in favour of an independent Scotland, where decisions were taken by and for Scots people, not imposed from Westminster, Walworth road or Conservative central office. We believe that the Scots should find their own solution to local government finance and structure. That seems to be a perfectly reasonable principle of devolution. If the hon. Member for Banff and Buchan (Mr. Salmond) does not believe that, will he wait until we come with a solution and plead with us to impose the English and Welsh solution on Scotland? He knows that he does not believe that, and that he was attempting to make a cheap point.

Mr. Bill Walker: I am another Scot who makes no apology for the fact that I believe that this unitary Parliament should decide for the whole of the United Kingdom. Will the hon. Member for Sheffield, Brightside (Mr. Blunkett) explain why the Labour party, which apparently also supports that, is, in his own words, putting forward proposals that are different for Scotland and is therefore making Scotland the guinea pig?

Mr. Blunkett: We do so because we accept that Scotland is different. If the Scottish people believe that there is a solution for them that is appropriate to their economy, social make-up and culture, we should be happy to grant that diversity within our United Kingdom. We believe strongly in that.

Mr. Favell: In the unlikely event of the Labour party becoming the Government, as the Scots are to decide for themselves local government expenditure in Scotland, will Scottish Members of Parliament be prevented from voting on local government expenditure in this country?

Mr. Blunkett: The simple answer is no. I promise the hon. Gentleman one thing: following his earlier speech, he will not have the pleasure of joining us in the Lobby when we decide this matter. He made his position unequivocally clear; he believes in the poll tax and has not been convinced that it is bad by what has happened, or is happening, to people. He is going to smash his head into the nearest brick wall on every occasion that he can manage to do so, and I wish him well.

Originally, the Government were not going to introduce safety nets and transitional arrangements, but they were dreamt up when equalisation, in terms of trying to balance out the different resource base of parts of our country, was abolished. When it was discovered that there would be enormous anomalies and a tide-over period was needed, the safety net was invented. Originally, local authorities across the country were going to have to balance each other out, just as they are with the national business rate. After the first year, the Government decided that they would step in.

I have a warning for Conservative Members. Safety nets have been a big enough nightmare in terms of those contributing and benefiting. We all know that because we see the anomalies where sound Conservative councils in the south-east and good, radical, progessive, left-wing authorities such as Islington in London all contribute to the Conservatives' sordid and shabby attempt to hang on to Wandsworth next Thursday.

[Mr. Blunkett]

As a resident of Wandsworth who will be paying the Wandsworth poll tax, I think that it is an insult to the intelligence of Wandsworth residents and voters to suggest that hard-hit inner London boroughs such as Islington and Brent should be expected to contribute £116 per head in order to gerrymander the poll tax in Wandsworth, which is what it comes down to.

There have been some other—deliberate—mistakes. Some acts of incompetence have been admitted afterwards, such as whether a nought should have been added to the £700,000 that Westminster was expected to receive in flood protection money so that it became £7 million. I refer also to the £60 a head for Westminster residents to prevent us all from falling even deeper into the mire every time we step out of this place; that is what residents of Westminster are receiving in the form of the drainage allowance that has been allocated to them this year.

The whole incompetent gerrymandering muddle we are in at the moment is the fault of the Government, and I must tell the hon. Member for Gloucester (Mr. French) that it is disgraceful to blame local authorities for it. Local authorities did not ask for this tax. They warned again and again about the administrative chaos that would result from it, and from the late changes that were introduced, and from the way in which computer systems had to be altered and rebates and transitional help, such as what is known in the Department of the Environment as Pendle help, had to be introduced. All these changes made it impossible for local authorities to manage, and even the Government admitted as much only three months ago.

So the chaos and difficulties are down to the Conservative party. The only reason why we have the standard poll tax, to which the hon. Member for Gloucester referred, is that the Government needed to pretend that they had done away with any sort of domestic property tax, which is what the standard poll tax is. It is clumsy and unfair, and it leads to all the anomalies that have been spelt out. There are many worse anomalies than those mentioned by the hon. Member for Gloucester; they concern people who have died, and people in residential care who cannot get rid of their properties, even if they happen to be in sheltered accommodation on which the poll tax is being levied. I know of units of sheltered accommodation with community facilities which are the subject of attempts to impose the national business rate on them.

I hope that all hon. Members will join in agreeing with the Secretary of State that it is time for a thorough re-examination of what this tax is all about. If we cannot persuade the Government to do away with it, we should be happy if they ameliorated it.

We do care—I strongly object to what was said earlier about this—about what is happening to people. We ran rebate campaigns as a party, not just through Labour local government. We had a rebate week in February and we appealed to people to do everything that they could to spread the message about rebates. We refute the scurrilous allegation that we are in some way pleased that people are suffering this pain now. We are not; we voted and spoke against the tax.

When we warned that the standard spending assessments would not work and were not acceptable bases for the judgment that would be made on them, we were right, and everyone in the House knows that we were. Poll tax-capping exemplifies the fact that we were. Some poll tax-capped authorities like Islington were not going to be poll tax-capped if they had been given the SSAs announced on 6 November, but they were capped because of the changes made by 18 January. One cannot imagine a dafter system than one which catches people in a net, for no fault of their own, which would not originally have caught them.

Authorities had no chance of altering their budgets, because by 18 January any competent authority had already set its budget and gone through all the processes of examining its departmental spending, and knew exactly what it would do. Such retrospective action is not only unacceptable but leads to further incompetence.

At Question Time today I asked the Minister of State to confirm or deny the simple truth that the Government got it drastically wrong about who would gain and who would lose. As my hon. Friend the Member for Dagenham (Mr. Gould) said earlier, when in December 1987 the then Secretary of State for the Environment said that the standard poll tax would be £178, we all doubled up with laughter. He said that at that level there would be a standard provision of service throughout the country. When it became £278 that myth was still being peddled. We were told that there would be no targets, but targets were introduced. They are used not for poll tax capping but for discriminating against people to prevent them from getting the transitional help to which they are entitled.

Then we had the real poll tax. Warnings were given in Committee; that is why the indifference is so important in terms of this debate. In the Committee debate two years ago, Conservative Members burst into laughter when it was reported that the Church of England Synod had voted against the poll tax. Conservative Members are not laughing so much now, and a little more concern would be forthcoming if people would think a little about the real impact clearly spelt out by my hon. Friend the Member for Linlithgow (Mr. Dalyell).

Genuine hurt and pain are being experienced in Scotland and they are being transferred to England and Wales. People should pay heed to the fact that families and individuals are being hard hit. Disabled people are often hardest hit because of the repeal of the Rating (Disabled Persons) Act 1978. They face enormous changes in their benefits, which are often ignored by the press.

People should recognise the difficulties being faced by the two thirds of elderly people who are losing as a result of the tax. I challenged the Minister earlier about the 28 million losers and I shall be interested in his reply. I could spell out the detail of who gains and who loses. In the early days, the Government said that single pensioners would be the great gainers from the tax. They lost out under the old rating system, and two thirds of single pensioners are losing under the poll tax.

The answer given to me on 19 April by the Under-Secretary of State for Social Security spelled out that 2 million of those entitled to rebate receive it as part of couples when one of them receives the rebate and the other member of the household has no income. Instead of paying 20 per cent. of the total bill, as they did under the rating system, they will have to pay 40 per cent. even when they are entitled to full rebate, because each has to pay the basic 20 per cent. of the poll tax. That is a considerable injustice that needs to be remedied.

We all hope that the Secretary of State will do what he said he would do and will be willing to take evidence, because there is plenty of evidence against the poll tax. He should be willing to listen and learn, and if he does that he will understand what he is doing to authorities such as Calderdale. It has a poll tax imposition which reduces it to the fourth lowest in the country. It has a poll tax level that is £200 lower than that set by Conservative authorities in Surrey and Berkshire. And what about the position of Barnsley? I know Barnsley well because I worked there.

The Government are destroying the most basic services and are undermining the most basic education opportunity for youngsters. That borough, in the heart of the south Yorkshire coalfield, must be able to alleviate the problems that people face. *[Interruption.]* Hon. Members who jeer should go there and look and learn for themselves. That applies to Wigan, St. Helens, Rotherham and Doncaster —a cluster of authorities that have been discriminated against because of the inadequacy of the SSAs.

Mr. Allen McKay: We should get rid of the Government.

Mr. Blunkett: That is the answer.

What will help to bring about more rapid change in the poll tax, by bringing greater pressure to bear on Conservative Back Benchers and making the Secretary of State more amenable, will be not a Conservative victory, as the hon. Member for Ealing, Acton (Sir G. Young) suggested, but a substantial Labour victory.

I issue three simple challenges to the Government: confirm or deny the gainers and losers that we have spelt out; confirm or deny that the SSAs are so flawed that they will have to be changed this summer and that other drastic changes to revise the poll tax are needed to make it acceptable in the run-up to the general election; confirm or deny that they are willing to make available the finance and the facilities that they have, through the Department of the Environment, so that the Labour party can look at the figures that it will inherit when it gets into government. The Government are using public money to develop their proposals and their alternatives to the poll tax, because that is what it is all about.

I make three pledges on behalf of the Opposition. Our tax will be fairer and will be based on ability to pay. It will have more gainers than losers. It will remove capping and restore freedom, autonomy and democracy to local people.

9.41 pm

The Minister for Local Government and Inner Cities (Mr. David Hunt): I thank the hon. Member for Sheffield, Brightside (Mr. Blunkett) for the generous and courteous remarks that he made at the start of his speech. I much enjoy debating with him. I recognise that he has great respect for the office that I am honoured to hold. I have enjoyed working closely with local government, in particular on the issues that do not divide us on a party basis.

Here we are now, in Opposition time, debating the community charge. When we last had a debate similar to this, the Labour party made many accusations about how the administration of the community charge would be a great disaster come 1 April, that the bills would not contain rebates or transitional relief and that it would be impossible to meet the targets. I commend community charge officers, because local government has done a first-class job in the administration of the charge. Almost every bill that has been, and will go, through letter boxes has the rebate and transitional relief already calculated.

My hon. Friend the Member for Norfolk, North-West (Mr. Bellingham) put the point simply. He said that an Opposition day—we are discussing the community charge today—is a marvellous opportunity, and one that Oppositions normally choose to lay their policies before the House. We have waited for that with great patience —I had high hopes of the hon. Member for Brightside —but we are still waiting. This has been another shameful day for the Labour party. It chose to debate local government finance today, yet where its policy on such a crucial matter should be there is a gap about as wide as the Leader of the Opposition's habitual grin, and just about as useful.

I have enjoyed listening to 23 speeches. They have all been important in their own right, and the speeches of the Opposition Members have been important in their great diversity. All Opposition Members have a different idea of what the Opposition's policy should be.

I always respect the hon. Member for Birmingham, Perry Barr (Mr. Rooker), who told us that he did not want the Labour party to go naked into any election. He produced his clothing, which was a floor tax. He said that he was attracted by the idea of a form of capital gate associated with a tax on income. The hon. Member for Barnsley, West and Penistone (Mr. McKay) presented us with his idea. He said, "Let us all get together round a table to try to work out a better alternative." The hon. Member for Linlithgow (Mr. Dalyell) said, "Why don't we"—presumably he was referring to his colleagues on the Opposition Front Bench—"drop all these ideas and go back to domestic rates?" The hon. Member for Brightside referred to "We in the Labour laboratory working out a solution." I await the product of the test tube with great interest.

I think that the hon. Member for Brightside answered himself. At the end of his speech he said to my right hon. and hon. Friends, "Will you please help us?" Did my right hon. and hon. Friends catch that? In effect, he said, "We do not think that we, the Opposition, have the equipment to work out an alternative. Will you please help us?" That must be the lowest point for the Labour party.

I congratulate the Opposition on having the courage to opt for a full day's debate on local government finance instead of a half-day debate. When the hon. Member for Dagenham (Mr. Gould) started the debate at 3.30 pm he had no way of being sure that at 10 pm the Labour party's policy would still be the same. Over the past three years, the Labour party has switched policies about 52 times, about once every three weeks. In May 1987, it started with the idea of capital value rates. The hon. Member for Dagenham torpedoed that straight away. In fairness to him, I suppose that the Leader of the Opposition did too, but probably he thought that capital value rates was a system of cheap bus fares in London. The Labour party torpedoed its own policy during the general election.

Following that fiasco came the famous press conference of 20 July 1988. When the hon. Member for Copeland (Dr. Cunningham) was asked what it was all about, he explained that its purpose was to announce the Labour party's alternative policy.

Mr. Blunkett: What about your policy?

Mr. Hunt: This is an Opposition Supply day.

From the fiasco emerged the two-tax twin torture. The Opposition could not decide whether to have a property tax or a local income tax. Rather than making a choice —choice has never been the Opposition's strong point— they decided to take both. I can tell the hon. Member for Brightside that we ran it through the computer and came up with figures, and they dropped the idea almost immediately.

Several Hon. Members *rose*——

Mr. Hunt: Many Opposition Members have not been here for the debate. I am replying to points made during the debate.

I listened carefully to the points made about charge capping by the hon. Members for Barnsley, Central (Mr. Illsley), for Leigh (Mr. Cunliffe), for Barnsley, West and Penistone, for Wentworth (Mr. Hardy) and for Halifax (Mrs. Mahon). However, we are in the midst of a statutory period, during which their councils have an opportunity to put forward alternatives to the proposed caps. It would be inappropriate for me to comment in detail, other than to say that the hon. Members made their points robustly and clearly.

Mr. Donald Thompson (Calder Valley): I have been here for the whole debate. My hon. Friend has just mentioned Halifax. He will be pleased to know that the *Halifax Courier*, an independent newspaper, carried out a survey —we have heard a great deal about surveys—that showed that the majority, some 75 per cent., of the people of Halifax are in favour of charge capping. My hon. Friend will also be pleased to know that there is a budget before Calderdale council that will meet the charge cap without any cuts in services. It is a Conservative budget.

Mrs. Mahon *rose*——

Mr. Hunt: I believe that it is the practice in the House to respond to one intervention before giving way again. I shall give way to the hon. Lady in a moment. Opposition Members will appreciate the fact that I gave way to my hon. Friend the Member for Calder Valley (Mr. Thompson), because I knew that he would give us the facts.

Mrs. Mahon: I promise that I will not do what the Secretary of State did yesterday when he came to Halifax, and mention dog dirt. Does he accept that, if the *Halifax Courier* ran a telephone survey asking, "Would the people of Halifax prefer to pay nothing for services?", everyone would say yes?

Mr. Hunt: I now wish that I had not given way to the hon. Lady.

The hon. Member for Glasgow, Hillhead (Mr. Galloway) made a speech that I thought made a nauseating noise about non-payment, and I shall come to that in a moment. There was also a speech on Scotland from the hon. Member for Linlithgow, in which he asked questions. If I do not have the time to respond to any points raised in the debate, I shall reply in writing. I should greatly regret it if any public servant anywhere had to worry about whether he might be subjected to either verbal or physical abuse. My response is to condemn verbal and physical abuse. There has been a great deal of such abuse in the displays by the anti-poll tax demonstrators. I have not seen that in the immediate past, and I hope that it is now at an end and that it will never return. My hon. Friend the Member for Tayside, North (Mr. Walker) made a very good speech. As he responded to three speeches from Scottish Opposition Members, I shall not dwell on them now.

I congratulate my hon. Friend the Member for Cardiff, North (Mr. Jones), who made a robust and effective speech—so much so that he stimulated the hon. Members for Cardiff, South and Penarth (Mr. Michael) and for Cardiff, West (Mr. Morgan) into a bout of, I am sure, uncharacteristic heckling. I look forward to working closely with my hon. Friend in the coming months. He made a point about standard charges, to which a number of my hon. Friends also referred.

My hon. Friend the Member for Norfolk, North-West mentioned a number of instances of standard charges, and two particular cases were mentioned by my hon. Friend the Member for Gloucester (Mr. French). Standard charges were also referred to by my hon. Friend the Member for Chorley (Mr. Dover). I have said—my hon. Friend the Member for Gloucester mentioned my parliamentary answer—that we shall carefully examine instances where local authorities failed to exercise their discretion to mitigate hardship cases.

Mr. Toby Jessel (Twickenham): Will my hon. Friend the Minister also examine carefully the position of the 15,000 people who live on houseboats—200 of them in my constituency? As well as being expected to pay the community charge, they are asked to contribute a share of the uniform business rate chargeable to the owner of the riparian land who rents the moorings to them. It is difficult for them to refuse making that payment, because they do not have security of tenure at their moorings.

Mr. Hunt: My understanding is that, where a houseboat is the sole or main residence, its occupants will pay the personal community charge but that the boat and the mooring will not be rateable. Where the boat is not permanently moored at a fixed mooring, or where the boat is permanently moored but is not a sole or main residence, non-domestic rates are payable.

I say to all my right hon. and hon. Friends and to Opposition Members who raised points of detail that we state clearly in the amendment that we are determined to listen to constructive suggestions for improving the new system. We include in the amendment the assurance that when we decide that there is a need to improve, we shall implement promptly any necessary changes.

Mr. Rooker: Given the regard in which the House holds the Minister, he does himself a disservice in not referring once to the speeches of the hon. Members for Staffordshire, South (Mr. Cormack) and for Ealing, Acton (Sir G. Young), which contained positive, constructive alternatives.

Mr. Hunt: I wish that I had not allowed the hon. Gentleman to intervene, because I said clearly to all my right hon. and hon. Friends, including my hon. Friends the Members for Staffordshire, South (Mr. Cormack) and for Ealing, Acton (Sir G. Young) that, as the amendment says, we shall listen to any suggestions to improve the system.

I return to the point that on this Opposition day, the Opposition had an opportunity to put forward their policies. We have heard no policies. I remind the Leader of the Opposition who has now entered the fray, having

escaped the Mandelson leash, that he said that the way in which they were going to organise and think through their policies was to see what they could put together and then "bung it into the computer."

That is the Opposition's policy.

Opposition Members will have no credibility in the House until they come up with a clear policy and they stop leaflets such as the one I have here from the Lewisham anti-poll tax union, which is in the name of the Hither Green Labour party, and unless they stop endorsing law breakers. They have no policies. In the amendment we have pledged that we shall listen carefully to all the suggestions made. We should throw out the motion and vote for the amendment.

Question put, That the original words stand part of the Question:—

The House divided: Ayes, 207, Noes 301.

Division No. 178] **[10.00 pm**

AYES

Abbott, Ms Diane
Adams, Allen *(Paisley N)*
Allen, Graham
Archer, Rt Hon Peter
Armstrong, Hilary
Ashdown, Rt Hon Paddy
Ashley, Rt Hon Jack
Banks, Tony *(Newham NW)*
Barnes, Mrs Rosie *(Greenwich)*
Barron, Kevin
Battle, John
Beckett, Margaret
Beggs, Roy
Beith, A. J.
Bell, Stuart
Benn, Rt Hon Tony
Bennett, A. F. *(D'nt'n & R'dish)*
Bermingham, Gerald
Bidwell, Sydney
Blair, Tony
Blunkett, David
Boateng, Paul
Bradley, Keith
Brown, Gordon *(D'mline E)*
Brown, Nicholas *(Newcastle E)*
Buchan, Norman
Buckley, George J.
Caborn, Richard
Callaghan, Jim
Campbell, Menzies *(Fife NE)*
Campbell, Ron *(Blyth Valley)*
Canavan, Dennis
Carlile, Alex *(Mont'g)*
Cartwright, John
Clark, Dr David *(S Shields)*
Clarke, Tom *(Monklands W)*
Clay, Bob
Clelland, David
Clwyd, Mrs Ann
Coleman, Donald
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Cousins, Jim
Cox, Tom
Crowther, Stan
Cryer, Bob
Cummings, John
Cunliffe, Lawrence
Cunningham, Dr John
Dalyell, Tam
Darling, Alistair
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H'l)*
Dixon, Don
Dobson, Frank
Doran, Frank
Duffy, A. E. P.
Dunnachie, Jimmy
Dunwoody, Hon Mrs Gwyneth
Eadie, Alexander
Evans, John *(St Helens N)*
Fatchett, Derek
Faulds, Andrew
Fearn, Ronald
Field, Frank *(Birkenhead)*
Fields, Terry *(L'pool B G'n)*
Flannery, Martin
Flynn, Paul
Foot, Rt Hon Michael
Foster, Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Galloway, George
Garrett, John *(Norwich South)*
George, Bruce
Golding, Mrs Llin
Gould, Bryan
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Hardy, Peter
Harman, Ms Harriet
Hattersley, Rt Hon Roy
Heal, Mrs Sylvia
Healey, Rt Hon Denis
Henderson, Doug
Hinchliffe, David
Hoey, Ms Kate *(Vauxhall)*
Hogg, N. *(C'nauld & Kilsyth)*
Home Robertson, John
Hood, Jimmy
Howells, Dr. Kim (Pontypridd)
Hoyle, Doug
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Simon *(Southwark)*
Illsley, Eric
Ingram, Adam
Janner, Greville
Johnston, Sir Russell
Jones, Barry *(Alyn & Deeside)*
Jones, Ieuan *(Ynys Môn)*
Jones, Martyn *(Clwyd S W)*
Kaufman, Rt Hon Gerald
Kennedy, Charles
Kilfedder, James
Kinnock, Rt Hon Neil
Kirkwood, Archy
Lambie, David
Leadbitter, Ted
Leighton, Ron
Lestor, Joan *(Eccles)*
Lewis, Terry
Litherland, Robert
Livingstone, Ken
Livsey, Richard
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
McAllion, John
McAvoy, Thomas
McFall, John
McKelvey, William
McLeish, Henry
Maclennan, Robert
McNamara, Kevin
McWilliam, John
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Arg'l & Bute)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Mowlam, Marjorie
Murphy, Paul
Oakes, Rt Hon Gordon
O'Brien, William
O'Neill, Martin
Parry, Robert
Patchett, Terry
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prescott, John
Primarolo, Dawn
Quin, Ms Joyce
Radice, Giles
Redmond, Martin
Rees, Rt Hon Merlyn
Reid, Dr John
Richardson, Jo
Robertson, George
Robinson, Geoffrey
Rogers, Allan
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Salmond, Alex
Sedgemore, Brian
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Sillars, Jim
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Smith, Rt Hon J. *(Monk'ds E)*
Smyth, Rev Martin *(Belfast S)*
Soley, Clive
Spearing, Nigel
Steel, Rt Hon Sir David
Steinberg, Gerry
Strang, Gavin
Straw, Jack
Taylor, Matthew *(Truro)*
Thompson, Jack *(Wansbeck)*
Turner, Dennis
Vaz, Keith
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N.
Watson, Mike *(Glasgow, C)*
Welsh, Michael *(Doncaster N)*
Wigley, Dafydd
Williams, Rt Hon Alan
Williams, Alan W. *(Carm'then)*
Winnick, David
Wise, Mrs Audrey
Worthington, Tony
Wray, Jimmy
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Allen McKay, and
Mr. Frank Haynes.

NOES

Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael
Allason, Rupert
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Tom *(Hazel Grove)*
Ashby, David
Aspinwall, Jack
Atkins, Robert
Atkinson, David
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Bevan, David Gilroy
Blaker, Rt Hon Sir Peter
Body, Sir Richard
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, A *(Brighton K'pto'n)*
Bowden, Gerald *(Dulwich)*
Bowis, John
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Brooke, Rt Hon Peter
Brown, Michael *(Brigg & Cl't's)*
Bruce, Ian *(Dorset South)*
Buchanan-Smith, Rt Hon Alick
Buck, Sir Antony
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Chris
Butterfill, John
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Chalker, Rt Hon Mrs Lynda
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher

Clark, Hon Alan *(Plym'th S'n)*
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Colvin, Michael
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Couchman, James
Cran, James
Currie, Mrs Edwina
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dickens, Geoffrey
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Eggar, Tim
Emery, Sir Peter
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Fallon, Michael
Farr, Sir John
Favell, Tony
Field, Barry *(Isle of Wight)*
Fookes, Dame Janet
Forman, Nigel
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Sir Marcus
Franks, Cecil
Freeman, Roger
French, Douglas
Fry, Peter
Gale, Roger
Gardiner, George
Garel-Jones, Tristan
Glyn, Dr Sir Alan
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gow, Ian
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Grist, Ian
Ground, Patrick
Grylls, Michael
Hague, William
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Harris, David
Haselhurst, Alan
Hawkins, Christopher
Hayes, Jerry
Hayward, Robert
Heathcoat-Amory, David
Hicks, Mrs Maureen *(Wolv' NE)*
Hicks, Robert *(Cornwall SE)*
Higgins, Rt Hon Terence L.
Hill, James
Hind, Kenneth
Hogg, Hon Douglas *(Gr'th'm)*
Holt, Richard
Hordern, Sir Peter
Howard, Rt Hon Michael
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howe, Rt Hon Sir Geoffrey
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Irving, Sir Charles
Jack, Michael
Jackson, Robert
Janman, Tim
Jessel, Toby
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Lamont, Rt Hon Norman
Lang, Ian
Lawrence, Ivan
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lightbown, David
Lilley, Peter
Lloyd, Sir Ian *(Havant)*
Lloyd, Peter *(Fareham)*
Lord, Michael
Luce, Rt Hon Richard
Lyell, Rt Hon Sir Nicholas
McCrindle, Robert
MacGregor, Rt Hon John
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Michael
McNair-Wilson, Sir Patrick
Madel, David
Major, Rt Hon John
Malins, Humfrey
Mans, Keith
Maples, John
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Maude, Hon Francis
Mawhinney, Dr Brian
Mellor, David
Miller, Sir Hal
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Moate, Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Moore, Rt Hon John
Morris, M *(N'hampton S)*
Morrison, Rt Hon P *(Chester)*
Moss, Malcolm
Moynihan, Hon Colin
Neale, Gerrard
Needham, Richard
Nelson, Anthony
Neubert, Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Page, Richard
Paice, James
Parkinson, Rt Hon Cecil
Patnick, Irvine
Patten, Rt Hon Chris *(Bath)*
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Price, Sir David
Raffan, Keith
Raison, Rt Hon Timothy
Redwood, John
Renton, Rt Hon Tim
Rhodes James, Robert
Riddick, Graham
Ridley, Rt Hon Nicholas
Ridsdale, Sir Julian
Rifkind, Rt Hon Malcolm
Roberts, Wyn *(Conwy)*
Roe, Mrs Marion
Rossi, Sir Hugh
Rost, Peter
Rowe, Andrew
Rumbold, Mrs Angela
Ryder, Richard
Sackville, Hon Tom
Sayeed, Jonathan
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shelton, Sir William
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Speed, Keith
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Steen, Anthony
Stern, Michael
Stevens, Lewis
Stewart, Andy *(Sherwood)*
Stewart, Rt Hon Ian *(Herts N)*
Stokes, Sir John
Stradling Thomas, Sir John
Sumberg, David
Summerson, Hugo
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Teddy *(S'end E)*
Tebbit, Rt Hon Norman
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thornton, Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Tredinnick, David
Trippier, David
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Wakeham, Rt Hon John
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(T'side North)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Warren, Kenneth
Watts, John
Wells, Bowen
Wheeler, Sir John
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Wilkinson, John
Wilshire, David
Winterton, Mrs Ann
Wolfson, Mark
Wood, Timothy
Woodcock, Dr. Mike
Yeo, Tim
Younger, Rt Hon George

Tellers for the Noes:
Mr. Alastair Goodlad and
Mr. Tony Durant.

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith pursuant to Standing Order No. 30 (Questions on amendments):—*

The House divided: Ayes 290, Noes 201.

Division No. 178] **[10.14 pm**

AYES

Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael
Allason, Rupert
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Tom *(Hazel Grove)*
Ashby, David
Aspinwall, Jack
Atkins, Robert
Atkinson, David
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Batiste, Spencer
Bellingham, Henry
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Bevan, David Gilroy
Blaker, Rt Hon Sir Peter
Body, Sir Richard
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, A *(Brighton K'pto'n)*
Bowden, Gerald *(Dulwich)*
Bowis, John
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Brooke, Rt Hon Peter
Brown, Michael *(Brigg & Cl't's)*
Bruce, Ian *(Dorset South)*
Buchanan-Smith, Rt Hon Alick
Buck, Sir Antony
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Chris
Butterfill, John
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael

Cash, William
Chalker, Rt Hon Mrs Lynda
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher
Clark, Hon Alan *(Plym'th S'n)*
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Couchman, James
Cran, James
Currie, Mrs Edwina
Davies, Q. *(Staml'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Eggar, Tim
Emery, Sir Peter
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Fallon, Michael
Favell, Tony
Fookes, Dame Janet
Forman, Nigel
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Sir Marcus
Franks, Cecil
Freeman, Roger
French, Douglas
Fry, Peter
Gale, Roger
Garel-Jones, Tristan
Glyn, Dr Sir Alan
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gow, Ian
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Grist, Ian
Ground, Patrick
Grylls, Michael
Hague, William
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Harris, David
Haselhurst, Alan
Hawkins, Christopher
Hayes, Jerry
Hayward, Robert
Heathcoat-Amory, David
Hicks, Mrs Maureen *(Wolv' NE)*
Higgins, Rt Hon Terence L.
Hill, James
Hind, Kenneth
Hogg, Hon Douglas *(Gr'th'm)*
Holt, Richard
Hordern, Sir Peter
Howard, Rt Hon Michael
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howe, Rt Hon Sir Geoffrey
Howell, Rt Hon David *(G'dford)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Irving, Sir Charles
Jack, Michael
Jackson, Robert
Janman, Tim
Jessel, Toby
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Lamont, Rt Hon Norman
Lang, Ian
Lawrence, Ivan
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lilley, Peter
Lloyd, Sir Ian *(Havant)*
Lloyd, Peter *(Fareham)*
Lord, Michael
Luce, Rt Hon Richard
Lyell, Rt Hon Sir Nicholas
McCrindle, Robert
MacGregor, Rt Hon John
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Michael
McNair-Wilson, Sir Patrick
Madel, David
Major, Rt Hon John
Malins, Humfrey
Mans, Keith
Maples, John
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Maude, Hon Francis
Mawhinney, Dr Brian
Mellor, David
Miller, Sir Hal
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Moate, Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Moore, Rt Hon John
Morris, M *(N'hampton S)*
Morrison, Rt Hon P *(Chester)*
Moss, Malcolm
Moynihan, Hon Colin
Neale, Gerrard
Needham, Richard
Nelson, Anthony
Neubert, Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Page, Richard
Paice, James
Parkinson, Rt Hon Cecil
Patnick, Irvine
Patten, Rt Hon Chris *(Bath)*
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Portillo, Michael
Powell, William *(Corby)*
Price, Sir David
Raffan, Keith
Raison, Rt Hon Timothy
Redwood, John
Renton, Rt Hon Tim
Rhodes James, Robert
Riddick, Graham
Ridley, Rt Hon Nicholas
Ridsdale, Sir Julian
Rifkind, Rt Hon Malcolm
Roberts, Wyn *(Conwy)*
Roe, Mrs Marion
Rossi, Sir Hugh
Rost, Peter
Rowe, Andrew
Rumbold, Mrs Angela
Ryder, Richard
Sackville, Hon Tom
Sayeed, Jonathan
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shelton, Sir William
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Speed, Keith
Speller, Tony
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Steen, Anthony
Stern, Michael
Stevens, Lewis
Stewart, Andy *(Sherwood)*
Stewart, Rt Hon Ian *(Herts N)*
Stokes, Sir John
Stradling Thomas, Sir John
Sumberg, David
Summerson, Hugo
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Teddy *(S'end E)*
Tebbit, Rt Hon Norman
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thornton, Malcolm
Thurnham, Peter
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Tredinnick, David
Trippier, David
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Wakeham, Rt Hon John
Walden, George
Walker, Bill *(T'side North)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Warren, Kenneth
Watts, John
Wells, Bowen
Wheeler, Sir John
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Wilkinson, John
Wilshire, David
Wolfson, Mark
Wood, Timothy
Woodcock, Dr. Mike
Yeo, Tim
Younger, Rt Hon George

Tellers for the Ayes:
Mr. Tony Durant and
Mr. David Lightbown.

NOES

Abbott, Ms Diane
Adams, Allen *(Paisley N)*
Allen, Graham
Archer, Rt Hon Peter
Armstrong, Hilary
Ashley, Rt Hon Jack
Banks, Tony *(Newham NW)*
Barnes, Mrs Rosie *(Greenwich)*
Barron, Kevin
Battle, John
Beckett, Margaret
Beith, A. J.
Bell, Stuart
Benn, Rt Hon Tony
Bennett, A. F. *(D'nt'n & R'dish)*
Bermingham, Gerald
Bidwell, Sydney
Blair, Tony
Blunkett, David
Boateng, Paul
Bradley, Keith
Brown, Gordon *(D'mline E)*
Brown, Nicholas *(Newcastle E)*
Buchan, Norman
Buckley, George J.
Caborn, Richard
Callaghan, Jim
Campbell, Menzies *(Fife NE)*
Campbell, Ron *(Blyth Valley)*
Canavan, Dennis
Carlile, Alex *(Mont'g)*
Clark, Dr David *(S Shields)*
Clarke, Tom *(Monklands W)*
Clay, Bob
Clelland, David
Clwyd, Mrs Ann
Coleman, Donald
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Cousins, Jim
Cox, Tom
Crowther, Stan
Cryer, Bob
Cummings, John
Cunliffe, Lawrence
Cunningham, Dr John
Dalyell, Tam
Darling, Alistair
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H'l)*
Dixon, Don
Dobson, Frank
Doran, Frank
Duffy, A. E. P.
Dunnachie, Jimmy
Dunwoody, Hon Mrs Gwyneth
Eadie, Alexander
Evans, John *(St Helens N)*
Fatchett, Derek
Faulds, Andrew
Fearn, Ronald
Field, Frank *(Birkenhead)*
Fields, Terry *(L'pool B G'n)*
Flannery, Martin
Flynn, Paul
Foot, Rt Hon Michael
Foster, Derek
Foulkes, George
Fraser, John
Fyfe, Maria

Galloway, George
Garrett, John *(Norwich South)*
George, Bruce
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Hardy, Peter
Harman, Ms Harriet
Hattersley, Rt Hon Roy
Heal, Mrs Sylvia
Healey, Rt Hon Denis
Henderson, Doug
Hinchliffe, David
Hoey, Ms Kate *(Vauxhall)*
Hogg, N. *(C'nauld & Kilsyth)*
Home Robertson, John
Hood, Jimmy
Howells, Dr. Kim (Pontypridd)
Hoyle, Doug
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Simon *(Southwark)*
Illsley, Eric
Ingram, Adam
Janner, Greville
Johnston, Sir Russell
Jones, Barry *(Alyn & Deeside)*
Jones, Ieuan *(Ynys Môn)*
Jones, Martyn *(Clwyd S W)*
Kaufman, Rt Hon Gerald
Kennedy, Charles
Kilfedder, James
Kinnock, Rt Hon Neil
Kirkwood, Archy
Lambie, David
Leadbitter, Ted
Leighton, Ron
Lestor, Joan *(Eccles)*
Lewis, Terry
Litherland, Robert
Livingstone, Ken
Livsey, Richard
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
McAllion, John
McAvoy, Thomas
McFall, John
McKelvey, William
McLeish, Henry
Maclennan, Robert
McNamara, Kevin
McWilliam, John
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxwell-Hyslop, Robin
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Michie, Mrs Ray *(Arg'l & Bute)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Mowlam, Marjorie
Murphy, Paul
Oakes, Rt Hon Gordon
O'Brien, William
O'Neill, Martin
Parry, Robert
Patchett, Terry
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prescott, John
Primarolo, Dawn
Quin, Ms Joyce
Radice, Giles
Redmond, Martin
Rees, Rt Hon Merlyn
Reid, Dr John
Richardson, Jo
Robinson, Geoffrey
Rogers, Allan
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Ruddock, Joan
Salmond, Alex
Sedgemore, Brian
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Sillars, Jim
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Soley, Clive
Spearing, Nigel
Steel, Rt Hon Sir David
Steinberg, Gerry
Strang, Gavin
Straw, Jack
Taylor, Matthew *(Truro)*
Thompson, Jack *(Wansbeck)*
Turner, Dennis
Vaz, Keith
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N.
Watson, Mike *(Glasgow, C)*
Welsh, Michael *(Doncaster N)*
Wigley, Dafydd
Williams, Rt Hon Alan
Williams, Alan W. *(Carm'then)*
Winnick, David
Wise, Mrs Audrey
Worthington, Tony
Wray, Jimmy
Young, David *(Bolton SE)*

Tellers for the Noes:
Mr. Frank Haynes and
Mr. Allen McKay.

Question accordingly agreed to.

MR. SPEAKER *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House believes that almost every adult should make some contribution towards the cost of local services from which they benefit, with relief for the less well off; welcomes the embodiment of those principles in the community charge; notes that the scale and pattern of payments is related to ability to pay with 10 million people receiving rebates at a cost of £2·5 billion; welcomes the willingness of the Government to listen to constructive suggestions for improving the new system with a view to prompt implementation of any necessary changes; further notes that living under Labour costs people more; and deplores the fact that the Labour Party have not had the courage or honesty to come forward with their own proposals before the local elections on 3rd May.

BUSINESS OF THE HOUSE

Ordered,

That, at this day's sitting, the War Crimes Bill may be proceeded with, though opposed, until any hour.—*[Mr. Fallon.]*

Orders of the Day

War Crimes Bill

Not amended (in the Standing Committee), considered

Clause 1

JURISDICTION OVER CERTAIN WAR CRIMES

10.27 pm

Mr. Robin Maxwell-Hyslop (Tiverton): I beg to move amendment No. 2, in page 1, line 10, leave out from 'with' to end of line 11 and insert '15th August 1945'.

Mr. Speaker: With this it will be convenient to take amendment No. 3, in title, line 2, leave out from 'committed' to 'during' in line 3.

Mr. Maxwell-Hyslop: The purpose of the amendments, the second of which is a consequential amendment to the long title, is twofold. It removes the territorial restriction on the operation of the Bill. It is always bad law to pass criminal law which is ad hominem. There can be no justification, if there is any justification for the Bill, in confining its provisions to the crimes of the nature covered in German-occupied territory. There is no reason whatever why it should not extend to Japanese-occupied territory. If the Bill is passed, how can we look in the face any constituent whose husband was murdered by the Japanese army? How can we conceivably justify legislating within the confines of the Bill?

Amendment No. 2 does two things. It substitutes the end of the second world war for the end of the war in Europe. It substitutes VJ day, the end of the second world war, for VE day, which so inappropriately appears in the Bill, as if the war ended on 5 June 1945, which it did not. The amendment also removes the territorial restriction. Even if that provision had been left in, it would be to the enrichment of lawyers and the prolongation of trials.

Mr. Ivor Stanbrook (Orpington): It is anyway.

Mr. Maxwell-Hyslop: My hon. Friend says that it is anyway.

What is a place which at the time was part of Germany or under German occupation? Does it mean, for instance the Sudetenland of Czechoslovakia, which was declared by the Germans to be part of Germany but not recognised as such by Great Britain? What about territory occupied by the Hungarian army, the Romanian army or the Italian army, all of which fought on the Russian front?

What is a place? Is a place a country, a province, one of the Nazi German protectorates, such as the protectorate of Bohemia and Moravia? Is it a town, is it a village, is it a house, is it a field? What is a place? It is an absurd piece of drafting. The whole of that nonsense would be got rid of if amendment No. 2 were accepted and with it consequentially amendment No. 3 to the long title.

Mr. Kenneth Hind (Lancashire, West): I rise to oppose the amendment. I have great respect for my hon. Friend the Member for Tiverton (Mr. Maxwell-Hyslop) and the anxieties that he has expressed throughout the debates on the War Crimes Bill. However, I stress that the Bill was introduced following the Hetherington-Chalmers report. It was specifically devised to deal with war crimes committed by the German Nazi party and its allies in Western Europe and not with any other problems.

Mr. Nicholas Bennett (Pembroke): Will my hon. Friend give way?

Mr. Hind: I shall give way in a moment if my hon. Friend will allow me to finish my argument. The Bill was introduced against the background, following what Winston Churchill called the fall of the iron curtain, of no information being passed from eastern Europe to the western nations, particularly those involved in the Nuremberg trials, that would provide them with evidence to bring people who had committed war crimes in eastern Europe to trial. As a consequence, during the period immediately after the war, many people who had been involved in war crimes in eastern Europe fled to the west but were not accompanied by the flow of information that was necessary to bring them to trial and convict them under the law at the time.

The position has now changed. Because of glasnost and perestroika in the Soviet Union, there has been a flow of information which has enabled us to re-examine the cases of many people who fled from eastern Europe. They fled as legitimate refugees then, but it is now clear that they were either Nazi sympathisers, members of the SS or involved in committing atrocities behind what was then regarded as the iron curtain. Previously we had no evidence to bring them to trial. That is the logic behind the Bill. It is specific and localised towards that particular problem.

My hon. Friend the Member for Tiverton seeks—commendably—to extend the Bill to all war crimes, particularly those committed in Japan. I ask him to examine the question of Japan carefully. Large numbers of people came to the United Kingdom from eastern Europe —Lithuania, Estonia, the Ukraine and parts of Russia —claiming that they were political refugees escaping from possible persecution in the Soviet Union. There is no parallel between that and Japan or other countries. We must recognise that the Bill has been introduced to deal with people who are resident in the United Kingdom. It gives powers to deal with them in the British courts. There is clearly no parallel with people from Japan who were involved in committing war crimes against British subjects in the far east, emigrated to this country and settled here. For that reason, my hon. Friend the Member for Tiverton should think again about the amendment.

Mr. Nicholas Bennett: My hon. Friend inadvertently used the phrase "Germany and its allies." We make the point that Germany's allies are not covered by the Bill, but only Germans and German-occupied territory. Does my hon. Friend recognise that it is bad law to pass laws specific to certain individuals but which do not cover all war crimes committed in the second world war?

Mr. Hind: I accept my hon. Friend's point that my use of the word "allies" was loose. I had in mind those allies in Europe and those from parts of the Soviet Union who fought alongside the German forces. The right hon. Member for Morley and Leeds, South (Mr. Rees) said that many of them found themselves in occupied Vichy France. Those are the people about whom I am concerned.

The allies referred to by my hon. Friend the Member for Tiverton—the Japanese and those in the far east—

[Mr. Hind]

should not be covered by the Bill because there was no major immigration from that part of the world to the United Kingdom. They did not place themselves within the jurisdiction of the British courts and are therefore not eligible to be dealt with in this way.

Mr. Bennett *rose*——

Mr. Hind: I am sure that my hon. Friend will have an opportunity to make his own speech.

I cannot emphasise strongly enough that my hon. Friend the Member for Tiverton is seeking to bring into the remit of the Bill those who do not fall within our jurisdiction and for whom we do not have the evidence or people to deal with in Britain today.

One criticism that has been made of the Bill is the fact that we are looking back to the past, and it is retrospective legislation. I believe it should be used only in special circumstances which arise in relation to factors with which we can deal. It is within our power, as a Parliament, to create a body of laws to deal with a particular problem. We are doing that. We are not doing so in relation to the problem put forward by my hon. Friend the Member for Tiverton, because that problem does not exist. Therefore, I urge the House to reject the amendment.

Mr. John Marshall (Hendon, South): I shall be brief, because I know that the shorter my speech is the more popular it will be with some of my colleagues.

I feel strongly that the amendment moved by my hon. Friend the Member for Tiverton (Mr. Maxwell-Hyslop) is not sensible. My hon. Friend talks about widening the Bill's scope to include, for example, the Japanese. But there is not one iota of evidence that there is one former Japanese war criminal in the United Kingdom. We know from the Hetherington-Chalmers report that there are former German war criminals in the United Kingdom.

Mr. Maxwell-Hyslop: How do we know that there are not? Who has looked for them? There is no Japanese equivalent of the Simon Wiesenthal Centre. How can my hon. Friend say that there are no such criminals here?

Mr. Marshall: I should have thought it was quite obvious that there are no Japanese war criminals in the United Kingdom. If my hon. Friend the Member for Tiverton and his friends believe that there are, they should name names in the House. There is not one iota of evidence; this is just a pure charade to try to weaken the Bill and a strong case.

One should remember that we were dealing with a war machine that was the most foul ever known to this country. On Sunday I was walking around my constituency and noticed on someone's door that this was holocaust day; people were remembering all their relatives who had died. There are people in this country who lost their father, mother, grandparents and uncles, and their brothers, sisters and cousins. Some lost 30 or 40 close relatives—all killed by the Nazi war machine. It was the most evil mass murder known in the history of mankind.

We have never had a statute of limitations on murder, and I do not believe that we should introduce one this evening by seeking to defeat the Bill. Those who oppose the Bill are saying that mass murder that took place 50 years ago should not be punished. I find that doctrine repugnant.

Mr. Rupert Allason (Torbay): With his customary eye for meticulous detail, my hon. Friend the Member for Tiverton (Mr. Maxwell-Hyslop) has put his finger on a couple of rather uncomfortable facts about the Bill.

If I may dare to correct my hon. Friend's history, I do not think that 5 June 1945 was VE day. We discussed this in Committee in some detail, and discovered that there were two possible options for that day. First, as everyone knows, it was the day when Brazil declared war on Japan. *[Interruption.]* We should not denigrate the Brazilians, who fought with great courage up Italy, and who sustained many casualties. The fifth of June was also the day of the tripartite meeting in Berlin, and that is what has been chosen.

My hon. Friend is absolutely correct about the prospect of the Japanese being in this country. A large number of Japanese come to this country now; there is a great deal of Japanese investment here, too. That leads to an awkward problem. My hon. Friend the Member for Orpington (Mr. Stanbrook) described the possibility of a resident of the Federal Republic of Germany—in Committee he mentioned the war crime of gunning people down in the sea from a U-boat—who had committed an atrocity coming to the United Kingdom; he would be liable for prosecution under this Bill.

In Committee we discussed whether someone who stayed in this country overnight could qualify as a resident. The possibility is not so remote that a Japanese who had been involved in an atrocity 50 years before might come here. It would be very embarrassing if such a person—perhaps the director of a major Japanese concern who had escaped prosecution at the end of the war in Japan—was identified. It would be embarrassing if he were able to escape scot free although he had been positively identified—unlike someone who had committed an atrocity on German-occupied territory, who could be prosecuted.

Mr. Maxwell-Hyslop: The person does not necessarily have to be Japanese. He could be, for instance, an Indian who had been a member of the Indian national army which operated under Japanese orders and also committed atrocities contrary to the laws of war.

Mr. Allason: I take that point. One of the interesting aspects about my hon. Friend's decision for a date in August is that it would encompass operations in the far east, which continued long after June 1945.

There has been a tendency, especially in Committee, to say that everyone committed war crimes. The hon. Member for Edinburgh, Central (Mr. Darling) suggested that British troops were involved in the murder of German prisoners of war. I should like to give him an opportunity to correct that statement, because I have carried out a little research and, as far as I am aware, the only case of an atrocity alleged by the German Government during the 1939-45 war was the alleged murder of a single German who was captured during a raid in 1942 in the Channel Islands. He was found dead by the Germans with his hands tied behind his back. As a direct consequence of that one incident, the prisoners who were captured at Dieppe in 1942 were all handcuffed and bound. That was the reason given for that episode.

As far as I am aware, no major or even minor atrocities were committed by British troops. It is easy for people to say that atrocities were committed by everybody and that in some way that is acceptable or forgivable. Allied troops

fought with great bravery because they knew that the rules of war were being followed by British and Allied Governments.

10.45 pm

Sir Bernard Braine (Castle Point): I am listening to my hon. Friend with great attention because he is a meticulous recorder of events and many of us have read his works with pleasure. I entirely endorse what he says about the conduct of British troops during the war. That was my experience in Europe, Africa and the far east. He discussed the possibility, as others of our hon. Friends have done, of Japanese and Indians and others might come to this country who had been guilty of atrocious conduct during the war. Has he forgotten that the Bill deals with people who were nationals of another country when the crimes were committed and that the crimes would have been charged against Britons if they had committed them? The Bill deals with people who came to this country and acquired the privilege of British citizenship. That is the basis not only of the Bill but of the law in Canada, Australia and the United States when such people enter those countries and acquire citizenship. British citizenship is surely a great privilege, and not to be held by criminals.

Mr. Allason: I entirely accept my right hon. Friend's view that citizenship of the United Kingdom is a privilege. That is the nub of the retrospective aspect of the legislation. I would entirely endorse my right hon. Friend's observations if it were the case that the crimes and atrocities were committed by people who did not realise at the time that they were committing crimes. There is no question but that at the time these events were against not just British law but international law and conventions and the German military code. People were aware that they were committing crimes. We are merely ensuring that a loophole that was exploited by such people to find safe haven in this country through a strange quirk in the law that was overlooked by many people will be closed once and for all.

There is nothing retrospective about the legislation in terms of the crime. The only element of retrospection is in terms of the jurisdiction. My hon. Friends have made a good point about Japan and the victims of Japanese atrocities, but I urge them not to pursue it and risk wrecking the Bill.

Mr. Spencer Batiste (Elmet): I strongly support the objectives and principles behind the Bill. Equally, I recognise that there is a great deal of force in what my hon. Friend the Member for Tiverton (Mr. Maxwell-Hyslop) said, which reflects the fact that the Bill is but one aspect of a wider principle. In times to come, we shall have to amend and extend the Bill. Unfortunately, the events of the second world war and the crimes against humanity were not unique in history. I wish that they had been; if they had, we might be taking a different view of the Bill. The sad truth is that crimes against humanity have been committed again and again, in different parts of the world.

Given the encouraging climate that is breaking out in eastern Europe and elsewhere, with democratic Governments taking over from oppressive regimes, there will be a constant stream of ex-murderers and ex-torturers on the run, looking for safe havens. I would find it extremely distasteful if, because of a loophole in the law, Britain became such a haven, be it for the Nazi war criminal, the torturer from central America or the mass murderer from eastern Europe. The Bill is a valuable signpost for the way ahead, and it is desirable that we should enact the concept that, if anybody applies for British citizenship, he must be automatically deemed to give the British courts jurisdiction to try him for serious crimes that he may have committed elsewhere.

Although I have great sympathy for what my hon. Friend the Member for Tiverton said, I believe that the right amendment to the Bill would be far more wide-reaching, and would require careful and comprehensive thought. I am sure that, in due course, the House will have to return to it. The Bill is a welcome first step, but the amendment does not go far enough in dealing with a problem with which in time we will have to deal.

Mr. Nicholas Bennett: I voted against the Bill on Second Reading because I believe it to be badly drafted and flawed. We should not introduce retrospective legislation. In Committee, my hon. Friends and I who opposed the Bill on Second Reading made it clear that we were trying to improve the Bill by tabling amendments. None of our amendments were selected, so we were not able to make the points that my hon. Friend the Member for Tiverton (Mr. Maxwell-Hyslop) has made tonight. Had we done so—I tabled an amendment reasonably similar to his—we could have had this debate in Committee.

I say to my hon. Friend the Member for Hendon, South (Mr. Marshall) that the amendment does not weaken the Bill. Rather, it strengthens it by making it applicable to all war criminals of the second world war, rather than to a small number. It would be wrong to introduce a law designed to deal with specific individuals—and only a small number of people will be caught by this Bill—when we know that, during the war, others committed similar horrific crimes in other countries. I am concerned that the Bill is so narrowly drawn. My hon. Friend the Member for Tiverton makes a good point in trying to extend it to cover all war criminals from the second world war who are not covered by existing legislation.

My hon. Friend the Member for Elmet (Mr. Batiste) is mistaken about the circumstances since the second world war. The Bill deals with crimes committed in that war, because anyone who was involved in a crime committed since that time will be covered by existing legislation.

My hon. Friend the Member for Lancashire, West (Mr. Hind) inadvertently referred to "allies", and I subsequently intervened in his speech. He then, having defined the term "allies" more carefully, spoke about those who were working with the Germans and referred to as being occupied by the Germans. Vichy France was not occupied by the Germans—that is why it was Vichy France. After the invasion of north Africa in Operation Torch on 10 November 1942, Vichy France was ruled by the French.

It is our understanding from what was said in Committee that actions of collaborators with the German regime in areas that were not under direct German occupation will not be caught by the Bill. Indeed, the hon. Member for Edinburgh, Central (Mr. Darling) introduced an amendment that would have added "or under German control" after "German Occupation". We were promised in Committee by my right hon. Friend the Minister of State, Home Office that that proposal would be considered and raised again on Report. I look forward to hearing from my right hon. Friend what consideration has been

[Mr. Nicholas Bennett]

given by the Home Office to the sensible amendment that was tabled and moved by the Opposition spokesman in Committee.

It is surely sensible to recognise that those who committed crimes in Vichy France between June 1940 and 10 November 1942, although not under German occupation, were subject to a puppet government who were very much under German control. A similar argument can be extended to other countries, such as those in the Balkans, which were in a similar position. They were not ruled directly by the Germans but they were very much under German influence.

Mr. Jacques Arnold (Gravesham): Has my hon. Friend any evidence of war crimes committed by the Vichy French which are not triable by the French authorities and therefore not subject to extradition from Britain? Furthermore, has he any evidence that such persons are now resident in the United Kingdom?

Mr. Bennett: It is clear that my hon. Friend was not in his place when that argument was advanced a few minutes ago. It is because the Bill has been introduced as a direct result of the activities of the Simon Wiesenthal Centre that the only evidence that we have is that which has been uncovered. It does not make sense to say that we shall pass only laws that are particular. No other evidence has been produced, because no one has looked for it. The most sensible course would be to produce a Bill that had the benefit of covering all war crimes that are not presently covered by legislation. That is all that my hon. Friend the Member for Tiverton is seeking to do.

Mr. Allason: I think that my hon. Friend the Member for Gravesham (Mr. Arnold) was making the point that the French have their own legislation and that, if there are people resident in Britain who are of French origin, they can be extradited to France to stand trial there.

Mr. Bennett: I am not sure whether that is true. We are talking about people who have taken British citizenship, who are surely in a different position from that of French citizens. In those circumstances there may be far more difficulties in dealing with an offence that took place up to 1945, and subsequently when the law changed as a result of the Geneva convention. The Bill was introduced to deal with crimes for which, under the convention, we have no redress.

Mr. Jacques Arnold: My hon. Friend has shot his case.

Mr. John Marshall: Will my hon. Friend the Member for Pembroke (Mr. Bennett) give way?

Mr. Bennett: No. I have given way on several occasions already.

My hon. Friend the Member for Gravesham (Mr. Arnold) says that I have shot my case, but we do not know whether there are people from Japan and elsewhere around the world, including the Balkan countries, who might be caught if the amendment of my hon. Friend the Member for Tiverton were accepted. I cannot understand my hon. Friend's objections to widening the Bill. To widen it would not let off any of the people whom they think the legislation should cover. Indeed, it might extend it to others. Surely that is a sensible proposition. I cannot understand why my hon. Friends want a narrow Bill to deal with one specific class of person. That is not good law. If the House is to legislate in this area, it should enact general laws that are applicable to everyone who committed war crimes during the period that we are considering.

Mr. Patrick Cormack (Staffordshire, South): I support the amendment but I am not happy about the Bill. I am deeply unhappy about retrospective justice and about the difficulty of finding adequate evidence and bringing old men to trial. I have not been able to speak in previous debates on the Bill, but I voted against the measure on Second Reading for the reasons to which I have referred. If we are to have legislation, it must be even-handed.

Clause 3(6) makes it necessary to support the amendment, or something like it. The subsection states:

"Her Majesty may by Order in Council direct that the provisions of this Act shall extend, with such exceptions and modifications as appear to Her Majesty to be appropriate, to the Isle of Man, any of the Channel Islands or any colony."

It so happens that one of our colonies is Hong Kong, which has been much in the news recently. It was the scene of some of the most appalling atrocities during the second world war. I find it difficult to accept that among the teeming millions of the population of Hong Kong there are not some Japanese war criminals.

We are being asked to pass a piece of legislation that is designed to catch half a dozen people who have been fingered by one man and one institute, and to bring them to trial. We shall have an Act that can, by Order in Council, be extended yet be unable to catch people who committed in Hong Kong some of the most appalling atrocities known to man. For that reason alone, if this House is to legislate—I have grave doubts about the wisdom of what the House has embarked upon and I am deeply unhappy about it—we must be even-handed.

11 pm

Mr. Alistair Darling (Edinburgh, Central): I understand why many right hon. and hon. Members have reservations about the Bill; I do, too. However, on balance, I have reached the conclusion that the Bill should proceed. It is obvious that since the Geneva Conventions Act 1957 the problem has been resolved to the extent that anyone accused of what we loosely call war crimes can be prosecuted, regardless of his nationality, or the place at which those war crimes took place, provided that he is subject to the jurisdiction of any of the legal systems of the United Kingdom.

We could have left matters there, but for one problem. During the past few years, and in particular after Chalmers and Hetherington prepared their report, it has become apparent that some people living in this country may have been guilty of what are called war crimes. That being so, I find it difficult to envisage how it could be right or, indeed, possible to avoid taking action. If there are people in this country accused of having committed what, by any view, are appalling crimes, it would be wrong to do nothing about it. That is what has swung my vote behind the Bill.

I understand the thrust behind the remarks of the hon. Member for Tiverton (Mr. Maxwell-Hyslop). Many of these points were made in Committee. I am not as confident as the hon. Member for Hendon, South (Mr. Marshall) that there is absolutely no one, beyond reasonable doubt, living in this country who may have been guilty of atrocities in the Japanese theatre. If there is no evidence that such people are living in this country, it would be pointless to add that provision to the Bill. If we were to agree to the amendment, we would be duty bound to start some investigation to try to determine whether people in that category were living here. I do not think that that is possible and, for that reason, I am not tempted to follow the hon. Member for Tiverton in his argument.

Mr. Maxwell-Hyslop: Does the hon. Gentleman think that if one such person were found, we should then go through the whole procedure of enacting another Bill? That is the thrust of his argument. As we are legislating, what is wrong with covering that eventuality rather than legislating ad hominem, which is usually considered to be a disreputable legislative practice?

Mr. Darling: The hon. Gentleman knows that I would be inconsistent if I said that if we found someone in that category in this country we should do nothing about it. That would not be right. I have to tell him, reluctantly, that if it emerged that there were people living in this country who may have been guilty of war crimes in the war against Japan, there would be no alternative but to deal with them in the way that we are dealing with people accused of having committed war crimes in the German theatre of war.

To agree to the amendment would inevitably require investigations and other work being carried out to determine whether there were Japanese war criminals——

Mr. Maxwell-Hyslop: Why not?

Mr. Darling: We have to draw a line somewhere. It is, perhaps, a rough and ready line, but if there is no evidence that there are such people I should be reluctant to encourage the Government to incur the time, effort and expense of engaging in a search that might be completely fruitless.

I am one of those Members who have come reluctantly to support the Bill, simply because we are told by reliable sources that there are people living in this country who may—I put it no higher than that, and we should remember it in future debates—have been guilty of war crimes. For that reason I am prepared to support the Bill. There could be people in this country guilty of war crimes in other theatres of war, and we would have to extend the scope of the legislation beyond Japan to other countries. Suffice it to say that I understand why the hon. Gentleman advanced his amendment, but I do not agree with it.

Mr. Hind: I agree with the hon. Gentleman's point, but the principle could be extended. If we were asked by the Soviet Union or by republics within it to extradite people from the United Kingdom to stand trial in those countries for war crimes, we might not have enough confidence in their system of justice to provide a fair and proper trial. However, if Japan or another democratic country made the same request in respect of a person who had committed war crimes in their theatre of war, we would be dealing with a western-style democracy having standards of justice that we recognise. That is not the position in respect of the Soviet Union.

Mr. Darling: I do not want to go down the road of extradition, but the hon. Gentleman's general point is correct. It may be possible to deal with this by way of extradition, according to the circumstances.

I refer to another aspect that I intended to raise on Third Reading—and I may still do so, if we ever reach it. The hon. Member for Tiverton made a point with which I have some sympathy, and to which some of his hon. Friends alluded, relating to Germany and to countries under German occupation. In Committee, we tabled an amendment to extend the definition to include territories that had substantially been under German control. Vichy France was mentioned in the debate, and since then the all-party war crimes group has undertaken additional work and cited Slovakia, Hungary, Romania and other countries.

The Minister undertook to examine that point, and he may have something to say—although perhaps not as much as we would like. If the other place has an opportunity to examine that aspect, it may choose to give it special consideration. The extent of territories under German occupation or controlled by Germany may be a moot point. It would be extremely awkward—I put it no higher than that—if the defence in a war crimes trial was able to prove that although a crime had been committed it had not occurred on territory in Germany, under German occupation, or under German control—with the result that the accused person could not be convicted under the Bill.

Mr. Maxwell-Hyslop: If the hon. Gentleman accepts my amendment, that problem will disappear, because the amendment removes the definition of location.

Mr. Darling: The hon. Gentleman's amendment goes further than I want. I would prefer a tightening up of the definition of territory within Germany, under German occupation, or under German control rather than have the

[Mr. Darling]

definition removed altogether. The problem relating to location arises in practically every murder trial, and it is a matter for the Crown to prove.

Even if no satisfactory solution can be found, at the end of the day the Crown will have to prove its own indictment. If it cannot do so, the accused will be acquitted. I see nothing wrong with that requirement, which is an essential feature of our legal system and one that has much to commend it.

The Minister of State, Home Office (Mr. John Patten): This has been an extremely interesting debate. I agree largely with what the hon. Member for Edinburgh, Central (Mr. Darling) has just said in his brief concluding remarks.

I must address my opening remarks to the amendments tabled by my hon. Friend the Member for Tiverton (Mr. Maxwell-Hyslop), who has taken a close interest in the Bill. I recall my hon. Friend intervening in the speech by my right hon. and learned Friend the Home Secretary when we first debated the issue in December.

I know that my hon. Friend the Member for Tiverton has followed the proceedings of the Bill closely since then. Even though he opposes the principle of the Bill very strongly, my hon. Friend has sought to ensure that if the Bill is enacted it should be as equitable and as workable as possible—I am grateful to him for that—as has my hon. Friend the Member for Staffordshire, South (Mr. Cormack). My hon. Friend the Member for Pembroke (Mr. Bennett) also pursued that line firmly and effectively in Committee. He also disliked the Bill but sought to improve it, while engaging in some interesting historical dialectic.

I shall examine carefully the thinking that has led my hon. Friend the Member for Tiverton to table the amendments. I think that they are unnecessary and I disagree with them for three reasons. First, as my right hon. and learned Friend the Home Secretary said in December and on Second Reading, the Bill as it stands, as a matter of Government policy, deliberately reflects closely the recommendations contained in the Hetherington-Chalmers report. Those recommendations were framed carefully to ensure that they dealt with allegations that were made to the inquiry.

I naturally understand the view that if we are to legislate to make war crimes trials possible, the legislation should apply to all crimes, wherever they are committed. However—and I think that many hon. Members would support this view—the Government would be reluctant to extend the Bill beyond what was recommended after such careful thought by the war crimes inquiry. After all, it advertised widely and people from all over the country and from abroad made depositions to it and it built up a considerable expertise.

Mr. Maxwell-Hyslop: It is for the House to legislate, not for Mr. Hetherington or Mr. Chalmers.

Mr. Patten: That is exactly what the House is doing and over the years my hon. Friend the Member for Tiverton has been a notable defender of the House of Commons, of the Chamber of the House and of its rights.

Mr. Nicholas Bennett *rose*——

Mr. Patten: If I may, I shall continue my reply, and then I shall give way.

Nonetheless, the Government asked the Hetherington-Chalmers committee to look into the issues. It considered them objectively and made a set of recommendations which the Government accepted, which is why they formed the basis for the framework of the legislation. It is a short Bill—three clauses and one schedule—and it has been closely scrutinised in Committee.

Mr. Bennett: My hon. Friend has just shot a hole in his argument because the Government set up the Hetherington-Chalmers inquiry and the terms of reference were set out by the Government:

"To obtain and examine relevant material, including material held by Government Departments and documents which have been or may be submitted by the Simon Wiesenthal Centre".

It goes on to describe war crimes, which extend

"only to crimes of murder, manslaughter or genocide committed in Germany and in territories occupied by German forces during the Second World War."

My hon. Friend, the Minister, prays in aid an argument that that was what the Hetherington-Chalmers report concentrated on, but the Government set up the terms of reference to consider that specific point alone.

Mr. Patten: I do not believe that I have shot a hole in my argument or any other part of my person. I am about to deal with the amendment moved by my hon. Friend the Member for Tiverton, which is what we are debating. We are not reopening the wider arguments, which I know you would not wish us to do, Mr. Deputy Speaker, because they were examined in Second Reading and exhaustively in committee. The amendment deals specifically with the extension of the legislation to deal with what one might —in shorthand—term the Japanese problem.

Several Hon. Members *rose*——

Mr. Patten: Before I turn to that, I shall give way to my hon. Friend the Member for Hendon, South (Mr. Marshall) and then my hon. Friend the Member for Gravesham (Mr. Arnold).

Mr. John Marshall: Does my right hon. Friend agree that if anyone in the United Kingdom had had one shred of evidence that a former Japanese war criminal was resident in the United Kingdom he would have produced that evidence at the time of the inquiry?

Mr. Patten: I agree with what my hon. Friend says, as I agree with what he said in his speech.

Mr. Jacques Arnold: Is my right hon. Friend confident that the term

"Germany or under German occupation"

is sufficiently wide? Concern was expressed in Committee about the probability of crimes having been committed in the Ukraine and elsewhere in Russia.

11.15 pm

Mr. Patten: I shall deal with that point later.

The nub of the argument is that, despite all the publicity about the war crimes issue in the last few years there has been no suggestion that there are any alleged war criminals, other than those who committed their alleged crimes in German or German-controlled territory, living within the jurisdiction of the United Kingdom. That point was made forcefully by my hon. Friends the Members for Hendon, South, for Lancashire, West (Mr. Hind) and for Elmet (Mr. Batiste). We do not wish this country to be a

haven for any criminal, of whatever sort. We seek to legislate to deal with an identifiable mischief rather than with a hypothetical future event.

As the inquiry report shows—it was a careful inquiry—the arrival in this country in the years immediately following the second world war of some men and women who may have committed crimes in Germany or in German-occupied territory reflects the nature of the conditions in post-war Europe. Thousands and thousands of people in post-war Europe had been displaced from their former homes and were seeking new homes and work, sometimes in this country. The Bill deals with the possibility that some of the people who came to settle in this country from Germany or from countries that had been occupied by the Germans may have committed war crimes.

After the termination of hostilities in the Soviet Union, there was no mass migration from the Soviet Union to western Europe. Moreover, there is no evidence of any mass migration, or even mini-migration of people after the cessation of hostilities in the far east that led to people from Japan settling in this country.

Mr. Cormack: My right hon. Friend must admit that it is not fanciful to say that migration from Hong Kong is a possibility. As there is a provision to extend the legislation to include the colonies, and as Hong Kong is by far our largest and most important colony, why does my right hon. Friend set his face against that possibility?

Mr. Patten: Because we take the view—I personally do so—that we should seek to legislate to deal with identifiable mischiefs rather than with mischiefs that may arise at some future date. That is narrowly what we are seeking to do in the Bill.

Mr. Maxwell-Hyslop: The argument is about identifiable mischiefs, not about identifiable persons. My amendment covers the mischief. To try to constrain it constrains it to persons rather than to the whole mischief.

Mr. Patten: The identifiable mischief is the fact that people who are now living within this jurisdiction may have committed murder or may have attempted murder in Germany or in German-occupied territory. In no sense at all does the legislation refer ad hominem to any persons named. The mischief is that some persons—all persons have names—may in the past have committed such alleged crimes.

I now turn to the important point about territory raised by the hon. Member for Edinburgh, Central and reflected in the remarks of my hon. Friends the Members for Torbay (Mr. Allason) and for Pembroke. We have a pretty clear view about what is German and German-occupied territory. My hon. Friend the Member for Pembroke asked about Vichy France. Actions by Vichy France against Frenchmen would not be war crimes, and would therefore be outside the scope of international law at the time; they would be acts of homicide or crimes against humanity. Actions by puppet regimes against their own citizens in their own territory would fall outside the definition of war crime at any stage since the Hague convention of 1907. They would not be war crimes by that or by any other definition in international law, as far as I am aware, although they might certainly be caught under a number of crimes against humanity.

Sir John Stokes (Halesowen and Stourbridge): The French connection is a difficult issue. I was involved with the French for quite a long time. I fought the Vichy French and very nearly fought the free French. After the 1941 invasion of Vichy Syria, many British officers and soldiers were taken back to France where they were treated quite abominably for several weeks and under the armistice it was very hard to get them back. That will not be helped by the Bill.

Mr. Patten: I do not believe that that will be covered by the legislation. I should be happy to learn more about those matters from my hon. Friend. I should be particularly interested to learn how he narrowly avoided fighting the free French. Perhaps at some stage my hon. Friend will tell me how that happy chance came about.

I must deal with the point raised by the hon. Member for Edinburgh, Central reflecting some correspondence sent to me by the former Home Secretary the right hon. Member for Morley and Leeds, South (Mr. Rees) about the terms in which the Bill is drafted and whether they are adequate to catch war crimes in what might have been termed puppet regimes or the territories of puppet regimes sympathetic to the German cause. The matter was raised in Committee and I have reflected on it since. Since then we have benefited from the advice of the right hon. Member for Morley and Leeds, South and some very detailed papers which I received towards the end of last week. I am studying them carefully, and if we conclude that as a result there is indeed a gap such as that alluded to by my hon. Friend the Member for Pembroke, we shall certainly be willing to table the necessary amendments to be debated in Committee in another place.

However, it is fair and important for me to repeat that, as with Vichy France, my preliminary assessment is to doubt whether the events described in the papers that the right hon. Gentleman was good enough to send me fall within the definition of a war crime. The events described were undoubtedly terrible, but given the circumstances in which they took place, it appears that they might have been crimes against humanity rather than war crimes and would therefore lie outside the scope of the Bill, whatever territorial extent is applied.

The third point that I put before my hon. Friend the Member for Tiverton, who I know feels very strongly about the Japanese issue, is that it is obvious that we can give our courts the power to try only cases involving people who live within our jurisdiction. The Bill does not provide the power to try alleged war criminals, whatever offences they may have committed, if they have not come to live here.

Supposing that, on behalf of the Government, I accepted my hon. Friend's amendment and we could extend the scope of the Bill to Japan, Russia and elsewhere, I fear that we would be conveying a misleading signal to a number of people whose fathers, husbands or relations might have suffered terribly at the hands of the Japanese during the war. It might lead people to think that something could be done when, as far as I know, there has never been an allegation that anyone living within British jurisdiction might have committed such crimes. It would therefore be a mistake for the House to raise people's hopes that something might be done to right past terrible deeds when it was not in our power so to do.

Mr. Alan Williams (Swansea, West): The Minister's point would be more valid if the proposition struck at a specific date, such as March 1990, as in the Bill. The Bill, however, goes on to use the words "or subsequently". I understand from my right hon. and learned Friend the Member for Warley, West (Mr. Archer) that "or subsequently" refers to the future as well as the present. Evidence of what happened in the past is not conclusive in regard to the jurisdiction; the Bill allows for what could happen in the future.

Mr. Patten: The Bill refers to whether a person is resident in this country from that date.

Mr. Maxwell-Hyslop: My hon. Friend asked what comfort the extension would bring if there were no Japanese war criminals now living in Britain, the Channel islands, the Isle of Man or a British colony. Obviously thousands of Japanese war criminals are still alive. The comfort that such an extension would bring is this: people who had lost fathers or husbands would know that those responsible would not dare to come to this country. If the amendment is not passed, however, they will be able to come here with impunity.

Mr. Patten: There has never been any evidence that anyone alleged to be guilty of such crimes has ever come to this country. I feel that the amendment would provide scant help for those who grieve for the people who were so badly harmed during the Japanese conflict, although I appreciate that my hon. Friend would like to enable such mischief to be blocked in the future. I do not think that it is right in principle for us to legislate in that way, and I hope that, having heard my three reasons for not wishing to accept the amendment, my hon. Friend will feel inclined to withdraw it.

Question put, That the amendment be made:—

The House divided: Ayes 22, Noes 151.

Division No. 180] **[11.26 pm**

AYES

Allason, Rupert
Beaumont-Dark, Anthony
Beith, A. J.
Bennett, Nicholas *(Pembroke)*
Buck, Sir Antony
Butcher, John
Campbell, Menzies *(Fife NE)*
Cormack, Patrick
Glyn, Dr Sir Alan
Hamilton, Neil *(Tatton)*
Hughes, Simon *(Southwark)*
Kennedy, Charles
Mans, Keith
Skinner, Dennis
Stanbrook, Ivor
Stokes, Sir John
Summerson, Hugo
Taylor, Matthew *(Truro)*
Townsend, Cyril D. *(B'heath)*
Wallace, James
Williams, Rt Hon Alan
Winterton, Mrs Ann

Tellers for the Ayes:
Mr. Robin Maxwell-Hyslop
and Mr. Nicholas Winterton.

NOES

Abbott, Ms Diane
Ames, David
Arbuthnot, James
Archer, Rt Hon Peter
Armstrong, Hilary
Arnold, Jacques *(Gravesham)*
Ashby, David
Atkins, Robert
Baker, Rt Hon K. *(Mole Valley)*
Baldry, Tony
Batiste, Spencer
Battle, John
Begg, Roy
Bendall, Vivian
Benn, Rt Hon Tony
Bermingham, Gerald
Boateng, Paul
Boswell, Tim
Bradley, Keith
Brandon-Bravo, Martin
Bright, Graham
Brooke, Rt Hon Peter
Brown, Michael *(Brigg & Cl'l's)*
Burns, Simon
Burt, Alistair
Butterfill, John
Caborn, Richard
Carlile, Alex *(Mont'g)*
Carrington, Matthew
Chalker, Rt Hon Mrs Lynda
Chope, Christopher
Conway, Derek
Cook, Robin *(Livingston)*
Coombs, Anthony *(Wyre F'rest)*
Cryer, Bob
Cunliffe, Lawrence
Currie, Mrs Edwina
Dalyell, Tam
Darling, Alistair
Davies, Ron *(Caerphilly)*
Dixon, Don
Douglas-Hamilton, Lord James
Dunnachie, Jimmy
Durant, Tony
Eggar, Tim
Evans, John *(St Helens N)*
Fallon, Michael
Fearn, Ronald
Fields, Terry *(L'pool B G'n)*
Foot, Rt Hon Michael
Foster, Derek
Freeman, Roger
Garel-Jones, Tristan
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Hanley, Jeremy
Hardy, Peter
Harris, David
Haynes, Frank
Hind, Kenneth
Hood, Jimmy
Howard, Rt Hon Michael
Howells, Dr. Kim (Pontypridd)
Hunt, David *(Wirral W)*
Illsley, Eric
Jack, Michael
Janner, Greville
Jessel, Toby
Jones, Barry *(Alyn & Deeside)*
Jones, Gwilym *(Cardiff N)*
Jones, Martyn *(Clwyd S W)*
Kilfedder, James
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Lang, Ian
Lawrence, Ivan
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Livingstone, Ken
Lloyd, Peter *(Fareham)*
Lloyd, Tony *(Stretford)*
Lyell, Rt Hon Sir Nicholas
McAvoy, Thomas
MacGregor, Rt Hon John
McKay, Allen *(Barnsley West)*
MacKay, Andrew *(E Berkshire)*
Maclean, David
Maclennan, Robert
McLoughlin, Patrick
Mahon, Mrs Alice
Maples, John
Marshall, John *(Hendon S)*
Mawhinney, Dr Brian
Meale, Alan
Michie, Bill *(Sheffield Heeley)*
Mitchell, Andrew *(Gedling)*
Montgomery, Sir Fergus
Moonie, Dr Lewis
Morley, Elliot
Morris, Rt Hon A. *(W'shawe)*
Morrison, Rt Hon P *(Chester)*
Moynihan, Hon Colin
Neubert, Michael
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Oppenheim, Phillip
Paice, James
Parkinson, Rt Hon Cecil
Patchett, Terry
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pike, Peter L.
Portillo, Michael
Powell, Ray *(Ogmore)*
Prescott, John
Redwood, John
Rees, Rt Hon Merlyn
Ridley, Rt Hon Nicholas
Roberts, Wyn *(Conwy)*
Roe, Mrs Marion
Rogers, Allan
Ross, William *(Londonderry E)*
Rowlands, Ted
Scott, Rt Hon Nicholas
Shephard, Mrs G. *(Norfolk SW)*
Smyth, Rev Martin *(Belfast S)*
Spicer, Michael *(S Worcs)*
Steen, Anthony
Steinberg, Gerry
Stevens, Lewis
Stewart, Andy *(Sherwood)*
Sumberg, David
Taylor, Ian *(Esher)*
Taylor, Teddy *(S'end E)*
Thorne, Neil
Trippier, David
Vaz, Keith
Walker, Bill *(T'side North)*
Waller, Gary
Walley, Joan
Wareing, Robert N.
Watson, Mike *(Glasgow, C)*
Welsh, Michael *(Doncaster N)*
Wheeler, Sir John
Widdecombe, Ann
Wilson, Brian
Winnick, David
Wood, Timothy
Yeo, Tim

Tellers for the Noes:
Mr. Sydney Chapman and
Mr. Irvine Patnick.

Question accordingly negatived.

Order for Third Reading read.

Motion made, and Question proposed, That the Bill be now read the Third time.—*[Mr. John Patten.]*

11.37 pm

Mr. Darling: I made my position on the Bill clear in the debate on amendment No. 2, and I see no point in repeating it. [HON. MEMBERS: "Hear, hear."] I am equally confident in saying that I shall have the support of the majority of the House in following that approach. I dealt with jurisdiction and the definition of Germany and of territory occupied by Germany. I hope that the Government will give further thought to tabling amendments in Committee in the other place. I know that

the Minister will accept my point in the spirit in which it is made when I say that I remain unconvinced by his preliminary reasoning. He will have to return to this matter.

I am not sure whether we can resolve a further difficulty, which is how on earth we can define the laws and customs of war. They are defined in the 1907 Hague convention and, as one can see from the Hetherington and Chalmers report, the definition is fraught with difficulties. I am content to leave this issue to the Crown, which will have to prove that a killing was such as to render it contrary to the laws and customs of war. Perhaps those in the other place with greater experience and expertise will turn their minds to that difficulty.

This must be one of the few Bills on which it is necessary for a Committee to report to the House that it has been unable to resolve many problems. First, many of the fears that we canvassed in Committee may not arise in any trial, and, secondly, they will be a matter for proof at the trial. If the Crown cannot prove the indictment against any individual, that individual must be acquitted. That seems to be the right solution.

No one should be under any illusion that the prosecution of these cases will be easy, especially given the lapse of time since the events took place. Despite those difficulties, as I said when I spoke on the amendments, I believe that the Bill should proceed. Although it is far from perfect and can never be perfect because of the circumstances in which we have to legislate, it is not so flawed that it is unworkable. Therefore, the House should support it.

The Government have taken one welcome step. In Committee, the Opposition moved an amendment to require the Secretary of State to submit an annual report on the progress of the trials, in general rather than specific terms. It would address the problem raised in Committee of an end date for the trials. The Minister of State, Home Office, the right hon. Member for Oxford, West and Abingdon (Mr. Patten), has been good enough to write to me to say that, although he could not accept our amendment, he accepted the principle that an annual report in general terms should be made available to both Houses and, indeed, to any other interested party. It would report on general progress as well as on the costs incurred.

The explanatory memorandum of the Bill anticipates spending of between £7 million and £9 million in England and Wales and £3·5 million in Scotland. That is a great deal of money and it would be wrong for Parliament to allow the trials to run on without any supervision. As this is a special Bill which deals with a special case, the Minister's solution is welcome. I dare say that he will refer to it again when he replies.

I feel strongly about pre-trial publicity. I know that there was not exactly a meeting of minds on this subject in Committee. If someone in Scotland is accused of committing a war crime, from the moment that he is charged there is almost a total ban on any publicity about events that will be the subject of the trial. Furthermore, during the trial there are strict restrictions on what can be reported. There cannot be speculation about events that are not canvassed in the trial. The position in England is different. Pre-trial publicity is allowed. As we have seen in the past, publicity during the trial is also apparently allowed. I am worried that there will be trial by television or by the media. If that happened, it would be a travesty of justice.

We cannot afford another Guildford, Birmingham or Broadwater Farm where there is controversy about the circumstances surrounding the trial. If people are to be brought to trial under the Bill, they must be tried before a jury who will hear the facts in the sober silence of the court room. They should not be subject to the influence of newspapers or television. They should not be influenced by consideration of events that took place at the same time but may have had nothing to do with the individual facing trial. I feel strongly that the Government should have done something about pre-trial publicity in this case, just as they will have to tackle the matter generally in the English criminal system.

To show that I am not partisan, let me say that I have a great deal of sympathy with the English system on dock identification. In Scotland we have a problem, in that the witness is invited to identify an accused person in court. There is usually only one person chained up between two policemen, his head hung in shame. If the witness could not identify him or her, it would be very odd. I have been invited to refer to an anecdote that I related in Committee. It would be wrong of me to do so because the hon. Gentleman concerned is not in the Chamber.

We received assurances about legal aid in Committee. They are extremely important. Legal aid must not be a barrier in these cases. Much concern has been and, I expect, will be expressed in another place about retrospection. We should remember that we are not creating a new crime, although I accept that we are extending jurisdiction, and that involves retrospection.

I accept the difficulties of passage of time and proof and the problems that the defence will face. But, on balance, I believe that it would be wrong of the House not to pass this legislation. Such serious allegations have been made that it would be wrong for us to turn our backs on them and ignore them. Therefore, I urge hon. Members to give the Bill a Third Reading.

11.45 pm

Mr. Stanbrook: I have been against the principle of the Bill ever since the request for legislation was made by the Simon Wiesenthal Centre in London two or three years ago. I have followed the issue closely ever since, and have been on the Standing Committee considering the Bill. I have no reason to change my view that it is a bad Bill.

It is bad for two main reasons. First, in principle it is wrong to enact retrospective legislation to cover something that happened 50 years ago, 1,000 or more miles away. That cannot be good or in the public interest. It cannot be right for the atrocities and awful events that took place in the last war to be re-enacted and exhumed, to be once again paraded before the people of this country and their children, when the need is for peace, reconciliation and forgiveness. No good will come of the trials that may take place as a result of the legislation.

Secondly, I oppose the Bill because, in practice—quite apart from the principle—it will be impossible to ensure that the people concerned receive a fair trial. In Standing Committee, some of my hon. Friends and I endeavoured to improve the Bill to try to ensure that those who were likely to be defendants were given assurances and the privilege of a fair trial. We were unsuccessful, and the rest of the Committee disagreed with us.

The Bill should not be called a War Crimes Bill. If we know anything of the allegations and evidence, we know

[Mr. Stanbrook]

that these are not war crimes in the proper, even legal, sense of the word. We are talking about murder and the massacre of innocent civilians. It so happens that those events occurred during the war. We are talking about the events and people covered by the Bill. It so happens that the events occurred in Europe, in German-occupied territory. That does not make them war crimes. By any standard, those events, whether or not they occurred during the war, would have constituted murder.

Speaking as a lawyer, may I say that those who devised the Bill made a great mistake in closely defining the offences as crimes committed against the laws and customs of war. When one gets into the nitty-gritty of the laws and customs of war, one gets bogged down—as we did in Standing Committee—over how that phrase is defined. The Hague convention of 1907 specifies what constitutes war crimes. Lo and behold, they do not cover events such as the murder of civilians and innocent people; by and large, they cover the rights of soldiers. In 1907, before the first world war, there was still a chivalrous notion that the rights of soldiers, especially prisoners of war, had to be protected.

Mr. John Marshall: My hon. Friend said that we were dealing with murder. As he knows, there is no statute of limitations on murders in the United Kingdom, so why is he recommending one for these murders?

Mr. Stanbrook: If only my hon. Friend would listen more carefully, he would find a little more merit in my argument, which has nothing to do with his point.

By describing these outrages as war crimes, we misdescribe them. They were horrific crimes, but they are not to be confined within the definition of war crimes, or to be further narrowed down in this Bill in terms of territorial extent or of acts contrary to the laws and customs of war. All such terms are inappropriate.

If suitable jurisdiction had been in force at the time, it would surely have covered these crimes without the need to refer to them as war crimes; normal criminal legislation should have covered them. That is the brunt of the arguments advanced earlier—that the jurisdiction of the courts should be extended to include all such crimes, wherever and by whomsoever they are committed. The Government have missed this opportunity to propose that our laws should in future cover all such offences. If they had taken it, it would have constituted a passport to future co-operation in matters of extradition. It would also have avoided the overtones and the narrowing of definitions involved in the description "war crimes". If this legislation designates such crimes as war crimes, that will only make the application of the law more difficult in future.

In his wisdom, Mr. Speaker chose not to select for debate the two new clauses to the Bill that I tabled. No doubt he thought I would have the chance to raise the two issues concerned on Third Reading, and I gladly do so now. Nowhere in the Bill is any provision made to enable the defendants to gather evidence on their own behalf. It is a fundamental right of anyone in this country charged with an offence to be able to gather his own evidence and to seek witnesses in his defence to show that he is not guilty of the crime with which he has been charged. In most cases, this right is taken for granted and is available.

In the natural course of events, a trial will not come on until such an opportunity has been given, but in any case that may arise out of this legislation, the offences having occurred 1,000 or more miles away almost 50 years ago, the defence will face grave difficulties in securing the evidence with which to rebut the charges. The Bill does nothing to help the defence in this respect, which makes it vulnerable to criticism on that ground alone. It is not nearly enough to state that the usual laws of criminal procedure will apply. That will result in all too short a time being allowed, once a defendant has been arrested and charged, before a case comes on for trial.

The chance of a successful application to the trial judge to enable the defence to go to Russia or Israel or to any of the other places to which the Hetherington-Chalmers inquiry travelled, spending £500,000 and 18 months, will not be available once cases have been initiated in this country.

Mr. Allason: Does my hon. Friend agree that this matter was fully covered in Committee and that the Government gave an undertaking about legal aid?

Mr. Stanbrook: We are not talking about pure financing, although I would be glad to hear that the Government have allowed £500,000 from the legal aid fund and 18 months for any defendant seeking to establish evidence in his own cause. If that is what is meant, I welcome it because it will go some way towards balancing matters between the prosecution and the defence.

In normal cases before criminal courts in Britain, the charge involves events that took place fairly recently. Some 90 per cent. of such cases are about events that happened a matter of days before the arrest. Here we are dealing with events that took place 50 years ago, and 49 years ago in one case that I know. After such a passage of time, is it right that there should be no provision for the defence to be able to say when the case comes before the trial judge that it is impossible for justice to be done?

Let us suppose that the defence said, "We have not been able to gather evidence. We have not been allowed to travel unhindered in Russia. We have not discovered anything that could be of value to us and therefore choose not to offer any sort of evidence." Would the prosecution, the Government and all the people who are prosecuting and persecuting these people be content with the result of such a case? Of course they would not, yet that is the nub of the problem with which we are dealing.

Fifty years make a tremendous difference to the quality of evidence that is available in a case. It is no use people telling me, as they often do during our debates, that the people concerned were not British at the time. That makes not the slightest difference. These events occurred nearly 50 years ago and many miles away. The alleged offences were committed under conditions in which it was impossible for evidence to be gathered. Since then, governmental institutions and well-founded bodies such as the Simon Wiesenthal Centre have campaigned and spent money all over the world in order to produce evidence that might justify the prosecution of these people, and certainly enough to justify our Government initiating legislation to permit that to happen even though it will be ex post facto a retrospective law.

There is a grave danger that prosecutions under this legislation will be oppressive and vindictive and perceived to be inspired by motives of revenge, malice and hatred.

The hon. Member for Edinburgh, Central (Mr. Darling) spoke about the pre-trial publicity, all of it aimed against these people who are already identified by the media and by members of the Simon Wiesenthal Centre, one of whom has been marching up and down outside the house of one of the prospective defendants with a banner proclaiming his guilt.

Even in Scotland, where apparently the standards in such matters are somewhat higher than they are in England, what chance have these people of a fair trial? What chance do they have of the application of the normal standards of British justice that would apply to anybody else were it not for the fact that we are passing special retroactive legislation to cover these people? It is nonsense to say that 70 people are involved. There may be a list of names, but the inquiry claimed that there are only three people about whom there is sufficient evidence to justify prosecution. That claim is based on an assumption that the House will change the law—bend it—to make it possible to proceed against them in accordance with the laws of evidence.

It will be impossible for such people to have a fair trial. It will be impossible to stop pre-trial publicity. From the moment that they are identified by name, as they will be shortly, they will be picked out by the legislation as guilty men. Already they are accused of being Nazi war criminals. We are legislating for an injustice. We are deliberately picking on three people.

Despite the fact that, for 40 years or so, they have lived here, apparently honestly and peacefully, as useful citizens, and that the law did not cover the crimes that they are alleged to have committed, we shall finger them and rig the law so that they become guilty. I should not be surprised if, at the end of it all, after the expenditure of millions of pounds and lots of time, a good British jury said, "We are having nothing to do with this," and the whole thing would be aborted. I hope so, but one cannot depend on it. British juries are often unreliable—I speak as a practising barrister—and I do not want to hide the inherent possibilities.

It would be wrong for the House to authorise legislation such as this deliberately directed against three named and identified people. I should always be opposed to such a move.

12.1 am

Sir John Stokes: I am glad to follow my hon. Friend the Member for Orpington (Mr. Stanbrooke). Although the events about which we are talking took place nearly 50 years ago, I have some recollection of those times and the unpleasant scenes that I saw.

This is the third occasion on which we have debated this subject. I listened to the two previous debates and followed the excellent debate in the other place, and have listened carefully to what has been said today. All my instincts as an Englishman continue to be against our proceeding any further with this Bill. It contains new and thoroughly unsatisfactory retrospective legislation. It goes against the grain of our history, how we do things and how we introduce our laws. There remain severe practical problems in attempting to give a fair trial to people accused of alleged crimes committed so long ago. There is also the almost impossible problem of physically identifying the supposed criminals. There is no public demand for the Bill. I have not received a single letter about it from my constituents.

I dread what will happen if the Bill is passed. We know that long, thorough and expensive inquiries will have to be made. We shall have to rely on testimony from Soviet Russia that is bound to be highly unreliable. We are instituting special forms of trial and production of witnesses will be called for. The defendants are bound to be at a grievous disadvantage, and I shudder to think what the gutter press will make of it. The hon. Member for Edinburgh, Central (Mr. Darling) spoke of the extremes that there will be in the press, television and the radio, and how these wretched men will be condemned from the word go. People will be found guilty long before the trial, an intolerable strain will be placed on juries, and the trials will be in danger of becoming show trials—all quite unEnglish and foreign.

Above all, the entire procedure is partial. Many of the crimes committed by the Japanese, for instance, are not covered by the Bill. At a time when our legislative process is overloaded and when the Government should be—I hope that they will be—concentrating on good government and good administration, this is an entirely unnecessary and dangerous Bill. If it is enacted—I hope that it will not—I am sure that in time it will be deeply regretted by the Government and all those concerned with it.

12.5 am

Mr. Michael Irvine (Ipswich): I feel the most profound unease about the passage of the Bill on two principal grounds. First, this is retrospective legislation. Let us have no soft soaping or weasel words about that. It is definitely retrospective legislation. The dreadful deeds to which it is directed were not triable in the British courts in the year after they were committed, and they are not so triable now. The Bill is needed to make them triable.

Mr. John Marshall: Does my hon. Friend agree that if any person who was a British citizen at the time the offences were committed had committed them, he could have been tried under the law of this country?

Mr. Irvine: Yes. He could have been tried under our law. He still could be so tried. Retrospective legislation would not be needed. The fact remains, however, that to deal with the deeds in question and to bring the individuals who were identified by the Hetherington-Chalmers report to trial, the Bill is necessary. If it is not enacted, those people could not be tried in the courts of Great Britain. It is without doubt retrospective legislation. What is more, it is retrospective criminal legislation.

I have an intense and instinctive dislike for retrospective legislation of any sort. In the hands of an oppressive or unscrupulous Government, it is so easy for retrospective legislation to be used to challenge liberty and justice. The danger is that a Bill such as this will be used in the future as a precedent. That is a great peril and one that the House should consider carefully before giving the Bill a Third Reading.

Mr. James Wallace (Orkney and Shetland): Will the hon. Gentleman inform the House how many clauses of Finance Bills that have involved retrospective legislation he has supported since becoming a Member of this place?

Mr. Irvine: Perhaps not surprisingly, I cannot give a precise answer to that question. I merely say that in principle I am very much opposed to retrospective civil legislation. It is true that that is to be found especially in taxation measures. But if retrospective legislation relating to civil matters is dangerous—I believe strongly that it is—retrospective legislation that deals with criminal matters is doubly—indeed, trebly—dangerous.

Mr. Ivan Lawrence (Burton): Would my hon. Friend say that it was ever all right, ever lawful, to commit mass murder? If it was never right or lawful, what is wrong with retrospective legislation which has the effect of bringing to book those who committed those crimes?

Mr. Irvine: Of course it is never right to commit mass murder. I am horrified that my hon. and learned Friend should think fit to pose that question to me. It is important that I make it clear that nothing that is said in the Chamber can possibly overshadow the fact that the most terrible crimes were committed in central and eastern Europe during the second world war. The most terrible suffering was endured by those who were subjected to those ghastly cruelties. Nothing that I or anyone else says in the Chamber should minimise that. I assure hon. Members who take a different view from me about the merits of the Bill that I share equally their horror at those crimes and deeds. However, the fact remains that this is retrospective criminal legislation, which poses a great danger.

I draw the attention of the House to the words of Lord Reid in the case of Waddington—a not unfamiliar name in this House—*v.* Miah—1974, 1 Weekly Law Reports, page 683. Lord Reid was, for many years, a distinguished Member of this House. Later he sat as a lord of appeal in ordinary and became one of the most distinguished judges of this century. He said:

> "There has for a very long time been a strong feeling against making legislation, and particularly criminal legislation, retrospective . . . It is hardly credible that any government department would promote or that Parliament would pass retrospective criminal legislation."

Yet only 16 years later this Bill is being guided through the House by a Minister. It was given a massive majority on its Second Reading even though it involves retrospective criminal legislation.

It is not just the fact that this Bill is retrospective criminal legislation that leads me to feel great unease about it.

Mr. Maxwell-Hyslop: Can my hon. Friend help me and other hon. Members by telling us whether Lord Reid was referring to the creation of new offences or to the extending of jurisdiction where neither had previously existed?

Mr. Irvine: With great respect to my hon. Friend, Lord Reid was enunciating general principles. Soft soaping will not get the House or my hon. Friend anywhere. The fact is that whether it relates to jurisdiction, territory or citizenship, legislation of this kind represents retrospective criminal legislation.

The second reason for my considerable unease about the Bill is my belief that it will be impossible, at this distance of time, for there to be a fair trial in any contested prosecutions brought under the Bill. The time that has passed since the deeds in question is immense. The further that those deeds pass into time, the more difficult it will be for justice to be done.

I draw the attention of the House to a passage from a judgment by Lord Justice Diplock in the case of Allen *v.* Sir Alfred McAlpine and Sons Ltd. (1968) 2 Queen's Bench page 229 which I read out in Committee. It was a case in which the Court of Appeal was deciding whether three civil actions should be dismissed for want of prosecution. One action involved an accident nine years previously, another a different accident that had occurred nine years previously, and the third matters that had arisen 14 years previously.

I ask the House to consider Lord Justice Diplock's words at page 255 particularly carefully:

> "Where the case is one in which at the trial disputed facts will have to be ascertained from oral testimony of witnesses recounting what they then recall of events which happened in the past, memories grow dim, witnesses may die or disappear. The chances of the courts being able to find out what really happened are progressively reduced as time goes on. This puts justice to the hazard. If the trial is allowed to proceed, this is more likely to operate to the prejudice of the plaintiff on whom the onus of satisfying the court as to what happened generally lies. But there may come a time when the interval between the events alleged to constitute the cause of action and the trial of the action is so prolonged that there is a substantial risk that a fair trial of the issues will be no longer possible. When this stage has been reached, the public interest in the administration of justice demands that the action should not be allowed to proceed."

His words related to matters that had taken place not 45 or 48 years previously but only nine to 14 years previously.

Mr. David Sumberg (Bury, South): Does my hon. Friend recall that very recently an action was brought in the High Court by my noble Friend Lord Aldington relating to events that occurred not 10 or 20 years ago but 40 years ago, just after the second world war? The result was one of the largest libel awards in the history of this country, of more than £1 million. How does my hon. Friend square the success of that action with the quote that he has just given and the views that he advances?

Mr. Irvine: I have no difficulty in squaring that action with the points I make and the passage I quoted from Lord Justice Diplock's remarks. The case to which my hon. Friend refers did not require retrospective legislation. Nor was it a criminal action. In the particular circumstances of that case, the jury may have been able to determine the facts and reach a proper decision, but the longer the time that elapses from the commission of the offence, the more difficult it is to have a fair trial. That is particularly so in war crime cases because of the difficulty of preparing and presenting evidence.

At chapter nine, pargraph 44 of the Hetherington-Chalmers report, the difficulty confronting the prosecution in such cases is detailed. The hon. Member for Edinburgh, Central (Mr. Darling) referred to the difficulties that the prosecution would face. What was not mentioned in the Hetherington-Chalmers report or in the speech of the hon. Member for Edinburgh, Central is the difficulties facing the defence. The desirability of ensuring a fair and proper trial should be at the heart of our considerations.

If it is difficult for the prosecution to bring a satisfactory case, it will be that much more difficult for the defence to refute it. After all, Hetherington and Chalmers employed a team of former Metropolitan police detectives working to amass evidence, and they enjoyed the co-operation of the Soviet authorities. The Soviet authorities may be very willing to grant facilities to the prosecution in a war crimes case, but would they necessarily be so ready to do so to

assist the defence? Although people living behind what used to be called the iron curtain may volunteer to give evidence for the prosecution, it might be different if they are called upon to give evidence for the defendant.

There is no doubt in my mind that, just as the prosecution will have difficulty, so will the defence, and the difficulties of the defence are likely to be greater. Some of the difficulties that face the prosecution have been made easier by what I regard as the wrongful denial of committal proceedings which are normally available in England to the defence. Anyone who has practised in the criminal courts knows how useful committal proceedings can be to the defendant's lawyers and how they enable the defendant to test the evidence for the prosecution case and to tie down the prosecution witnesses. Yet the defendant's right to committal proceedings is specifically set aside by the schedule to the Bill.

I fear that the defence will find it difficult to prepare its case properly. The question of legal aid is linked with that. My hon. Friend the Minister has said that the legal aid authorities will exercise their discretion generously, but there will be difficulties. Obviously, it would be absurd to allow the Legal Aid Board to grant financial assistance unconditionally to the defendants to enable them to follow up every avenue, but conducting the defence may be a massively expensive exercise, involving a great deal of travel abroad, and the use of interpreters, translators and experts to examine documents. It is important that, if the Bill is enacted, the legal aid authorities are allowed to be generous to ensure that as fair a trial as possible is achieved.

Those are the reasons behind my considerable anxiety and doubts about the Bill. It is a bad Bill. I hope that it runs into trouble in the other place and I hope also that the British jury—in which I have more faith than my hon. Friend the Member for Orpington—will bear in mind the risks involved in trials of this nature at this distance in time.

12.22 am

Mr. Nicholas Bennett: I am not a lawyer like my hon. Friends the Members for Orpington (Mr. Stanbrook) and for Ipswich (Mr. Irvine), but I recognise certain legal precepts that the Bill does not match up to. The first precept—the danger of retrospective legislation—has been ably dealt with by my hon. Friend the Member for Ipswich and I do not wish to comment further on it. The second is the question of equity. It is inequitable that we should bring forward a Bill which deals with a small, clearly identified group.

My hon. Friend the Member for Tiverton (Mr. Maxwell-Hyslop) has already drawn attention, in an amendment that was unsuccessful, to the unfairness of producing a law which limits by location the people caught within its ambit.

Let us consider the Baltic states and Poland, which were occupied by both the Russians and the Germans during the last war. The massacre at Katyn, which, until 12 April 1990, when the Russians came clean and admitted their responsibility, would have been within the ambit of the Bill. It is removed from the ambit of the Bill by the Russian statement of 12 April this year. The same is true of other atrocities during that period.

One only has to look at the Hetherington-Chalmers report to see the number of people who were killed by the Russians in the Baltic states. Those crimes will not be covered by the Bill. It is repugnant to me that some people will be caught by the provisions of the Bill for crimes committed in the Baltic states while other people, who committed exactly the same kind of crimes a few months later or a few months earlier will be excluded because the Bill refers only to Germany or German-occupied territory.

When an alleged crime was committed nearly 50 years ago, it must be right that, if the defendant is to have a fair trial, he should have access to all the evidence. Defendants, however, will be unable to get the kind of help over the evidence that they need.

Since Parliament has spent so much time and money on discussing the issue, I cannot believe that juries will not be influenced by the fact that Parliament had to pass a special law to bring these people to trial. At the back of their minds there will constantly be the thought that these people must be guilty because Parliament went to all this trouble to bring them to trial. That cannot be right.

I hope that when the other place considers the Bill it will bear in mind the questions of justice, equity and fair trial. Their Lordships ought to remind themselves of their powerful debate that was held in the other place last December when Law Lord after Law Lord and ex-Lord Chancellor after ex-Lord Chancellor rammed home the fact that the Bill is deficient in terms of equity and fair trial. I hope that it will be defeated in another place, or so changed that this expensive, time-wasting and totally unnecessary Bill is rendered useless.

12.25 am

Mr. John Patten: To respond immediately to the request by the hon. Member for Edinburgh, Central (Mr. Darling), I confirm that, on behalf of the Government, I am happy to undertake to arrange for the publication of an annual report on the working of the Bill. I promised during our consideration of the Bill in Committee to consider the matter. On reflection, I believe that the hon. Gentleman's suggestion was correct.

The contents of the report will have to be sufficiently general to ensure that individuals cannot be identified. Subject to that proviso, we should be able to provide an informative text that will be of interest both to right hon. and hon. Members and to the general public. The Government will place copies of the annual report in the Libraries of both Houses. They will also make copies available to the press through the Vote Office and the Printed Paper Office in the normal way.

I listened carefully to the speeches of my hon. Friends the Members for Orpington (Mr. Stanbrook), for Halesowen and Stourbridge (Sir J. Stokes), for Ipswich (Mr. Irvine) and for Pembroke (Mr. Bennett). Alas, I cannot agree with the points that they made so forcefully. I respect their point of view, so I am sad that I have to disagree with them. I shall not go into the reasons for that disagreement. I fear that I laboured those reasons in Committee and on Second Reading. All I would add is that the Bill was carefully scrutinised in Committee over a substantial number of hours.

Anyone who cares to read the reports of our Standing Committee proceedings will see that the Bill was scrutinised line by line and that it goes to another place having been properly scrutinised. It also goes to another place having been subject to overwhelming majorities on two occasions: when the report was debated in the House

[Mr. John Patten]

on 12 December 1989 and after the Second Reading debate. I am sure that the Bill in its present form will be carefully and properly scrutinised in another place. It is to that other place that I hope the Bill will speedily go, after having obtained its Third Reading. I commend the Bill to the House.

Question put, That the Bill be now read the Third time:—

The House divided: Ayes 135, Noes 10.

Division No. 181] **[12.29 am**

AYES

Abbott, Ms Diane
Allason, Rupert
Amess, David
Arbuthnot, James
Archer, Rt Hon Peter
Arnold, Jacques *(Gravesham)*
Baker, Rt Hon K. *(Mole Valley)*
Baldry, Tony
Batiste, Spencer
Beggs, Roy
Beith, A. J.
Bendall, Vivian
Benn, Rt Hon Tony
Bermingham, Gerald
Boateng, Paul
Boswell, Tim
Bradley, Keith
Brandon-Bravo, Martin
Bright, Graham
Brooke, Rt Hon Peter
Brown, Michael *(Brigg & Cl'ts)*
Burns, Simon
Burt, Alistair
Butterfill, John
Carlile, Alex *(Mont'g)*
Carrington, Matthew
Chope, Christopher
Conway, Derek
Cook, Robin *(Livingston)*
Coombs, Anthony *(Wyre F'rest)*
Cryer, Bob
Cunliffe, Lawrence
Currie, Mrs Edwina
Dalyell, Tam
Darling, Alistair
Davies, Ron *(Caerphilly)*
Dixon, Don
Douglas-Hamilton, Lord James
Dunnachie, Jimmy
Durant, Tony
Egger, Tim
Evans, John *(St Helens N)*
Fallon, Michael
Fields, Terry *(L'pool B G'n)*
Foot, Rt Hon Michael
Forman, Nigel
Foster, Derek
Freeman, Roger
Garel-Jones, Tristan
Glyn, Dr Sir Alan
Golding, Mrs Llin
Gordon, Mildred
Graham, Thomas
Hanley, Jeremy
Harris, David
Haynes, Frank
Higgins, Rt Hon Terence L.
Hind, Kenneth
Hood, Jimmy
Howard, Rt Hon Michael
Hughes, Simon *(Southwark)*
Jack, Michael
Janner, Greville
Jessel, Toby
Jones, Gwilym *(Cardiff N)*
Kennedy, Charles
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Lang, Ian
Lawrence, Ivan
Leigh, Edward *(Gainsbor'gh)*
Lloyd, Peter *(Fareham)*
Lloyd, Tony *(Stretford)*
Lyell, Rt Hon Sir Nicholas
McAvoy, Thomas
MacGregor, Rt Hon John
McKay, Allen *(Barnsley West)*
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
Mans, Keith
Maples, John
Marshall, John *(Hendon S)*
Mawhinney, Dr Brian
Meale, Alan
Mitchell, Andrew *(Gedling)*
Moonie, Dr Lewis
Morley, Elliot
Morrison, Rt Hon P *(Chester)*
Moynihan, Hon Colin
Neillist, Dave
Neubert, Michael
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Oppenheim, Phillip
Paice, James
Parkinson, Rt Hon Cecil
Patchett, Terry
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pike, Peter L.
Portillo, Michael
Powell, Ray *(Ogmore)*
Redwood, John
Rees, Rt Hon Merlyn
Renton, Rt Hon Tim
Ridley, Rt Hon Nicholas
Roberts, Wyn *(Conwy)*
Roe, Mrs Marion
Ross, William *(Londonderry E)*
Rowlands, Ted
Skinner, Dennis
Smyth, Rev Martin *(Belfast S)*
Spicer, Michael *(S Worcs)*
Steen, Anthony
Steinberg, Gerry
Stevens, Lewis
Stewart, Andy *(Sherwood)*
Sumberg, David
Taylor, Ian *(Esher)*
Taylor, Teddy *(S'end E)*
Thorne, Neil
Trippier, David
Vaz, Keith
Wallace, James
Waller, Gary
Warsing, Robert N.
Watson, Mike *(Glasgow, C)*
Wheeler, Sir John
Widdecombe, Ann
Williams, Rt Hon Alan
Winnick, David
Wood, Timothy
Yeo, Tim

Tellers for the Ayes:
Mr. Sydney Chapman and
Mr. Irvine Patnick.

NOES

Campbell, Menzies *(Fife NE)*
Hamilton, Neil *(Tatton)*
Ilsley, Eric
Maclennan, Robert
Maxwell-Hyslop, Robin
Stanbrook, Ivor
Stokes, Sir John
Townsend, Cyril D. *(B'heath)*
Winterton, Mrs Ann
Winterton, Nicholas

Tellers for the Noes:
Mr. Michael Irvine and
Mr. Nicholas Bennett.

Question accordingly agreed to.
Bill read the Third time, and passed.

Homelessness (Leicester)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Nicholas Baker.]*

12.40 am

Mr. Keith Vaz (Leicester, East): I understand that this is the first time that the House has debated homelessness in Leicestershire, but because of my constituency interest I have decided to concentrate on the city of Leicester and the crisis of housing in it.

In my weekly surgeries, whether they be in Northfields, Netherhall, Thurnby Lodge, Goodwood, Evington, Coleman, Belgrave or Rushy Mead, one issue dominates the work of my constituency—the problem of housing. It is a fundamental right of every citizen of Leicester to have a home that is warm, dry, decent and affordable. It is clear from statistics that that fundamental right is being breached every minute of every day for thousands of people who live in Leicester.

The debate is not only about statistics but about the human misery lying behind the crisis of housing. It causes anguish and despair. Men and women who have visited my surgery have wept openly because they cannot get a council house or be transferred to another. People have literally gone down on their knees and begged me to do something to alleviate the overcrowded and damp conditions in which they live. Letters, petitions and phone calls have been made to my staff, with appeals of such desperation that it is impossible not to be moved and to become emotional about their plight. The blame for that trauma lies with the Government. On an evening when we have discussed war crimes, in the war against homelessness the Government's inaction borders on the criminal.

The sickness that the housing crisis creates manifests itself in the breakdown of family life and in some cases leads to divorce, illness, abuse, violence and intolerable stress. It plagues parents and children and delivers them into a world of desperation and unhappiness.

I thank Leicester city council for the work that it does and acknowledge the assistance that I have received from Councillors Surinder Sharmar and David Brazier in my preparation for this debate. In addition, three officers, John Perry, Phil Howard and Christine Laird, have provided valuable assistance. I want to pay tribute to all who work in the sector and have the agonising task of allocating property, in particular Peter Jones and the Humberstone area office, who cope not only with diminishing resources but a Member of Parliament who demands everything yesterday. I make no apology for being over-zealous in protecting my constituents.

Leicester faces a severe housing crisis as a result of Government policies, which have systematically discriminated against the public sector provision of housing. There are over 11,000 applicants on the council's housing waiting list, many of whom face a wait of many years for properties in the areas of their choice. The number of vacancies is 30 per cent. lower than 12 months ago. There are significant parts of the city where no waiting list applicant has been rehoused over the past year. In many parts of the city, turnover rates are far lowr than required to service the waiting and transfer lists. The average stay for a tenant is now 25 years. Turnover rates are particularly low for three and four-bedroom properties; the average stay for a tenant of such a property is 27 years.

The lack of property to meet demand throughout most of the city is a clear sign of the combined effects of the Government's right-to-buy policy and the low level of activity in the private sector because of high interest rates. Over 20 per cent. of the city council's housing stock has been lost through the right to buy. That represents 9,000 dwellings. Conversely, high interest rates are producing additional demand on council stock because of the increased number of mortgage repossessions and owner-occupiers selling their properties because they can no longer afford mortgage payments.

The crisis in housing is particularly reflected in a marked increase in homelessness. An average of 57 cases per month are now being accepted—an increase of 32 per cent. on last year. That increase in activity is reflected in a commensurate rise in the average number of interviews carried out by the homeless and hostel section of the city council, which currently stands at 750 a month. Changes in the benefits system, including for people in board and lodgings and hostel dwellers, have helped to fuel the crisis. For council tenants, they have also contributed to a major increase in rent arrears.

There are simply not enough properties to go around. The Leicester structure plan proposed that 17,400 properties should be built between 1981 and 1986, an average of 1,160 a year. Only 323 completions were made from all sectors in 1988-89, making a total of 4,033 from 1981 to 1989. Due to financial restrictions placed on the city council by the Government, there has been no new build programme for the past four years, although the council is making major efforts to facilitate the provision of social housing by other agencies.

The condition of properties is also a major cause for concern, with 1,975 estate and 650 acquired properties that remain unmodernised. Parts of my constituency, particularly the Northfields estate, are a prime example. It would cost over £11 million to refurbish the estate properties on an elemental basis. Full modernisation would cost over £37 million.

Housing renewal is just as bleak. Nearly 3 million houses are in unsatisfactory condition, by the Government's own standards—15 per cent. of the entire housing stock. There has been hardly any improvement since 1981 in the number of properties in serious disrepair. Over half the properties in poor condition are owner-occupied, often by people on low incomes who are least likely to do repair work. Any increased help through improvement grants must be set against the declining spending power of the poorest 20 per cent. of wage earners who increasingly cannot afford mortgage and repair costs. Private landlords are failing to invest in older housing. On average, privately rented property has twice as much outstanding repair work as other property, despite deregulation of rents.

The new means test for improvement grants which has been initiated by the Government will be far too harsh on people with modest incomes. It will not help those on the Norton estate who have been seeking to modernise their properties. At present rates of clearance, houses that are unfit now will still be awaiting replacement in 100 years' time. The Government have failed to grasp the need for more incentives to facilitate clearance of the worst housing by giving adequate compensation to dispossessed householders.

The Conservative-controlled Association of District Councils assesses the backlog of disrepair in England to be

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£50 billion and calculates that private sector support from local authorities will have to run at twice the present levels if unsatisfactory housing is to be eliminated within 10 years. I remind the Minister of the answer that he gave me in a written reply on 3 November 1989, which shows a massive drop in the housing allocation in real terms—£24 million in 1981-82 to £13·716 million in 1988-89.

A similar crisis is affecting the Housing Corporation and the housing associations. The Housing Corporation has reduced its allocation to Leicester from £13·5 million in 1989-90 to £9 million in 1990-91. Housing Association rehabilitation work has also been drastically cut in Leicester due to the problems being experienced with the new mixed funding regime. There were 80 such projects in 1988-89, while there were just 12 in 1989-90.

I shall tell the Minister just some of the comments that I have received since I told local housing associations that I would have this debate. Referring to the new grant regime, the chief executive of Leicester Housing Association Ltd. said:

"The new Grant Regime does nothing to assist the urban renewal process . . . the Total Cost Indicator Category for Leicester is appallingly low when one considers land prices within Leicester as compared to land prices within other areas of the country in the same Category . . . This further and substantially inhibits the viability of both 'New Build' and 'Rehabilitation' schemes."

In a letter to me dated 23 April Mr. Tony Mawby, the director of ASRA, said:

"Those of us trying to provide homes for a very disadvantaged part of the Community of Leicester are especially vulnerable to the new funding regime introduced by the 1988 Housing Act."

Mrs. Pat Elderfield, the chief executive of East Midlands Housing Association, said:

"The new funding system therefore is not only reducing the number of new rented units but is likely to see a rapid reversal of private investment, an issue of wider national concern."

Denis O'Sullivan, the director of the Leicester Family Housing Association, John Walker, the director of the Leicester Federation of Housing Societies, and Harry Perry, the director of the Leicester Newark Housing Association, all raise new difficulties caused by the allocation by the Government. Mr. Perry refers to the case of a young homeless Wigston teenager who was found living in a shed on a railway siding. The council refused to rehouse her and she had to come to the city to be rehoused. He also pointed to the Education (Student Loans) Bill and the abolition of housing benefit as further examples of causes of decline.

Not only the housing associations but the voluntary organisations have raised the matter with me. In a letter to me, Mr. John Elliott, the chairman of the Leicester Shelter group, said that he ran an emergency telephone service on behalf of the Leicester Shelter housing aid and research project. He said that he recently received a call from a woman on a Sunday. He said:

"She was literally homeless that night. I could not find a single hostel vacancy, not even in the emergency Night Shelter.

All women are at risk at night—to sleep rough places them in a potentially dangerous situation. I am horrified that there is frequently no emergency accommodation in the city to offer shelter and protection."

Shelter's annual report published recently shows that the number of people who are homeless in the city has doubled. It dealt with 662 inquiries in 1978. In 1989 that figure was 1,351, an increase of 104 per cent. It says:

"The type of enquiries has become much more severe, with the number of literally homeless people rising from 86 in 1979 to 289 in 1989, a phenomenal rise of 236 per cent."

It concludes its report by saying:

"This desperate situation is not the result of an accident but is the predictable (and predicted) outcome of existing Government policy."

In letters that I have received from local people and councillors in the past few hours, it is clear where they believe that the blame lies. Mr. Les George, a former tenants' association committee member from Humberstone, asks what has been done about the amount of private properties that have been left unfilled. Local councillors in my constituency, including Andrew Parmas and Roy Stuttard in west Humberstone, Amu Devar and Merlyn Vaz in Charnwood, Dave Thomas in Coleman, Bhupin Dave of Latimer, Ramik Kavia and Mustapha Kamal of Belgrave, Mike Preston in Humberstone all talk about financial robbery by the Government of the city council.

A local councillor in Coleman, Mary Draycott, said that nothing was being done for the disabled. She said:

"Many disabled are forced to lead lives confined to rooms or even chairs like prisoners. Social Service funds cannot cope with the number of adaptations needed to improve peoples lives early enough due to lack of funds."

I pay tribute to the officers and committee members of all the tenants' associations in my constituency, including Frank Kerr, Arthur Padmore, Selwyn Williams, Carole Simpson, Lyn Lowells, Bill and Jean Cooper, Bob Smith and full-time workers Kevin Brown, Nirmal Bahsey and Adrian Waite who dealt with many of the problems brought to Members of Parliament and local councillors. They champion tirelessly the cause of tenants. Three of them wrote to me.

Ken Webb, chairman of the St. Mark's tenants' association, a non-political organisation, said:

"This Government have categorically, and consistently reduced the level of financing to City Council in respect of all housing requirements placed on City Council . . . despite pressure from the various organisations who wish to see a positive and constructive improvement in all aspects of housing in the City."

Walter Lindsay, the chairman of the Rowletts Hill tenants' and residents association, said:

"How can a council be expected to house homeless people without new build for rent at reasonable prices? You cannot keep putting rents up without a corresponding rise in wages and benefits. This is like moving the goalposts every time the ball comes near to them."

Diane Cank, the secretary of the Morton, Northfields and Tailby tenants association wrote about one of the worst parts of my constituency, which is in desperate need of further finance. She said:

"The standard of properties available has dropped dramatically, some properties on the Northfields and Tailby estates still have sandstone sinks and pumps in. Many properties are unfit to live in, modernisation of properties is often too long awaited for and when done of poor standard. Properties on the Northfields Estate suffer from cracking walls and ceilings, damp and subsidence."

If the Government need a memorial to their housing policies, they need look no further than the Hamilton estate in the eastern part of my constituency. It was planned for 4,000 homes; only 133 are built and less than 50 are occupied. The Government's disastrous economic policies have meant that people cannot afford their

mortgages and homes lie empty. I wanted it to be a showpiece for my city, but the Government have stopped that happening.

It is as though we have entered a time warp—immovable waiting lists meeting the Government's inflexible policies, and resulting in social catastrophy. If we are truly to give people the homes they need, the Government must get off their ideological high horse and allow the council and housing associations to build and rent. The consequence of failing to do so is to condemn a generation of my fellow citizens to a life of despair.

12.56 am

Mr. Greville Janner (Leicester, West): I congratulate my hon. Friend the Member for Leicester, East (Mr. Vaz) on raising this important matter in the House, and I thank him for sparing some of his time. He, my hon. Friend the Member for Leicester, South (Mr. Marshall) and I find that our surgeries and constituency mail are overloaded with complaints from people suffering great hardship through homelessness.

The reasons for that are clear. There are only two types of housing: public and private. No new houses can be built in the public sector, and houses in existence are being sold. In the private sector, people cannot afford to pay their mortgages because of the high interest rates. There is high unemployment in the knitwear, hosiery and footwear industries and too many people are being driven on to the public market, which has a shrinking stock. The result is a growth in homelessness and people who literally do not have a roof over their heads.

There are not just 11,000 such people, but 11,000 applications. A growing number of people are suffering from the savage homelessness. That figure is, as my hon. Friend said, a direct result of the Government's housing policies in Leicestershire. I greatly hope that the Minister may provide some hope for the future for our people by saying that the Government will recognise the desperate nature of the situation and provide more central funding, which is so badly needed for many of our Leicester constituents in this awful predicament.

12.57 am

The Parliamentary Under-Secretary of State for the Environment (Mr. Christopher Chope): It is a matter of regret that we have been treated this evening to an extraordinarily negative and whingeing speech from the hon. Member for Leicester, East (Mr. Vaz) and the hon. and learned Member for Leicester, West (Mr. Janner). They failed to give credit where credit was due and have done the people of Leicester a great disservice.

Although Leicester city council is not run by the Conservatives—it would be much better run if it were—I shall not be so churlish as to suggest that everything that it does is appalling. Many of its actions on housing have been sensible and productive. The condition of the housing stock in Leicester has improved dramatically during the present Government's lifetime. I am sorry that the hon. Member for Leicester, East does not seem prepared to accept that, because it is a fact.

I was lucky enough to visit Leicester about a month ago. I was taken round by the chairman of the housing committee and saw many things on the ground. I was able to see the improvements that have been made in housing in Leicester. They have been made largely as a result of the Government's generosity and the far-sightedness of their housing policies, which have concentrated on providing the resources to improve the quality of the housing stock, both in the private and public sector.

Listening to the hon. Gentleman, one would not have thought that capital spending on housing in Leicester in the past two years amounted to about £75 million—a vast amount—and that this year the amount may be as much as £25 million as a result of a much increased housing investment programme allocation. If the hon. Gentleman suggests that all that capital spending has not produced any improvements, that is a sad reflection on the council's way of spending its money. A fairer view, however, can be taken. That money has been reasonably well invested in housing in Leicester, and as a result, housing in Leicester is much better than it would otherwise have been.

I do not think that we should have any truck with the negative approach adopted by the hon. Gentleman this evening. He does his constituents and the many people who work actively to improve housing in Leicester a disservice by suggesting that their efforts have been to no avail. Housing in Leicester has improved beyond all measure during the lifetime of this Government.

The housing investment programme allocation to Leicester this year is about £18·32 million. Out of 47 authorities in England with populations between 200,000 and 350,000, Leicester is the 16th largest, but it has the ninth largest housing investment programme allocation, reflecting its relatively high housing needs. That shows that the Government recognise those housing needs and, more importantly, that they are taking action to ensure that the resources are provided.

On top of the housing investment programme allocation, substantial special credit allocations are likely to be made. As the hon. Gentleman knows, there is also the money available from capital receipts from the sale of council houses. The hon. Gentleman made it clear that he does not believe in the right to buy. He resents those in Leicester who have exercised that right under this Government. A Labour Government would deprive people of the right to buy, because they resent the rights of owner-occupation, and the freedom that goes with it. With owner-occupation also goes a willingness of people to pay more towards the cost of their own housing, thereby ensuring that the taxpayer's resources can go to those in greatest need.

The Housing Corporation has made a generous allocation to Leicester. A total of £13·6 million has been committed to housing provision in Leicestershire during the past financial year, and at least 500 units of accommodation have already been provided. Another 130 are on the way. Of this funding, more than £12·5 million went to the city of Leicester—£10·7 million into rented housing, and the rest into low-cost housing for sale. Within these amounts, the corporation gives high priority to schemes for the homeless, but any house provided for rent should be of help to the homeless so long as the greatest needs are met first.

Leicester City is one of the areas in which we are providing support through the citizens advice bureau for additional advice to the homeless. That should help take pressure off the Leicester homelessness unit and help ensure that each person gets full attention so that the optimum solution to his problems is found.

We also have our targeted estate action scheme, through which we have helped Leicester city increase the

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attractiveness of some of its poorer housing estates, thereby reducing re-let times and vacancy rates. The turnaround at St. Peter's and St. Matthew's estates has been remarkable. I look forward to implementation of the plans at Mowmacre estate which I visited recently. These include more temporary accommodation for the homeless.

Mr. Vaz: What can the Government do to help the city council build more council houses?

Mr. Chope: It is up to the city council to decide how it spends its resources. It has chosen sensibly to invest most of them in improving the condition of its existing housing stock, so that empty units are brought into use and the quality of its housing stock is improved. The hon. Gentleman implies that he disagrees with that, but it must be for the council to decide how to allocate its resources. The Government have put in substantial funds and we have provided a range of opportunities. One of the best bargains available to a local authority is to assist a housing association to provide rented accommodation in a mixed funded scheme.

In Leicestershire an association can raise about one third of the cost of providing family houses or bungalows on the private market. An authority can pay the balance, obtaining three rented houses for the cost of two. The amount it contributes is repaid immediately by the Housing Corporation, so there is no real cost, although the outlay counts against the capital expenditure programme. As far as I am aware, no Leicestershire authority has yet taken advantage of this provision. Any council still planning to build its own houses for rent ought to consider this most attractive alternative. I hope that Leicester city council will do that following this debate.

Councils can put in land at nil value, with the Secretary of State's consent, in order to help housing associations provide low-cost housing. Some Leicestershire districts have been making land available to housing associations in this way and have thereby been able to keep would-be home owners out of scarce rented housing. Often they have been able to arrange for some rented housing to go on these sites as well. Leicester city council has been working with a consortium of housing associations to develop several inner city sites. That is a constructive approach which bodes well for the future.

Another way to take pressure off the rented stock lies in our arrangement under the new capital finance provisions which permit local authorities to reinvest all the proceeds of houses that they build for sale. Where there is a shortage of low-cost housing for sale, councils should be able to set up self-financing rolling programmes or, if they can find some funding, programmes of shared ownership with a limited public sector input. In this way, too, they can divert demand from their waiting lists and free their rented housing for those who need it most.

Along the same lines we have introduced a cash incentive scheme whereby, with the Secretary of State's consent, councils can introduce schemes for paying cash grants to tenants who are ready to move into owner occupation. This is probably the cheapest way of producing a council letting for a homeless person. It is regrettable that hitherto Leicester city council has not made any application for such a scheme. It has the resources to pursue such a scheme and I hope that following this debate it will see that opportunity to try to improve matters.

The Government have a range of initiatives to facilitate the improvement of housing conditions, the better use of housing stock and so on, but at the end of the day it is for the housing authority to take charge of its own destiny. Leicester could do more to promote the right to buy, thereby releasing more capital receipts, and it could certainly do more for tenants through the incentive scheme to which I have referred. The resources and the opportunities are there. It is for councils to take them and to manage their own stock as efficiently as possible.

In Leicester city, vacancy rates have been falling. The Government have been critical of the high levels of vacancies in existing council stock. The figures in the housing investment programme return show that by April 1989 Leicester city had succeeded in reducing its void rate from 3·73 to 2·77 per cent. That is certainly progress, but every tenth of 1 per cent. that vacancies can be further reduced provides another 30 houses for the homeless in Leicester. There is a real incentive there for the authority to be even more efficient in turning round its voids.

In a determination under section 167 of the Local Government and Housing Act 1989, we have provided for local authorities to report on their stewardship to their tenants, giving key statistics on vacancies and other matters. I hope that that will be an incentive for greater efficiency in stock utilisation. All these measures are designed to increase the supply of rented housing and ensure that it goes to those who really need it.

The Government have a good record of assisting the housing department of Leicester city council and housing associations in Leicester and Leicestershire. I am disappointed that the hon. Gentleman has not given us some credit for that, because credit is certainly due. From the emotional tone of his speech, one would have imagined that hundreds of families are in bed-and-breakfast accommodation in Leicester. Other housing authorities will certainly be interested to note that the figures for the last quarter of 1989 show that no households in Leicester were in bed-and-breakfast accommodation. When we compare that fact with the position in many council areas we see that, relatively speaking, the problems are nothing like as bad as the hon. Gentleman has suggested.

I am glad that the hon. Gentleman has given me the opportunity to draw attention to the Government's fine record of contributing to better-quality housing and a better quality of life for people in Leicester. Leicester city council is at its best when it is not keen on getting involved in ideology and putting that before the needs of its people. I am disappointed at the way in which the council recently put ideology first and gave a tender for a major contract to its in-house direct service organisation even though a lower contract was submitted by an outside contractor.

The motion having been made after Ten o'clock and the debate having continued for half an hour, MR. DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at ten minutes past One o'clock.

House of Commons

Thursday 26 April 1990

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PRIVATE BUSINESS

GREATER MANCHESTER (LIGHT RAPID TRANSIT SYSTEM) (NO. 3) BILL *[Lords]*

HAPPISBURGH LIGHTHOUSE BILL *[Lords]*
Read the Third time and passed, with amendments.

BIRMINGHAM CITY COUNCIL (NO. 2) BILL *(By Order)*
Order read for resuming adjourned debate on Question proposed [26 February],
That the Bill be now considered.
Debate further adjourned till Thursday 3 May.

LONDON LOCAL AUTHORITIES (NO. 2) BILL *[Lords] (By Order)*
Order for Second Reading read.
To be read a Second time on Thursday 3 May at Seven o'clock.

Mr. Speaker: As the next 12 Bills set down for Second Reading have blocking motions, with the leave of the House I shall put them together.

CLYDE PORT AUTHORITY BILL *(By Order)*

ADELPHI ESTATE BILL *(By Order)*

CATTEWATER RECLAMATION BILL *(By Order)*

SHARD BRIDGE BILL *(By Order)*

VALE OF GLAMORGAN (BARRY HARBOUR) BILL *[Lords] (By Order)*

LONDON DOCKLANDS RAILWAY BILL *(By Order)*

LONDON UNDERGROUND (VICTORIA) BILL *(By Order)*

LONDON REGIONAL TRANSPORT (PENALTY FARES) BILL *(By Order)*

LONDON UNDERGROUND BILL *(By Order)*
Orders for Second Reading read.
To be read a Second time on Thursday 3 May.

EXMOUTH DOCKS BILL *(By Order)*
Order read for resuming adjourned debate on Question [26 February], That the Bill be now read a Second time.
Debate further adjourned till Thursday 3 May.

GREAT YARMOUTH PORT AUTHORITY BILL *[Lords] (By Order)*

HEATHROW EXPRESS RAILWAYS BILL *[Lords] (By Order)*
Orders for Second Reading read.
To be read a Second time on Thursday 3 May.

Oral Answers to Questions

NATIONAL FINANCE

Invisible Trade

1. **Mr. Allen McKay:** To ask the Chancellor of the Exchequer what assessment he has made of the causes of the reduction in the surplus on invisible trade.

The Chief Secretary to the Treasury (Mr. Norman Lamont): The fall in the United Kingdom's invisibles surplus in 1989 reflected a number of factors, including unusually high net contributions to the EC budget and high insurance payments following disasters in the United States.

Mr. McKay: Is not it clear to everyone that the trade in invisibles fell into deficit in the last quarter of 1989 due to the massive trade deficit and the need to keep interest rates high to finance that with hot money? Do the Government still believe that our manufacturing industry and the trade deficit hardly matter?

Mr. Lamont: The hon. Gentleman's question was about the invisibles deficit, not about manufacturing, which does not come into it. We had an invisibles surplus of £2·8 billion last year. It is true that they moved into deficit in the last quarter, for the reasons that I gave, but we are projecting a surplus on invisibles of £1·5 billion this year. I am pleased that at long last the Labour party is beginning to recognise the importance of invisibles and the service industries.

Sir William Clark: Does my right hon. Friend agree that our international security, particularly with overseas assets, is at an all-time high, giving confidence to overseas investors in Britain, in addition to which we have high reserves and can easily withstand any pressures on the pound?

Mr. Lamont: My hon. Friend is absolutely right. Our overseas investments are larger, as a proportion of GDP, than in any other country and last year our overseas assets appreciated in value by some £30 billion. That is a measure of Britain's financial strength and it greatly dwarfs all the points made by the Labour party about the deficit on the current account or on invisibles.

Mr. John Smith: As the Chief Secretary seeks solace in international comparisons, will he reflect that not only do we have the worst balance of payments deficit of any of the Group of Seven countries, but we have the highest rate of inflation and the highest interest rates? Does that show that Government policy is working?

Mr. Lamont: If the right hon. and learned Gentleman wants to make international comparisons, why does not he also point out that in the 1980s we had the highest growth of any major country in the EC, that we have the highest rate of investment of any country in the EC, that our manufacturing productivity has grown faster than that in any other major industrialised country and that our unemployment rate is two thirds of the EC average? The right hon. and learned Gentleman is a friend of every country but his own.

Save As You Earn

3. **Mr. Wood:** To ask the Chancellor of the Exchequer what representations he has received on his proposal to extend save as you earn to banks.

The Economic Secretary to the Treasury (Mr. Richard Ryder): The proposal responds to representations from the British Bankers Association and a number of individual deposit takers. It has been widely welcomed.

Mr. Wood: Has my hon. Friend been encouraged by the general response to my right hon. Friend's savings initiative? Does he believe that the biggest disincentive to savings is the fear of many potential savers that some future Government might devalue their savings, as happened under the previous Labour Government, all too disastrously for them?

Mr. Ryder: That is precisely what happened under the previous Labour Government, when we had negative real rates of interest. Small savers, particularly those nearing retirement age and the elderly, lost a great deal of money.

International Debt

4. **Mr. Cryer:** To ask the Chancellor of the Exchequer when he intends to respond to the Treasury and Civil Service Select Committee's report on international debt strategy.

The Financial Secretary to the Treasury (Mr. Peter Lilley): My right hon. Friend will be responding shortly.

Mr. Cryer: Will the Minister respond to the Committee by doing something that the Treasury has so far failed to do, and assist Third world debt, which in the major indebted countries is running at over $500 billion, by revoking the £1·9 billion tax concessions, using taxpayers' money, given to British bankers to service debts? As the Minister knows, that money goes not to the starving poor of the Third world, but into the pockets of shareholders of the big banks. When will he end this scandal?

Mr. Lilley: The hon. Gentleman may have noted the changes made in the Budget, which increased the relative attraction for banks to return debt to the indebted countries. I am sure that he will welcome that. He is wrong to say that the Government have done nothing to help with the debt problem of underdeveloped countries. Far from it. My right hon. Friend the Member for Blaby (Mr. Lawson) launched the sub-Saharan debt initiative, we have forgiven £1 billion of debt to the 27 poorest countries and the abolition of exchange controls ensures that more direct investment goes from the United Kingdom to underdeveloped countries than from all the other EC countries put together.

Mr. Paice: In terms of international debt, is not it also important for Britain not to continue to incur debt itself? Is not the reduction of our debt, to the extent that we are paying £2·5 billion less in interest, an effective move?

Mr. Lilley: My hon. Friend is right. The Labour Government left us with vast overseas debts and were the first Government of any major country to have to call in the International Monetary Fund, which should be helping poor countries in need. We shall ensure that that will be the case.

Mr. Chris Smith: Would not it be sensible to use the tax system not only to encourage the banks to make provision in their own accounts against Third world debt but to forgive debts to Third world countries? Even after the Budget changes, does not the present system provide an easy ride for the commercial banks but offer no real help to the struggling peoples and economies of the Third world?

Mr. Lilley: The hon. Gentleman is wrong. As I pointed out, and he half-acknowledged, the Budget has increased the relative attractions for banks to give back debt to debtor countries. If he or the Opposition have proposals retrospectively to withdraw relief that banks have been expecting, as all other commercial entities do, I am sure that the House would be interested to hear them.

Mr. Oppenheim: Does it strike my hon. Friend as strange and even inconsistent that Labour Members spend so much time complaining about the burden of debt in the Third world, when in the next breath they encourage the Government and the EC to erect yet more trade barriers, such as the multi-fibre arrangement, against Third world products? Such barriers prevent Third world countries from improving their living standards by selling us the products that they can best make.

Mr. Lilley: My hon. Friend is right. The under-developed countries most need access to two things—the markets and the capital of the developed world. Socialist policies would deny them both.

Mr. Cryer: On a point of order, Mr. Speaker. In view of the pathetically inadequate response to my question, I beg to give notice that I shall seek to raise this matter on the Adjournment at the earliest opportunity.

War Loan

5. **Mr. Andrew F. Bennett:** To ask the Chancellor of the Exchequer if he will announce a date for the redemption of war loan.

Mr. Norman Lamont: There are no plans to redeem 3½ per cent. war loan.

Mr. Bennett: That answer will disappoint at least one of my constituents. Are not there substantial numbers of people who either bought war loans or whose parents bought war loans that they have inherited and who believe that they have had a poor deal? Will the Government consider a scheme by which such people could redeem war loans rather than having to sell them at discounted prices?

Mr. Lamont: I am afraid that I cannot hold out hope for the hon. Gentleman. I stated what has been the policy of successive Governments. To redeem stocks now at par would cost a substantial amount of money and would lead to demands for redemption of other undated stocks. In most cases it would simply lead to windfall gains for those who purchased the stocks not at the original point of issue but after the price had fallen. I know that the hon. Gentlemen has been working hard on behalf of his constituents and has put forward ideas for distinguishing between some holders and others, but I am afraid that that would not be possible administratively.

Mr Tim Smith: Will my right hon. Friend confirm that the previous Labour Government issued the highest coupon gilt ever, popularly known as "Healeys", and that it would be more sensible to repay those stocks which have a date and a high coupon rather than undated stock with a low coupon such as war loans? When did a Government last repay the national debt for three years in a row?

Mr. Lamont: My hon. Friend is right. I am not sure about his remarks about "Healeys", but he is certainly right in his general point about undated stocks, and I have given the hon. Member for Denton and Reddish (Mr. Bennett) the reasons why it is impossible to repay them.

Mr. Beith: As the Government make a virtue of repaying the public debt, why do not they give some attention to those who lend money in the particular circumstances of war and have held the stocks continually ever since? As those names must have been recorded, why is it impossible to repay those people?

Mr. Lamont: As I explained, large numbers of holders of war loans are not people who bought at the original price. As the hon. Gentleman knows, the stock lies at well below par. We would be giving a substantial capital gain, in particular to higher rate taxpayers and not to those who originally bought the stock. It is impossible to distinguish between those who bought the stock originally and those who hold it now.

Stamp Duties

6. **Mr. Gerald Howarth:** To ask the Chancellor of the Exchequer what representations he has received on his proposal to abolish all stamp duties on share transactions.

Mr. Lilley: The proposal to abolish stamp duties on share transactions has been widely welcomed.

Mr. Howarth: Does my hon. Friend agree that the abolition of stamp duty will be most advantageous to the 11 million shareholders in this country because it will reduce dealing costs to them, it is likely to extend wider share ownership in a way that Opposition Members fail to understand, and it will further enhance the City's leading role as the financial centre of Europe?

Mr. Lilley: My hon. Friend is right. It will benefit the 11 million direct shareholders—to the obvious disappointment of the Opposition—and all those people who are members of pension funds and have personal pensions or life assurance policies. They will benefit greatly, as will people who work in that much-expanding industry.

Pools Promoters

7. **Mr. Kirkhope:** To ask the Chancellor of the Exchequer what discussions he has had with the pools promoters about his Budget.

16. **Mr. Tredinnick:** To ask the Chancellor of the Exchequer what discussions he has had with the Football Trust about his Budget.

The Chancellor of the Exchequer (Mr. John Major): Following the Budget statement, officials met the Football Trust and the Pools Promoters Association to discuss implementation of the proposed reduction in the rate of pool betting duty. Both organisations welcome that and I am confident that they will meet the conditions for reducing the duty. Negotiations are proceeding to that end.

Mr. Kirkhope: Although I welcome the progress, will the requirements to distribute the funds according to the differing needs of clubs be met through the Football Trust? For example, at the moment Leeds United is storming back into the first division, where it belongs, but other smaller clubs such as Halifax, Huddersfield and even Stockport County may have different requirements which have to be met.

Mr. Major: I congratulate my hon. Friend on the success of Leeds United, and I look forward to seeing them lose at Stamford Bridge next year. The Football Trust is committed to a fair distribution of benefit and duty reductions according to the differing needs of clubs. It has also undertaken to account separately for the moneys received and distributed.

Mr. Tredinnick: I am most grateful to my right hon. Friend for his reply. We welcome that in Leicestershire and in particular in Bosworth. Will he give an undertaking that Leicestershire will be considered most carefully under those proposals?

Mr. Major: I assure my hon. Friend that the Football Trust will carefully consider comparative needs before distributing resources.

Mr. Tony Banks: As the Chancellor of the Exchequer is Chelsea football club's second best-known supporter, will he guarantee that he will declare an interest as Stamford Bridge could do with some of that additional money, and he and I could enjoy the additional facilities that would be provided?

Mr. Major: As the hon. Gentleman is undoubtedly Chelsea's best-known supporter, perhaps we should declare a joint interest.

Mr. Skinner: The Chancellor said that the reduction in duty will be granted to those in need on the basis of ability to pay. If he can do that for the football pools, why cannot his right hon. Friends do it for the poll tax? As some of those football clubs are owned by very wealthy people, will he make sure that the Government are not bailing out people such as Robert Maxwell and his friends?

Mr. Major: There are some temptations that even I can resist. The hon. Gentleman's ingenuity stretches matters a little far when he refers to the community charge. But the Football Trust made it clear that it is entirely committed to a fair distribution of benefit and duty reductions and I am confident that that will be achieved.

Dr. Marek: The Chancellor will be aware that the Government have designated as international grounds Wembley, Roker Park and a ground in Belfast. Those grounds will require extra money because they have extra commitments. Why have not the Government designated any ground in Wales for international status?

Mr. Major: I am not sure whether that is a matter for the Government and I am certain that it does not arise on this question.

Tax-exempt Special Savings Accounts

8. **Mr. John Greenway:** To ask the Chancellor of the Exchequer what representations he has received about TESSA.

Mr. Major: This innovative proposal has been widely welcomed.

Mr. Greenway: The explosion of credit in recent years has not been matched by a similar growth in personal savings. Does my right hon. Friend agree that tax concessions can play an important role in encouraging individual savers, and that is why the TESSA scheme and the abolition of the composite rate have been so warmly welcomed? Does he agree that it is important to promote that new scheme next year to people who do not save now so that there will be a growth in savings and not simply a replacement of other deposits to take advantage of that valuable tax concession?

Mr. Major: My hon. Friend makes an important point. There will certainly be an element of dead weight cost in the new scheme, as I acknowledged from the outset, but I hope that it will be widely promoted to encourage people who at present do not save to do so. That would be wise economically and socially.

Mr. Boateng: Will the Chancellor step back for a moment from the paean of self-congratulation on TESSAs and reflect on their impact on the competitive position of friendly societies, which have made such a considerable contribution over the years to encouraging the very small savers whom we want brought into savings schemes? Will he consider raising the exempt limit on deposits for friendly societies, and will he legislate at an early date and bring into force the recommendations in the Green Paper? We do not want Green Papers alone, we want action.

Mr. Major: Green Papers need to be considered. As for friendly societies, the hon. Gentleman will be aware of the measures in the Budget, to which I have nothing to add at present.

Interest Rates

10. **Mr. Alfred Morris:** To ask the Chancellor of the Exchequer how many letters he has received from small businesses about the level of interest rates.

Mr. Major: A small number each month.

Mr. Morris: Will the Chancellor explain to people who run small businesses how a rise of over 100 per cent. in the number of firms going into receivership caused, they say, largely by the Government's policies of high interest rates and the uniform business rate, helps Britain prepare for the challenge of 1992? If a doubling in the number of firms going bust was not the purpose of those policies, will he now at least urgently address himself to their undoubted effects?

Mr. Major: The most crucial element of all for 1992 is to make sure that by then we have a competitive economy and much lower inflation than at present. That is the purpose of the Government's present monetary policy. The right hon. Gentleman quotes the number of companies going into receivership; he might equally have quoted the net number of new companies which is running at a record level of 1,300 each week.

Mr. Ian Stewart: Will my right hon. Friend assure the House that whatever representations may be forthcoming

from business, he will not consider reducing interest rates until it is clear that inflationary and monetary pressures are at last abating?

Mr. Major: I am entirely content to give my right hon. Friend that assurance.

Mr. Radice: Has the Chancellor noted the Treasury and Civil Service Select Committee report that was published today, in which we say that the level of interest rates has a major impact on the timing and level of investment? Is not there a case for the Government not to rely so exclusively on interest rates in managing the economy?

Mr. Major: The hon. Gentleman will also be aware that interest rates are a powerful counter-inflationary weapon. It is precisely for that purpose that we believe that monetary policy is so important. I must echo to the hon. Gentleman what I affirmed to my right hon. Friend the Member for Hertfordshire, North (Mr. Stewart): interest rates will have to remain high until I am confident that inflation is on a downward trend.

Mr. Burt: Does my right hon. Friend recognise the damaging connection between high public expenditure and interest rates? In particular, does he share my concern about the impact of high local authority expenditure on public expenditure generally? I am sure that he will have noticed that the high-spending authorities are Labour controlled. Does he share my worry about the impact on interest rates in the future if a party that is committed to high local expenditure should again get its hands on the Treasury?

Mr. Major: I entirely share my hon. Friend's view. That matter will be watched carefully in the coming months. It is essential that we retain firm control of public expenditure which we intend to do.

Mrs. Beckett: Does the Chancellor recognise that the danger that most people, particularly in small businesses, fear is not that he will prematurely lower interest rates but that he will shortly raise them again? Will he reconsider the use of increased interest rates as the sole instrument of policy, particularly in the light of the recent Bundesbank report which showed that across the major economics of the world credit controls play a useful, if minor, role as a direct alternative to the use of interest rates alone? Will he assure the House that he is not waiting until 4 May to increase interest rates?

Mr. Major: I am not entirely sure that the hon. Lady carried all her hon. Friends with her in every aspect of her question, which she founded on a misconception. Monetary policy is backed by fiscal policy, and must remain so.

Composite Rate Tax

11. **Mr. John Marshall:** To ask the Chancellor of the Exchequer how many people he anticipates will benefit as a result of his abolition of composite rate tax.

Mr. Lilley: An estimated 14 million people will benefit from the abolition of composite rate tax.

Mr. Marshall: May I thank my hon. Friend for listening to the representations that I and others made? As all those 14 million people are small savers, the change will be welcomed by many people other than the immediate beneficiaries.

Mr. Lilley: I am grateful for my hon. Friend's opening remarks. His representations, along with those of others, played a part. Some 5 million women, 4 million pensioners, 2½ million other adults and 2½ million children will benefit from the removal of that unfair form of taxation on small savers.

Value Added Tax

12. **Mr. Pawsey:** To ask the Chancellor of the Exchequer how many businesses he expects to be helped by his proposed value added tax reforms.

Mr. Ryder: About 1,150,000 businesses should be helped by the proposed new scheme for relief from VAT on bad debts, and most of the 250,000 or so businesses that register each year could benefit from the simplified VAT registration requirements.

Mr. Pawsey: I thank my hon. Friend for that helpful response. As a former managing director, I know only too well—[HON. MEMBERS: "Hear, hear."] Those were the days when I was gainfully employed. Bad debts are bad news; they go straight to the bottom line and adversely affect the balance sheet. I therefore welcome unreservedly my right hon. Friend's Budget changes, which will substantially help companies. I wonder whether I might pursue one matter with my hon. Friend—[HON. MEMBERS: "No."]

Mr. Speaker: Order. One question is the ration.

Mr. Pawsey: I have not actually asked the question yet, Mr. Speaker. I should like to ask my hon. Friend to elaborate on the figures that he announced at the end of his answer. Did I hear him say that there were 250,000 new registrations each year?

Mr. Cryer: Will the hon. Gentleman give way?

Mr. Pawsey: How does that compare with the last year of the last Labour Government?

Mr. Ryder: I thank my hon. Friend for his kind remarks about my right hon. Friend the Chancellor's Budget. My hon. Friend is right also to give thanks to the imaginative set of Budget proposals to help small and growing businesses which my right hon. Friend introduced on 20 March. My hon. Friend is looking for a figure. Under this Government, more than 1,300 small businesses start up each week. In the last year of the Labour Government, there was a loss of 100 per week. I do not think that the hon. Member for Bradford, South (Mr. Cryer) was the Minister with responsibility for small businesses at the time because he had resigned. Nevertheless, there was a net loss of 100 a week.

Mr. Nicholas Brown: Very quickly, before the Prime Minister comes in, will the Minister give the House an assurance that the Government will not extend VAT before the next general election?

Mr. Ryder: The hon. Gentleman was on the Standing Committee that considered last year's Finance Bill and he has held his job for a long time. He knows perfectly well

that the Government's position with regard to VAT has been set out on countless occasions from the Treasury Bench. There is no change whatever in those views.

Mr. John Townend: The small business lobby is grateful to the Government for the changes made by the Budget, but will my hon. Friend go a little further in respect of bad debts? Bad debts are bad debts when they become bad debts. No small business man writes off debts that are not bad. It seems an onerous requirement for a small business man to have to wait two years to get relief from VAT. Will my hon. Friend promise to reduce that period?

Mr. Ryder: Doubtless we shall have an occasion to debate that matter when the subject of bad debt relief comes before the House—perhaps in a Committee of the whole House on the Finance Bill. I look forward to debating the matter further with my hon. Friend then.

Group of Seven

14. **Mr. Yeo:** To ask the Chancellor of the Exchequer when he last met the Finance Ministers of the Group of Seven countries; and what subjects were discussed.

Mr. Ryder: My right hon. Friend met his counterparts in the other Group of Seven countries at a G7 meeting in Paris on 7 April. Along with the central bank governors of the G7 countries, they reviewed economic policies and prospects in their countries, reaffirmed the need for close co-operation of macro-economic and structural policies, and discussed recent developments in financial and exchange markets and the impact of events in eastern Europe.

Mr. Yeo: Given the regular, strenuous efforts by the Opposition to rubbish the achievements of management and workers in British manufacturing industry, can my hon. Friend tell us which country out of Britain, France and Germany achieved the highest rate of growth in manufacturing output and manufacturing productivity throughout the 1980s?

Mr. Ryder: Not only did manufacturing output and manufacturing productivity grow faster in the 1980s in Britain than in the other two countries, but growth of British investment between 1980 and 1988 was also faster.

Mr. Robert Sheldon: The Chancellor would surely have discussed the balance of payments with the other Finance Ministers. If so, he would have explained why our invisibles surplus has disappeared and understood that the high interest rates required to bring in that hot money from abroad are the price that we have to pay in terms of manufacturing industry suffering and high mortgage interest rates. The sooner the Chancellor brings that policy to an end, the sooner we can find other means of satisfying the demands of British industry.

Mr. Ryder: The right hon. Gentleman is correct to say that balance of payments issues were discussed at the G7 meeting in Paris on 7 April, and a paragraph reference is made to them in the communiqué. The right hon. Gentleman overlooks the fact that, as my right hon. Friend the Chief Secretary said earlier, the last set of British invisibles figures were erratic in so far as they took into account higher than usual contributions to Europe and the higher than usual contributions that we had to make as a result of the hurricanes in the West Indies and the United States.

Mr. Budgen: Did my hon. Friend tell the Finance Ministers of the G7 countries that since Britain attempted to shadow the Deutschmark in 1988 this country has learnt a terrible lesson about the dangers of attempting to rig exchange rates?

Mr. Ryder: As far as I know, that particular matter was not discussed at the G7 meeting in Paris on 7 April. Had it been discussed, however, my right hon. Friend would have pointed out that not only the pound but several other currencies have fallen against the Deutschmark.

Third World Debt

15. **Mr. Allen:** To ask the Chancellor of the Exchequer what assessment he has made of the impact of his interest rate policies on Third world debt.

Mr. Lilley: Sterling interest rates have relatively little impact on developing countries as less than 5 per cent. of their debt is denominated in sterling and some of this will be at fixed or concessional rates.

Mr. Allen: Is the Minister aware that Japan's economic problems will mean that that country will be keeping more of its surplus capital at home and that German reunification will mean the same for Germany, the other major lender in the world? Where will the major debtor nations, of which Britain and the United States are among the most prominent, get their hot money from? Will not it be from the Third world nations, which are already suffering a net outflow of capital?

Mr. Lilley: No, I do not think so. There are vast quantities of money in the world ready to go to countries where there are excellent investment opportunities, as there are in the United Kingdom.

Mr. Andrew Mitchell: Have not the Government made a particular contribution to assist Third world countries faced with that problem by converting a large amount of Government debt into grant? Is not that particularly true in respect of sub-Saharan Africa?

Mr. Lilley: My hon. Friend is absolutely right. The Government have forgiven some £1 billion of debt to the 27 poorest countries. That was the right thing to do and will be welcomed on both sides of the House.

Exchange Rate Mechanism

17. **Mr. Frank Field:** To ask the Chancellor of the Exchequer when he expects the Madrid conditions for exchange rate mechanism participation to be satisfied.

Mr. Major: In due course.

Mr. Field: Do the Government believe that all the conditions for entry, including those related to inflation, will be met by next year?

Mr. Major: We must wait and see, but when the conditions are met we shall join the exchange rate mechanism.

Mr. Latham: What specific features of the Bretton Woods agreement were so successful that we should want to recreate them now?

Mr. Major: I think that we now find ourselves in a different set of circumstances, in which a greater degree of exchange rate stability would be extremely useful for everyone.

Bad Debts

21. **Mr. John Townend:** To ask the Chancellor of the Exchequer what representations he has received on his plans to help traders with bad debts.

Mr. Ryder: I think that my hon. Friend has already asked his question; nevertheless, I shall answer it again. During the comprehensive review of the arrangements for relief from VAT on bad debts, the views of professional and business bodies were sought, and many representations received.

Mr. Townend: I am sure that you, Mr. Speaker, will be pleased to hear that I do not propose to ask the same question again. Does my hon. Friend agree that as dangerous to small businesses as bad debts are debts which are paid slowly and that some of the worst culprits are local and public authorities? What efforts can he make to encourage public authorities, including the Government, to pay their debts to small businesses a little more quickly?

Mr. Ryder: I fully agree with my hon. Friend and efforts are being made to ensure that those things are put right as soon as possible.

VAT

22. **Mr. Donald Thompson:** To ask the Chancellor of the Exchequer how many businesses he expects to be helped by his proposed value added tax reforms.

Mr. Major: About 1,150,000 businesses should be helped by the proposed new scheme for the relief from VAT on bad debts and most of the 250,000 or so businesses that are expected to register in a year could benefit from the simplified VAT registration requirements.

Mr. Thompson: With the rapid increase in the number of businesses in my constituency and throughout the United Kingdom, what steps is my right hon. Friend taking to ensure that businesses which grow to VAT level understand their responsibilities?

Mr. Major: I think that the small business sector in recent years has shown that it understands its responsibilities very well. It will also react favourably to the fact that we have the most generous tax structure for small businesses of any country in the European Community.

Price Increases

23. **Mr. Lambie:** To ask the Chancellor of the Exchequer what is his estimate of how much in combination the increases in electricity, gas, water charges, mortgage repayments and the poll tax will cost, in 1990-91 as against 1989-90, a family on average earnings with two children.

Mr. Ryder: It is not the practice to provide forecasts of interest rates. However, the announced increases in gas, electricity and water rates, together with the community charge, are estimated to add over 1 percentage point to the RPI inflation rate in 1990-91.

Mr. Lambie: As the figures given today make nonsense of the Government's claim to be conquering inflation, is the Chancellor of the Exchequer now prepared to revise the estimates of inflation given in the Budget for the end of the year 1990?

Mr. Ryder: No, we are not.

Mr. Ian Bruce: Does my hon. Friend agree that over the next decade the prices of those particular commodities are likely to have to rise because of problems associated with the environment and the bringing in of greener policies? Does he also agree that it is arrant nonsense for Opposition Members to ask for green policies and then complain about the price of those policies?

Mr. Ryder: As my hon. Friend knows, those matters are being considered in the White Paper being prepared by my right hon. Friend the Secretary of State for the Environment. With regard to the Opposition's green policies, the hon. Member for Islington, South and Finsbury (Mr. Smith) brought out a short paper on that issue just before the Budget. Doubtless the Opposition Front Bench will table amendments to our various proposals in the Budget during the passage of the Finance Bill, the Committee stage of which we expect to begin in a fortnight's time.

Training and Enterprise Councils

26. **Mr. Tracey:** To ask the Chancellor of the Exchequer what representations he has received from employers' organisations on his proposals to assist TECs.

Mr. Lilley: The measures announced in the Budget to provide tax relief for business contributions to TECs have been widely welcomed by a number of employers' organisations.

Mr. Tracey: I am sure that my hon. Friend will accept my view that the training and enterprise councils are the best possible means of improving training in our respective areas. We have a thriving TEC starting up in my borough of Kingston upon Thames. I hope that my hon. Friend will consider other means of assisting TECs in future.

Mr. Lilley: I entirely agree with my hon. Friend. The development of training and enterprise councils is extremely important because they harness the private sector and the public sector to improve training, which is one of our most important objectives. The Opposition pay lip service to that objective, but in general they oppose every constructive measure that the Government introduce.

Mr. Fatchett: Given the cuts in training budgets announced in the Government's expenditure White Paper, does the Financial Secretary envisage that business will be expected to fill the gap in those budgets? What will happen to the voluntary organisations providing training for people with special needs, for which budgets are being cut

at the moment? Will they have to face those cuts themselves or will business, and passing the hat round, be expected to save that important training work?

Mr. Lilley: Business is responsible, and recognises that it is primarily responsible, for training people and it has increased substantially the amount that it spends on training. It has been able to do that because of the improved profitability of British industry. I believe that it is far better to rely on that than to do everything through the state. I am certain that British industry does not want a payroll tax to be imposed. The Opposition have been proposing such a tax vigorously, although they now seem to be getting cold feet. I am sure that the House would like to know whether the Opposition are going to renege on that policy proposal.

Interest Rates

30. **Mr. Latham:** To ask the Chancellor of the Exchequer whether he will make a statement on the level of interest rates.

Mr. Ryder: Bank rates are set at 15 per cent.

Mr. Latham: In view of the serious recession in the construction industry and the significant downturn in retail sales, will my hon. Friend confirm that nothing in the underlying features of the British economy would require a rise in interest rates?

Mr. Ryder: Interest rates will remain as high as is necessary for as long as is necessary to bear down on inflation. My right hon. Friend the Chancellor reserves the right if need be to raise interest rates, just as he reserves the right to get them down.

PRIME MINISTER

Engagements

Q1. **Mr. Callaghan:** To ask the Prime Minister if she will list her official engagements for Thursday 26 April.

The Prime Minister (Mrs. Margaret Thatcher): This morning I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

Mr. Callaghan: Is the Prime Minister aware that the report of the Select Committee on Education, Science and the Arts on teacher shortages, pay and conditions has been suppressed for almost a year? As the report is not to be published until after the local elections, will the Prime Minister tell the House what she and her Conservative colleagues on the Select Committee are afraid of?

The Prime Minister: We are very proud of our record with regard to teachers' pay, compared with that of the previous Labour Government. By 1 January 1991, teachers' pay will have risen by 50 per cent. on average in cash terms since March 1986. My right hon. Friend the Secretary of State for Education and Science is implementing the interim advisory committee's recommendations. That will mean very substantial rises for all teachers, particularly for experienced teachers and for those who are new to the profession. Heads and deputies will receive increases of up to 12·2 per cent. It is a good record.

Mr. Hayward: My right hon. Friend will have received many representations in the past 12 months about alternatives to the community charge. Was not the most callous unveiled yesterday in Scotland, when there was a proposal which made no allowance for rebates for pensioners, the sick, or the unemployed? [HON. MEMBERS: "Rubbish."] That proposal was outlined by the hon. Member for Glasgow, Garscadden (Mr. Dewar) yesterday. *[Interruption.]*

The Prime Minister: My hon. Friend makes— *[Interruption.]*

Mr. Speaker: Order. I am not responsible for what the hon. Member said. It is a matter for him. I call the Prime Minister.

The Prime Minister: My hon. Friend makes his own point very effectively—*[Interruption.]*

Mr. Speaker: Order. This is disgraceful behaviour.

The Prime Minister: The policy of the Opposition which I would criticise is the roof tax, which would bear particularly heavily on all those in council houses who, having purchased their houses at a very generous discount, would find themselves with a very high actual charge—the roof tax—on the up-to-date valuation of their houses.

Mr. Molyneaux: Is the Prime Minister aware that, whatever may be said by politicians in Europe, including some in this House who should know better, there is widespread support throughout the United Kingdom for her defence of Britain's status as a nation state in all respects?

The Prime Minister: I am very grateful for the right hon. Gentleman's question. I agree that most people wish to be absolutely certain that they will continue to have their own head of state or monarchy—half of them are monarchies in Europe—their own parliamentary institutions and other institutions, and that we should be accountable to them.

Mr. John Townend: Is my right hon. Friend aware of the growing anger among the general public at the enormous cost of the recent prison riots, which will have to be paid by the taxpayer? Will she give an assurance that it will not be allowed to happen again that in any future incident control of the prison will be taken immediately and that whatever course is necessary will be used, be it the SAS, tear gas or arms, and that the Government will not be deterred by fear of convicts being injured?

The Prime Minister: The matter of cost will be discussed with the Home Secretary. Although it is normally expected that the police themselves meet from their grants the costs of ordinary policing, that will be further discussed with the Home Secretary. As for the timing of what happened, I think it right that the decision should be left to those on the spot, in conjunction with consultation with the Home Office. It is not for us to second guess the decisions that were made.

Private Office

Q2. **Mr. Dalyell:** To ask the Prime Minister what guidelines she has set out to enable her private office civil servants to ensure that the appropriate distinction is maintained in the handling of party business and official business.

The Prime Minister: Civil servants in my private office observe the same guidelines as other civil servants.

Mr. Dalyell: In that case, what were the facts of Mr. Powell going to see Mr. Black about the position of Mr. Hastings? Is it quite proper that a civil servant should go to see a newspaper proprietor about the position of an editor?

The Prime Minister: I would not accept all that the hon. Gentleman says or his interpretation of it. Civil servants in my private office have served Governments of both political complexions with great efficiency, conscientiousness and professionalism. That is a great strength of our system, and it is understood that we do not normally attack people in this House where they cannot answer back. I am certain that they will continue to carry out their duties in the highest spirit of conscientiousness and professionalism.

Mr. Allason: My right hon. Friend will be aware that Mr. Dennis Payne, who recently conducted an investigation into leaks from Downing street, has given a lengthy interview to Thames Television, for broadcast this evening, which is being considered by the Independent Broadcasting Authority. Does she consider that to be appropriate? Will she give serious consideration to the IBA banning the broadcast on the ground that Mr. Dennis Payne had not been given permission to make those disclosures?

The Prime Minister: If any people have given interviews to television as civil servants, they have cleared it with the Cabinet Secretary, who is head of the Civil Service. Matters concerning the IBA are for the IBA to reply on and not for me.

Mr. John Garrett: Why have the Government redefined the duty of a civil servant? The duty and loyalty of a civil servant has always been to the Crown. The head of the Civil Service has now announced that the duty and loyalty of a civil servant is to the Government. What fear or ambition has led the right hon. Lady to approve that constitutional change?

The Prime Minister: The hon. Gentleman is not correct. The duties under the previous Cabinet Secretary were reissued, very substantially in the same form as previously, as the hon. Gentleman will find if he goes through them. Those duties are of course to the state, which means that they must serve the Government of the day.

Mr. Dalyell: On a point of order, Mr. Speaker. In view of the nature of the Prime Minister's reply, I beg to give notice that I shall endeavour to raise the matter on the Adjournment.

Engagements

Q3. **Mr. Soames:** To ask the Prime Minister if she will list her official engagements for Thursday 26 April.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Soames: May I return my right hon. Friend to the mutiny at Strangeways prison? [HON. MEMBERS' "Yes."] Having regard to the earlier answer that she gave, may I ask if she is aware that there is a significant body of public opinion in Britain which cannot understand why the recapture of the prisoners should have been allowed to take such a long time? Will she reassure the House that the prison service will get whatever equipment it says that it needs to control riots in prisons?

The Prime Minister: I shall return for a moment to the subject of the Strangeways riots. I said previously that I thought that we could not second guess the decision of those on the spot in consultation with the Home Office. It would be mistaken hindsight for us each to express our views without having been on the spot at the time.

Like my hon. Friend the Member for Crawley (Mr. Soames) and my right hon. and learned Friend the Home Secretary, I am glad that the disturbances have ended. My right hon. and learned Friend will be making a full statement on those disturbances immediately after Question Time. In the past few days, the Home Office has placed orders for an extra £750,000 worth of equipment and clothing for the personal protection of officers who may have to deal with prison disturbances. My right hon. and learned Friend will be giving further details later.

Mr. Kinnock: In view of yesterday's further evidence of the appalling balance of payments position, what changes does the Prime Minister intend to make in her economic policies?

The Prime Minister: The Government have no changes to make in their economic policies. In view of the right hon. Gentleman's question, I hope that we shall receive his support in trying to keep down unit labour costs and, therefore, that he will not support every increase in pay which is unrelated to productivity.

Mr. Kinnock: I remember when the Prime Minister used to think that unit labour costs were a matter of market movement and not a matter for politicians. Does she realise that Britain now has the highest inflation and the lowest growth rate of any of the major industrialised countries? Is she aware that it is now three years since the last time we had a monthly balance of payments surplus? Is she willing to recognise that no Government have ever had it so wrong for so long, and does she not owe it to the country to change from her disastrous policies?

The Prime Minister: I am interested that the right hon. Gentleman thinks it so wrong to have the highest number of jobs that there have ever been in this country's history. That is the basis of the people's prosperity. I am also interested that he thinks it so wrong to have the highest level of capital investment in manufacturing industry, and the highest output. We think that that is a good basis for the future.

Mr. Bill Walker: Has my right hon. Friend noticed that in the second year of the community charge in Scotland

local authorities' expenditure programmes are largely within the rate of inflation and that 20 of them have expenditure programmes at about the same level or below the level the previous year? Does not that show clearly that the community charge is working? *[Interruption.]* Oh yes, it is. More importantly, those people in Scotland who have paid their community charge have little sympathy for those who can pay but refuse to pay, such as the provost of Angus district who is now using his community charge money to run around in a car which is not paid for by himself?

The Prime Minister: What my hon. Friend is suggesting is that in the first year of the community charge local authorities try to increase their expenditure and blame the community charge instead of themselves, but in the second year they cannot do that and may therefore be more conscientious in trying to curb their expenditure. The community charge law was passed by the House and, like all laws, it should be observed by all honourable citizens.

Q4. **Mr. Wray:** To ask the Prime Minister if she will list her official engagements for Thursday 26 April.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Wray: Will the Prime Minister kindly apologise for the attack that she made on the Scottish people when she said that they were subsidised by the tolerant English? Will she also make it clear that although when the poll tax was being implemented in Scotland and her advisers' answer was yes, yes, yes, the answer from the heartbeat of Glasgow and all Scotland is no, no, no?

The Prime Minister: As for the practical part of the hon. Gentleman's question, he will be aware that the community charge in Scotland meets only one fifth—20 per cent.—of local government expenditure. The community charge in England meets 30 per cent. of local government expenditure. We in England would very much like to have the same proportion of grant as Scotland enjoys.

Mr. Barry Field: Does my right hon. Friend agree with the awful historical statistic that, of the 800 Isle of Wight riflemen who were sent to reinforce the beach head at Gallipoli, only 180 returned without injury?

Dr. Godman: Take your hands out of your pockets.

Mr. Field: Does my right hon. Friend agree that that statistic is the best reason why we should have a strong NATO, supported by an excellent military ally such as Turkey, and that we should modernise our nuclear deterrent, and is not it a timely reminder of the unity that the Commonwealth gives us in adversity?

The Prime Minister: Yes, I agree with my hon. Friend. It is particularly noteworthy that when we were celebrating the 75th anniversary of the Gallipoli landings we did so with Turkey as a main ally of this country. Both of us believe staunchly that NATO provides us with a sure defence against such things happening again.

Business of the House

3.30 pm

Dr. John Cunningham (Copeland): Will the Leader of the House tell us the business for next week?

The Lord President of the Council and Leader of the House of Commons (Sir Geoffrey Howe): The business for next week will be as follows:

MONDAY 30 APRIL—Progress on remaining stages of the Environmental Protection Bill.

TUESDAY 1 MAY—Second Reading of the Finance Bill.

WEDNESDAY 2 MAY—Completion of remaining stages of the Environmental Protection Bill.

Consideration of Lords amendments to the pensions (Miscellaneous Provisions) Bill.

THURSDAY 3 MAY—Proceedings on the Australian Constitution (Public Record Copy) Bill.

Motion to take note of EC documents relating to education and training. Details will be given in the *Official Report*.

The Chairman of Ways and Means has named opposed private business for consideration at seven o'clock.

FRIDAY 4 MAY—Private Members' Bills.

Thereafter the House will adjourn until Tuesday 8 May.

[Thursday, 3 May 1990:

Relevant European Community Documents:

(a) 4432/90 Trans-European Mobility Scheme for University Students (TEMPUS)

(b) 4431/90 European Training Foundation

Relevant Reports of European Legislation Committee:

(a) HC 11-xiii (1989-90), para 1

(b) HC 11-xii (1989-90), para 1]

Dr. Cunningham: Is the Leader of the House able to assure us that when the House deals with the Environmental Protection Bill on Monday the Government will not prevent it from having adequate time in which to debate an amendment to introduce a dog registration scheme in Britain? Does the right hon. and learned Gentleman recall that, when the matter last came before the House, it was debated in the early hours of the morning and that it was defeated by a majority of only 13, due to the fact that the Government brought in the payroll vote? Does he think that Conservative Members are entitled to a free vote on the matter? There would then be an honest decision, which would almost certainly lead to the introduction of a dog registration scheme for which there is great—

The Parliamentary Secretary to the Treasury (Mr. Tim Renton): The matter should be discussed through the usual channels.

Dr. Cunningham: Yes, I am willing to discuss, through the usual channels, the possibility of a free vote, if the Government are willing to give that undertaking. I am sure that the hon. Member for Plymouth, Drake (Dame J. Fookes) would welcome the opportunity of a free vote on the Government side. So would people in the country, as there is widespread concern about the threat that dogs pose to people's health and well-being.

Will the Leader of the House provide Government time soon for a debate on the important issue of the Iraqi gun affair? Is not it clear from letters from Ministers in the Northern Ireland Office to my hon. Friend the Member for Kingston upon Hull, North (Mr. McNamara) that the Government have known for a considerable time of Iraqi involvement in ballistics production and related matters? Has the Leader of the House seen a copy of the letter of 16 October 1989, signed by a member of the Government, which makes it clear that the Foreign and Commonwealth Office had advised of the involvement of Iraqi-backed companies in a consortium involving itself in ballistics matters? A Foreign and Commonwealth Office Minister said in a letter:

"Iraq was known to be involved in an advanced ballistic missile development programme".

Is not it time that the House had clear and candid answers on those matters? Is not it incumbent on the Leader of the House to ensure that his ministerial colleagues from the Department of Trade and Industry and from the Ministry of Defence come to the House to answer the legitimate and urgent questions which hon. Members of all parties want to put to them?

Sir Geoffrey Howe: The hon. Gentleman will realise that there is room for more than one view on the merits of a dog registration scheme. We have seriously to consider whether it would be the best way of advancing the concern shared by hon. Members of all parties to deal with stray and dangerous dogs. It should be possible to find room in the ordinary treatment of the many new clauses and amendments tabled for debate next week to discuss the scheme. That will be facilitated if the hon. Gentleman and his hon. Friends can approach those matters with due expedition so that there is a chance of dealing with them according to their importance.

On the particular case that has interested the House in recent days, in the light of the charges laid against an individual yesterday and of the continuing investigations by Customs and Excise, it would be inappropriate to give further information. On the wider question of arms supplies to Iraq more generally, no doubt the hon. Gentleman and his party can consider raising the matter in the course of debate.

Mr. Terence L. Higgins (Worthing): My right hon. and learned Friend will be aware that the Liaison Committee feels strongly that the departmental nature of the Select Committee system should be maintained. Representations have therefore been made to him that the Select Committee on Social Services should be divided to correspond with the ministerial and departmental relationship. Has my right hon. and learned Friend been able to make progress on that? I hope that he will be able to do something about the matter next week.

Sir Geoffrey Howe: As my right hon. Friend knows, the matter that he raised has been discussed through the usual channels. Arrangements are now fairly advanced in that respect and I hope that they can be finalised before too long.

Mr. Jim Sillars (Glasgow, Govan): Will the Leader of the House make a special arrangement next Wednesday to transfer Scottish Question Time from here to the Scottish Grand Committee in Edinburgh, to be followed by a full day's debate in the Scottish assembly rooms in Edinburgh on the Labour party's roof tax? Is the Leader of the House aware that yesterday, in Glasgow and not here in debate, a statement was made by the hon. Member for Glasgow, Garscadden (Mr. Dewar), the shadow Secretary of State

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for Scotland, in which he gave a figure and then had to tell the press conference that he could not relate that figure to the value of any particular house and, more important, nor could he explain to council house tenants how their houses were to be valued and how the roof tax was to be levied on them? The conclusion is that the Labour party is in an extremely muddled state. Can I persuade the Leader of the House to accept my suggestion so that we can have a debate in Edinburgh and the matter can be straightened out?

Sir Geoffrey Howe: I have to take care in handling radical proposals for constitutional reform from the hon. Gentleman. I agree that in respect of this matter, there is much to be said for publicising his points to the people of Scotland as widely as possible. The Labour party's taxation proposals for Scotland would lead to Scotland becoming probably the most heavily taxed part of the United Kingdom. The roof tax proposals have been widely condemned in Scotland—and rightly so.

Mr. Bill Walker (Tayside, North): Will my right hon. and learned Friend give deep consideration to the reply that he has just given? There is no question but that Scottish Members of all parties would like an early opportunity to debate the Labour proposals for Scotland and, of course, the proposal for a local income tax. They would also like to have the opportunity to debate the practices of many who are in receipt of public support in different ways, such as the provost of Angus district council, who is running around in his official car, trying to be a martyr, on funds paid for by the community charge payers in my constituency.

Sir Geoffrey Howe: I am grateful to my hon. Friend for reinforcing that point of view about the Labour party's proposals and I am glad to facilitate this brief debate about that matter in the House today.

Mr. Robert Hughes (Aberdeen, North): Will the Leader of the House arrange for at least a statement, if not a debate, on the Health Service in Scotland? Is the right hon. and learned Gentleman aware that I have learnt today about dramatic cuts amounting to more than £1 million in the finances of the Grampian health board, which the board says are totally unforeseen and wholly the result of Scottish Office calculations? Is the right hon. and learned Gentleman further aware that such treatment is intolerable and unprecedented and is much worse than anything that I have ecountered in 20 years as a Member of the House? Will he therefore arrange for a statement, because other health boards might also be affected? Does the right hon. and learned Gentleman agree that this matter demonstrates beyond peradventure that it is an absolute disgrace that we do not have a Select Committee on Scottish Affairs in which we can discuss such matters in detail and arrive at proper remedies?

Sir Geoffrey Howe: The Health Service in Scotland has received sustantially the same increases in financial resources as the Health Service in the rest of the kingdom. However, if the hon. Gentleman wishes to raise that point, he may try to do so in a debate on the Adjournment.

Mr. Teddy Taylor (Southend, East): Will the Leader of the House find time either on Thursday or at 10 pm on Tuesday to discuss the vital automobile order that we shall be discussing some time in the early hours of tomorrow when nobody will be here? After yesterday's balance of payments figures and bearing in mind the desperately important proposals in those plans to curb British exports to the continent, does the Leader of the House accept that they deserve detailed consideration by a full House at a reasonable hour? Will he make a special effort to ensure that this vital Euro order, which will affect hundreds of thousands of our constituents and their jobs, is not discussed at a crazy hour tomorrow morning when nobody will be here?

Sir Geoffrey Howe: I do not doubt the importance of the automobile industry and the provisions affecting it that derive from, among other matters, the European Community. My hon. Friend is aware that we are considering wider proposals affecting the way in which the House considers European Community documents.

Dr. John Reid (Motherwell, North): Will the Leader of the House arrange for a statement on the steel industry? Does he accept that the House cannot abandon its responsibilities for the social and economic consequences of any decline in that industry just because it has been privatised? Is the right hon. and learned Gentleman aware that since the last statement on the industry was made to the House by the then Minister for Trade and Industry on 3 December 1987, there have been continuing doubts in Scotland about the validity of the guarantees that were given? That has now reached a crescendo. Is such a statement likely to be forthcoming in the near future?

Sir Geoffrey Howe: Arrangements for debates and statements about industries that were formerly in public ownership must take a different form when the industry has been privatised. That is inevitable. However, there is no objection to such matters being raised either in questions or during an Adjournment debate.

Mr. Roger Knapman (Stroud): Will my right hon. and learned Friend make Monday week the last May Day bank holiday, but please replace it with something else?

Sir Geoffrey Howe: I am aware that that point of view is widely shared.

Ms. Dawn Primarolo (Bristol, South): I wish to raise with the Leader of the House the way in which the press report voting in Divisions. I refer specifically to the reports of our voting that were published in the national dailies today in which the press reported only the Division lists and did not record the Tellers. That led to an erroneous report of the way in which I voted during the abortion debate, which has caused considerable hardship and work. This is not the first occasion that this has happened to an hon. Member, so I ask the Leader of the House to issue guidelines to the press on the reporting of Divisions that would ensure that members of the press have all the facts before they print the names of those who voted in any Division.

Sir Geoffrey Howe: My responsibilities do not extend to the way in which the press report the proceedings of the House. I understand the point raised by the hon. Lady. The names of the Tellers for the Divisions at the end of Tuesday's debate were fully reported in the *Official Report*, as one would expect, and that is where one would look for such information. Neither I nor the House has any control

over how the press report these matters, but I have no doubt that they will respond to the point made by the hon. Lady.

Mr. Tim Devlin (Stockton, South): Would my right hon. and learned Friend care to comment on the invasion of the plastic embryos on Monday morning, most of which are now on their way to biology classrooms around the counry, in the light of Mr. Speaker's remarks in the House on Monday afternoon at the beginning of business?

Sir Geoffrey Howe: I have been looking into the matter raised by my hon. Friend earlier in the week. It is true that the delivery of those objects caused considerable distress to a number of Members, and particularly to some of their secretaries and other female members of staff. However, I have been advised that there is no basis on which the matter can properly be referred to the police or prosecuting authorities, whatever offence it may have caused to some. As the parcels were correctly prepaid and addressed to individual Members, the Post Office was obliged to accept and to try to deliver them. The Serjeant at Arms is ensuring that the security implications of the incident are taken fully into account. In the light of the reaction in all parts of the House, those who wish to organise such campaigns in that way may wish to reflect on whether that kind of lobbying advances their case.

Mr. Alfred Morris (Manchester, Wythenshawe): Some hon. Members often think that the Leader of the House's task on Thursday afternoons is a thankless one, but is he aware that his choice of 25 April, ANZAC day, a day so important to all Australians, for the First Reading of the Australia Constitution (Public Record Copy) Bill is widely appreciated? I am grateful to him for accepting the suggestion that I made last Thursday. Is he also aware that the timing of the Bill's remaining stages is also much appreciated?

Sir Geoffrey Howe: I am grateful to the right hon. Gentleman. He may also like to know that I shall be tabling a motion to enable amendments, if any, to be tabled before Second Reading, which will be for the general convenience of the House so that the matter may pass through the House as expeditiously as possible.

Mr. Andrew Rowe (Mid-Kent): Has my right hon. and learned Friend seen early-day motion 692 which has attracted more than 100 signatures?

[That this House urges British Rail to give full and thorough consideration to proposals for a Channel Tunnel Rail Link based on a junction at Stratford, and to enter into professional discussions with those proposing the Stratford alternative before presenting their Private Bill to Parliament for a decision.]

Will he give time for a debate on the provision of a channel tunnel rail link which is clearly a matter of concern to the nation, and the shambles that has been made so far by British Rail and its private enterprise partners which is a source of considerable concern to hon. Members?

Sir Geoffrey Howe: British Rail and its partner Eurorail will need to satisfy themselves and eventually Parliament that they have chosen the right route for the channel tunnel rail link. They have already looked at the Stratford option. As far as I am aware, they are willing to meet the promoter's alternative schemes.

Mr. Nigel Spearing (Newham, South): In view of the importance of the summit meeting of the European Council in Dublin this weekend, can the Leader of the House assure us that in next week's business there will be a statement on the outcome of that important meeting?

Sir Geoffrey Howe: The summit this weekend is to some extent an extra fixture in the European list. As it is slightly different in character from the ordinary regularly planned summit it may not qualify for the same treatment, but I shall certainly give serious consideration to the hon. Gentleman's point.

Mr. Jonathan Aitken (Thanet, South): Will my right hon. and learned Friend quickly recover from that unacceptable reply? It is true that the new summit is informal in its technical nomenclature, but it is probably the most historic and constitutionally important one ever to take place, as we now have the Franco-German proposals for completely changing the nature of Europe and for having a political union with a fast timetable to it —a manoeuvre which would devalue, if not destroy, the role of national Parliaments. Surely my right hon. and learned Friend is not serious in saying that the Prime Minister will not come to the House afterwards to make a statement. It would be shameful if that did not take place.

Sir Geoffrey Howe: If my hon. Friend could lay aside his emotional epithets, he would realise that in the opening of his question he identified both factors that will have to be taken into account. It is a meeting at summit level, at which some important matters may be discussed. On the other hand, it is an informal meeting. Those two points will have to be balanced before I leap to my feet to give an affirmative answer, even to the beguiling questions that have just been put to me.

Mr. Win Griffiths (Bridgend): Will the Leader of the House arrange for a statement to be made on the funding of the Health Service in Wales, because, without exception, every health authority is running into bad debt and my authority of Mid Glamorgan has had to remove from its 10-year capital programme the second phase of the Princess of Wales hospital in Bridgend? At one time, my hon. Friend the Member for Ogmore (Mr. Powell) secured from the Welsh Office a promise that the second phase of the hospital would be built when the first phase was completed in the mid-1980s. We have now arrived at 1990 and, rather than being completed, the second phase has been left out of the programme altogether. This is nothing less than a betrayal of the people of Bridgend, and I hope that a Welsh Minister will make a statement.

Sir Geoffrey Howe: A statement of that length in business questions is in itself something of an achievement. The hon. Member will be able to return to the matter, fortunately for him, at Welsh questions on Monday of next week.

Mr. Richard Alexander (Newark): The House will be grateful to my right hon. and learned Friend for his hard and imaginative work on new clause 4 to the Human Fertilisation and Embryology Bill, which no doubt gave the House and the country the broad view of parliamentarians. I invite my right hon. and learned Friend to exercise his talents in that direction yet once more. He will be aware that 5 million people shop regularly on a Sunday. Would it be possible to mount a

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similar exercise, whereby various options could be considered—[HON. MEMBERS:"No"]—and voted upon, taking the matter out of party politics before the next general election?

Sir Geoffrey Howe: It is apparent from the reactions to my hon. Friend's question that there is room for more than one view about this matter. He will recollect that my right hon. Friend the Patronage Secretary, in an earlier existence, addressed himself to this matter. I shall take counsel of him, in the light of his experience, before giving an affirmative answer.

Mr. David Winnick (Walsall, North): May we have a statement early next week on the ruling by the Council of Europe Ministers on the case involving my hon. Friend the Member for Peckham (Ms. Harman) and Ms. Patricia Hewitt? Is not it essential that, in any such statement we should be told whether the MI5 officers who were responsible for carrying out the targeting of those two—without any justification, as the Council of Europe has ruled—will be disciplined, if they have not been, or dismissed? Should not MI5 be subject to parliamentary scrutiny, as are other such services in other European democracies? It is essential both that we have a statement and that smears such as those made against these two people should end.

Sir Geoffrey Howe: The hon. Gentleman is, in a sense, ahead of time, because the Committee of Ministers in the Council of Europe has yet to adopt its final resolution in these cases, so I am not able to say anything about them. He should also know—he as well as anyone—that, in accordance with the policies of successive Governments, I should not comment on allegations affecting the security services. Thirdly, he should know that since those events are said to have taken place, the Security Services Act 1989 has been passed and under it, such complaints can be considered by an independent tribunal.

Mr. Richard Tracey (Surbiton): Will my right hon. and learned Friend consider an investigation by the appropriate Secretary of State into the administration of community charge rebates by local authorities? May we have a statement on this next week, because there are disturbing reports that some London Labour authorities are sending out community charge bills without any allowance for rebate in cases where people know that they should be granted such rebates?

Sir Geoffrey Howe: That is a serious matter which I shall certainly bring to the attention of my right hon. Friend the Secretary of State for the Environment.

Rev. Martin Smyth (Belfast, South): I welcome the announcement made after the business statement that there will be a possibility of amendments to the Australian Constitution (Public Record Copy) Bill because if it were passed, it would be all to the good and we welcome that.

May I press the Lord President to say whether he is able to report on improvements to the amplification system in the House? It has been difficult enough at times for hon. Members to get answers from Ministers and to get them to make statements. It is even more difficult when they are here and we cannot hear them.

Sir Geoffrey Howe: I gave a long written answer on that matter which appeared in *Hansard* on Monday. One of the features of that answer which the hon. Member may not have noticed is that the sound and acoustics system in the House is many years old and is being re-examined as a whole for its suitability, quite unconnected with the introduction of television.

Mr. Bob Dunn (Dartford): As a matter of future business, could the Leader of the House consider requiring Mr. Peter Mandelson to present himself at the Bar of the House to give an explanation of why he prevented members of the shadow Cabinet from announcing their policy and the costs of it? Does my right hon. and learned Friend care to speculate on why Mr. Mandelson is so successful in muddling the Labour party?

Sir Geoffrey Howe: That is a matter more for members of the Opposition than for myself, but it is certainly worth giving some consideration to the interesting idea put forward by my hon. Friend that that might be a way in which we can discover something more about Opposition policies.

Mr. Robert N. Wareing (Liverpool, West Derby): Has the Leader of the House noticed that his right hon. Friend the Prime Minister has addressed the House in a major debate on far fewer occasions than any of her recent predecessors? In view of the disastrous balance of payments and the fact that inflation is rising—it is not just a blip—is not it time that she had the guts to come to the Dispatch Box and lead a real debate, or is she afraid of real opposition?

Sir Geoffrey Howe: The hon. Gentleman may have noticed that my right hon. Friend the Prime Minister comes to the Dispatch Box regularly twice a week and deals with the widest possible range of questions most effectively. He may also recall that when she came to the Dispatch Box for the first debate on the Queen's Speech she dealt very effectively with the ineffective Opposition that confronted her.

Mr. Julian Brazier (Canterbury): Could my right hon. and learned Friend pledge that we shall have a Government statement at such time as certain gentlemen come down from the roof tax and obey the existing law?

Sir Geoffrey Howe: I suspect that it may be for those who have devised the roof tax to produce the answer to that.

Mr. Eric S. Heffer (Liverpool, Walton): Will the Leader of the House once again reconsider the reply that he gave to my hon. Friend the Member for Copeland (Dr. Cunningham) about a debate on the Iraqi guns, first, because the right hon. and learned Gentleman is an old friend of mine from Merseyside and, therefore, he should be prepared to take into consideration what some of his old friends think about the matter and, secondly, because it is clear that we should have a debate as Mr. Speaker quite rightly allowed a debate on capping a number of local authorities because it was not yet sub judice, but the Secretary of State for Trade and Industry has been hiding behind the sub judice rule, although, as yet, there is no court case relating to that Iraqi issue? Is not it important that we should have a debate on the matter, first, in the interests of Members—Back Benchers as well as Front

Benchers—and, secondly, because, as the Prime Minister said, we should get all the facts, and to get the facts we have to have a debate as quickly as possible?

Sir Geoffrey Howe: I am grateful to the hon. Gentleman for the way in which he introduced his question. I respond to him on the basis that I have given the matter serious consideration. He is right to draw attention to the way in which certain civil cases do not necessarily inhibit discussion in the House. The sub judice rule begins to apply to a civil case only when the case has been set down for trial, but in this case, criminal charges have now been laid against an individual and that has a different effect. In addition, there are continuing investigations by Customs and Excise whose function is to find out the facts in that context. In those circumstances, it would be inappropriate to give any further information on that set of facts.

Mr. Gerald Bowden (Dulwich): A few moments ago, my right hon. and learned Friend's attention was drawn to early-day motion 692. Did he notice that it was signed by more than 100 hon. Members on both sides of the House representing all parts of the United Kingdom? It urges British Rail to consider the alternatives to a King's Cross route to the channel tunnel terminal. Will he provide an early opportunity to discuss the matter, as there is a growing impression that the only sector of the community that will benefit from the King's Cross terminal and the King's Cross route will be the landlords and tenants of the King's Cross development?

Sir Geoffrey Howe: I understand the importance of that early-day motion to which my hon. Friend is the leading signatory. As I said earlier, the point remains that it will be for British Rail to satisfy the House in due course of the method that it chooses. It is certainly open to receive representations such as those made by my hon. Friend in support of alternative routes.

Several Hon. Members *rose*——

Mr. Speaker: Order. I draw the attention of the House to the fact that we have another statement and a Report stage, so it will be a pretty late day. I ask hon. Members to put succinct questions please and not to ask questions that have been asked before.

Mr. Matthew Taylor (Truro): Will the Leader of the House consider providing Government time for a debate on the problems arising in education, involving the implementation of the Education Reform Act 1988? Whatever the merits of that Act, teachers are experiencing considerable difficulty with the implementation of the national curriculum and schools are experiencing considerable difficulties with the introduction of local management of schools. Will he find time for such a debate?

Sir Geoffrey Howe: I am not sure that I can find time for a debate on those topics, but the hon. Gentleman can be assured that my right hon. Friend the Secretary of State is aware of the importance of the points he raised and is taking great care to ensure that the national curriculum, for example, is introduced in a way that does not overburden the teaching profession.

Mr. James Pawsey (Rugby and Kenilworth): My right hon. and learned Friend will be well aware of the excellent work that is carried out by the ombudsman and the Select Committee which supervises his work. Will he therefore arrange that a debate on that work should take place on the Floor of the House as soon as possible?

Sir Geoffrey Howe: My hon. Friend and others concerned with the Select Committee have raised that point more than once. The pattern has been for topics handled by the Select Committee and the Parliamentary Commissioner for Administration to arise if they are sufficiently important, but I cannot offer a general right of debate on the ordinary work of that important Committee.

Mr. Dennis Skinner (Bolsover): Will there be a July statement? How is that for being succinct?

Sir Geoffrey Howe: I dare say that the hon. Gentleman's memory will go back far enough to recall the dismal days of the last Labour Government when we were confronted with economic statements about once every six weeks. We are not such a Government and we will continue to conduct ourselves in the proper way.

Mr. Andrew MacKay (Berkshire, East): Will my right hon. and learned Friend find an opportunity for Members on both sides of the House to express their grave concern that the Kray brothers, one of whom is incarcerated in Broadmoor hospital in my constituency, will be major beneficiaries of a film about their former careers? Would that opportunity allow Members of Parliament to suggest that there might be legislation to ensure that criminals cannot benefit from their crimes and allow Members on both sides of the House to encourage their constituents to boycott the film, bankrupt the film makers and discourage future film makers from making such hideous mistakes?

Sir Geoffrey Howe: My hon. Friend puts forward a comprehensive plan of action to deal with the matter at this stage. I shall bring his concern to the attention of my right hon. and learned Friend the Home Secretary.

Mrs. Alice Mahon (Halifax): Will the Leader of the House find time for a debate on the farming of wild animals? Is he aware that there are few regulations on the farming of mink and Arctic fox, which are often kept in barbaric conditions and show signs of much distress as a result? Is not it time that the Government stopped bowing their knee to the Fur Breeders Association and started being concerned for animals?

Sir Geoffrey Howe: The hon. Lady can be assured that there is no question of the Government bowing their knee to any vested interest in this or any other context. We take much care and concern about the welfare of animals, but I shall bring her point to the attention of my right hon. Friend.

Mr. David Martin (Portsmouth, South): Does my right hon. and learned Friend share my hope that in next weeks's debate on dog registration hon. Members will understand that such a scheme would amount to a tax on dog-loving and dog-owning pensioners? Although it may be appropriate for the Opposition to introduce a new tax, it would be crazy for us to do so at this time.

Sir Geoffrey Howe: I am ready to endorse the importance of the point made by my hon. Friend. Hon. Members should reflect on the difficulties of collecting vehicle excise duty, which is a much more openly

[Sir Geoffrey Howe]

identifiable tax to be paid or not paid. They would pale into insignificance compared with the difficulties that might arise from collecting dog excise duty.

Mr. Tony Banks (Newham, North-West): May I congratulate the Leader of the House on his tonsorial turn-out this afternoon? I take it that he is polishing his image for his party's impending leadership contest. May I remind him that in the mid-1980s, when he was doing less exciting things, control of London Regional Transport was taken away from the democratic accountability of the GLC? At that time, we were given an undertaking that there would be an annual debate on its levy, but because of the change in accounting that promise is not being kept. Will the Leader of the House give urgent consideration to a debate on London Regional Transport next week and guarantee that we will have an annual debate on transport in London, given its appalling state under the control of LRT?

Sir Geoffrey Howe: I do not share the hon. Gentleman's judgment on the present condition of transport in the capital. I cannot give the assurance that he requests.

Mr. Nicholas Bennett (Pembroke): Does my right hon. and learned Friend think that, if we devoted the first four days of next week's business to Opposition supply days on the community charge, we might by Thursday when the voters go to the polls, be any closer to discovering what their policies are?

Sir Geoffrey Howe: I am sure that we would be no closer, but I hope that between now and next Thursday my hon. Friend will devote himself to getting that point across to all those who should know about it.

Mr. Alex Salmond (Banff and Buchan): Will the Leader of the House allow time for an early statement from the Secretary of State for Defence on the low-flying Operation Elder Forest, which is taking place this week during the Scottish examination period? Is he aware that this morning at Mintlaw academy in my constituency there were three incidents of low flying when almost 200 pupils were sitting their standard grade English examination? Have not Scottish schoolchildren the right to peace and quiet during this vital examination period and not to be buzzed by low-flying aircraft?

Sir Geoffrey Howe: I take note of the point and will certainly pass it on to my right hon. Friend. It is important to maintain a sense of proportion and to recognise that Scottish schoolchildren benefit from the continued availability of effective defence.

Mr. Michael Jack (Fylde): Will my right hon. and learned Friend find time for a debate on the production of the *Official Report* so that hon. Members can place on record their appreciation of the accuracy of its reporting of last night's debate on the community charge? The record clearly shows that the Labour party was unable to give any details of its alternative.

May we expect a statement next week on the radar for the European fighter aircraft?

Sir Geoffrey Howe: I cannot at this stage answer my hon. Friend's second question, but I appreciate what he said in his first question.

Mr. John McFall (Dumbarton): I draw the right hon. and learned Gentleman's attention to early-day motion 893.

[That this House notes that to date the Ministry of Defence has carried out no health control studies on refit workers similar to that carried out at Sellafield by Professor Gardner; is mindful that radiation dose exposures of United States nuclear propulsion programme workers are much less than for United Kingdom refit workers undertaking similar tasks; expresses dismay that no radiation dose figures prior to 1979 have been released; and urges the Government to carry out health control studies forthwith as well as urgently reviewing and revising downwards the annual and lifetime dose radiation exposure figures for United Kingdom workers]

I draw his attention also to the revealing answers to parliamentary questions last week on radiation exposure of workers. The Government's approach since the Gardner study has been impotent; one can conclude only that they do not care for workers exposed to radiation. Will the right hon. and learned Gentleman ensure that there is a debate so that the Government will consider the figures and revise them downwards in terms of annual dosage and lifetime dosages of radiation?

Sir Geoffrey Howe: I cannot possibly answer the particular points raised by the hon. Gentleman. He can be assured that the Government and my right hon. Friends take seriously the implications of radiation in any form and I shall bring his points to their attention.

Mr. Phillip Oppenheim (Amber Valley): Did my right hon. and learned Friend get a chance to look in at yesterday's debate on local government finance? Did he note the performance of the Opposition environment spokeman who sat in his seat like a shrinking violet and refused to outline the Opposition's alternative to the poll tax? Will my right hon. and learned Friend have as many more debates on the community charge as possible until the Opposition have the guts to tell the country their policies?

Sir Geoffrey Howe: I listened to the speech by the Opposition official spokesman and I noted that he was wholly uncommunicative on that important matter.

Mr. John Home Robertson (East Lothian): Given the increasingly fundamental and detailed questions that are arising about the hated poll tax in Scotland after one full year's experience of it and given the michievous points being made about the alternatives by the hon. Members for Kingswood (Mr. Hayward) and for Glasgow, Govan (Mr. Sillars) and others who want to support the Tory party, will the Leader of the House concede that the best forum for studying the experience of the poll tax in Scotland would be a Select Committee on Scottish Affairs? When may we have a Select Committee which would have the resources and the power to analyse the poll tax and its alternatives?

Sir Geoffrey Howe: Given the sensitivity of Scottish Opposition Members about the extent to which their intolerable tax proposals are already being unduly exposed, I hardly feel that it is necessary to introduce an additional forum for that purpose.

Mr. Roger King (Birmingham, Northfield): Will my right hon. and learned Friend reflect on yesterday's debate,

especially the Opposition's motion on local government finance? Will he, through the usual channels, persuade Opposition Members that the next time they present a motion to Parliament they should not use such vague terminology, so that the House will have the opportunity genuinely to hear their alternatives to this measure?

Sir Geoffrey Howe: I fancy that my hon. Friend has invited me to undertake a labour of Herculean proportions, but I would rather not do so.

Mr. James Paice (Cambridgeshire, South-East): Does my right hon. and learned Friend think that it is appropriate to have a debate next week so that we can examine the dearth of Opposition policies, especially the reason why they now have to set up a 170-man council —presumably, a man and woman council—to design some policies? Does my right hon. and learned Friend recall that a camel was a horse designed by a committee? What would 170 people produce?

Sir Geoffrey Howe: I tremble to think.

Mr. David Nicholson (Taunton): Is my right hon. and learned Friend aware that the tourist and rural assets of my constituency are such that in recent days they have attracted the presence of no fewer than three Labour Members of the Militant "Don't Pay" tendency, the hon. Members for Tottenham (Mr. Grant), for Coventry, South-East (Mr. Nellist) and, I believe, for Liverpool, Broadgreen (Mr. Fields)? Some of my hon. Friends would give their eye teeth to have the attention of even one of those hon. Members. When can we have a debate on the strength of the Militant "Don't Pay" tendency in the Labour party and the supine weakness of the Leader of the Opposition in dealing with it?

Sir Geoffrey Howe: My hon. Friend has effectively drawn attention to the need for such a debate.

Mr. Harry Greenway (Ealing, North): I support the call by my hon. Friend the Member for Berkshire, East (Mr. MacKay) for a debate on the appalling decision of film makers to glorify the hideous violence and murder by the Kray brothers in east London. They are being rewarded, because their actions have been glamorised into a so-called artistic performance. Is not it important for the House to consider the so-called artistic aspects and the misuse of money going to people who, to say the least, do not deserve it?

Sir Geoffrey Howe: I can understand my hon. Friend's concern, and my right hon. and learned Friend the Home Secretary has been in the House to hear the points that he has made.

Mr. Tony Favell (Stockport): May I join in the call to my right hon. and learned Friend for another debate next week on local government expenditure legislation? It is clear from yesterday's debate that, although Labour members may be trying to loosen trade union ties, they remain as tightly bound as ever to the town hall barons of Liverpool, Manchester, Lambeth and Sheffield and simply dare not say what their policy is, for fear of annoying them.

Sir Geoffrey Howe: I am grateful to my hon. Friend for making the point so clearly.

Strangeways Prison

4.15 pm

The Secretary of State for the Home Department (Mr. David Waddington): With permission, Mr. Speaker, I should like to make a further statement to the House about the serious disturbance at Manchester prison.

As the House will be aware, at about 6.20 pm yesterday, prison staff regained control of the prison. One of the six inmates who remained in the prison was taken back into custody earlier in the day, and the remaining five surrendered later. All prisoners in Strangeways on 1 April have been accounted for, and certainly nothing has been found to substantiate the wild stories that appeared in the press in the early stages of the incident. That yesterday's operation to recover the prison was concluded without further injury to staff or prisoners, in very difficult and dangerous circumstances, is a great tribute to the skill and discipline of the prison officers.

The House will, I am sure, wish to pay tribute to the considerable courage and professionalism displayed by the officers who did the job yesterday and all those in the prison service involved in bringing this incident, and the recent disturbances in other prisons, to a successful conclusion. In particular, I wish to express our gratitude to the governor of Manchester prison, Mr. Brendan O'Friel and his colleagues, who have worked tirelessly to bring the disturbance there to an end with minimal danger to life. I also wish to thank the police, fire and ambulance services for their invaluable and unstinting help here and elsewhere. Among the many whom I was able to thank at Strangeways last night was a representative of the board of visitors who had been there all day; indeed, someone from the board of visitors was present throughout the disturbance. I thank them all most warmly.

Events at Dartmoor, Bristol and Pucklechurch show that the prison service is not loth to bring to a swift end disturbances of this sort. But circumstances obviously vary a great deal and different tactics have to be adopted in different situations. Our strategy throughout each of these incidents has been to regain complete control at the earliest moment consistent with incurring as few casualties as possible among both prison staff and prisoners. I believe that that was the right strategy here and that events have vindicated it.

I greatly regret the sad loss of a prison officer who died after serving loyally during the disturbance, and also the loss of life of one of the remand prisoners. I wish to offer, once again, my deepest sympathy to the families concerned.

The Greater Manchester police have already embarked upon a major criminal investigation and I want to make it absolutely plain that those who commit criminal offences in this sort of incident must expect to face the full rigours of the law. There are already a number of very serious criminal offences, such as riot, violent disorder and affray —let alone murder and grievous bodily harm—which are available in the sort of circumstances that we have seen at Manchester. But I want to make absolutely sure that the courts have all the powers necessary and I am reconsidering the possibility of creating a new criminal offence of prison mutiny.

The House would not expect me to say that all we need do now is wait for the outcome of Lord Justice Woolf's inquiry. Much has been done already, but there are other

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things that we must do urgently. The incident has led directly to the loss of more than 1,500 prison places at Manchester, at a time when we were making significant inroads into solving the problem of prison overcrowding, and will inevitably lead to difficulties in other prison establishments until the places are regained. We are taking urgent steps to make available as many secure places as are needed.

I have already made it clear that we are bringing forward the recruitment of 200 more prison officers to help establishments that are under particular pressure caused by these appalling incidents. We shall consider urgently whether there is any need for additional training of staff to deal with incidents of this sort. More than 3,000 officers have been specially trained in the past 12 months, and more are being trained. We have already placed orders for an extra £750,000 worth of equipment and clothing for the personal protection of officers.

New prisons are designed so as to minimise the risk of events developing as they did in Manchester, but we need to consider what physical improvements can quickly be made to existing establishments. Officials are conducting an urgent review of structural and other means of preventing prisoners getting on to roofs in old Victorian prisons. We will also examine how to make it easier for prison staff to get on to roof areas and the higher landings. Officials will also examine methods of locking doors and the issue and carrying of keys, the storage of flammable items in kitchens and how we can improve protection to kitchens, pharmacies and medical treatment rooms. There is then the physical protection of vulnerable prisoners. We must study whether that can be strengthened.

We must also recognise that large numbers of prisoners in the same place at the same time can give rise to considerable risk. There is a difficult balance to be struck between restricting the numbers allowed to congregate, which can itself lead to trouble, and creating a constructive regime, which can make a contribution to the maintenance of control in prisons, but I am certain that that is something we must look at.

The results of this work will be reported to me during the coming weeks and none of it pre-empts the outcome of Lord Justice Woolf's inquiry. The House will accept that vigorous action is now necessary to try to prevent further disturbances.

Mr. Roy Hattersley (Birmingham, Sparkbrook): The conclusion of the riot and occupation of Strangeways prison will come as a relief to the nation. It was an embarrassing as well as a depressing episode from which we all have much to learn. The House will wish to express its admiration of and gratitude for the way in which the governor, prison officers and police, fire brigades and other public services carried out their difficult tasks. To that we add our condolences to the relatives of Mr. Derek White and Mr. Walter Scott and our sympathy to those members of the public services who were injured.

It would be wrong, I believe, to come to any firm conclusions about the causes or consequences of the Strangeways riot before Lord Justice Woolf reports. However, may I begin by telling the Home Secretary that I remain a supporter of a policy designed to minimise the risk of death and injury to prison officers, to the fire services and to the inmates? I also believe that it was right for the prison officers and authorities on the spot to take their own decisions without instructions from Whitehall. May I therefore ask the Home Secretary to confirm or deny the frequently repeated allegation that in the early days of the riot the governor wished to pursue a different and more aggressive policy but was refused permission to do so?

No one who witnessed the siege on television will doubt that some of the men were not susceptible to rational treatment and are certainly not likely to be impressed by changes in the titles of the offences that they may have committed. Of course we condemn their behaviour as we condemn the behaviour of other rioters and they must face the full rigours of the law. However, clearly some were caught up in the early days of the riot because of the despair that they felt at the conditions in the prison: three men in one cell; only 11 hours a week outside those cells, slopping out, one shower and one change of clothes a week if they were lucky. May I therefore ask the Home Secretary to take immediate steps to reduce the present population —steps that are even now within his power——

Mr. Robert Key (Salisbury): They are happening.

Mr. Hattersley: —possible improvements about which the Home Secretary made no mention this morning and which I presume the hon. Member for Salisbury (Mr. Key) never heard.

Will the Home Secretary reduce the number of remand prisoners by applying the 110-day trial deadline throughout England and Wales immediately and by ending the 28-day custodial demand, which was introduced in the Criminal Justice Act four years ago? Will he consult the Lord Chancellor on immediate steps to improve the efficiency of the courts so as to ensure that trials that begin swiftly can also be completed in a minimum time? Will he speed up the introduction of non-custodial sentences described in his own White Paper, if necessary by introducing legislation in this Session of Parliament?

In the light of that, may I ask him specifically about management in the prison service? We are constantly told of the additional prison officers whom the Government have recruited. Will the Home Secretary confirm that that recruitment has been accompanied by such reductions in overtime that the likelihood on any one day is that fewer prison officers will be on duty than was the case before the introduction of fresh start? Will he confirm specifically, by answering the question that I asked him three weeks ago and which he did not answer, that there were 30 fewer officers on duty at Strangeways at the time of the riot than there would have been had fresh start not been introduced? In the light of his statement, will he tell us whether the 200 more—his word—prison officers are additional to his existing proposals, or is he simply speaking of the targets that he had announced to the House before the Strangeways riot?

Equally, we are constantly told of the new building programme. However, it is not producing anything like a sufficiently swift reduction in the number of prisoners in unacceptable conditions. Will the right hon. and learned Gentleman accelerate the renovation of our Victorian prisons at least to put an end date to the debasing practice of slopping out?

The Home Secretary said in his statement that 1,500 prison places have been lost at Strangeways during the

past three weeks. How many places have been lost in the whole prison system during the same period? I understand that it is about twice the number that he quoted in the House this afternoon.

On the subject of the action that may be taken before or after Lord Justice Woolf's report, may we be assured that Lord Justice Woolf will examine the effect on the riot of constant television coverage? Many of us believe that, as in the case of the Balcombe street siege, television should have been prevented from encouraging prolonged defiance.

May I ask the Home Secretary a question about the cost of the Manchester operation? Clearly the Strangeways riot was a national crisis. It would be intolerable if the people of Manchester were required to pay an even higher poll tax to meet the bills for police and fire brigade. May we be promised that the Government will provide appropriate financial assistance? I repeat that it is a national crisis that should be financed from national funds.

The Home Secretary will recall—it is undeniable—that previous reports on prison disturbances have met with little or no positive response from Governments. Will he promise that, when Lord Justice Woolf reports his findings, they will be subject to a full debate in the House during which he, the Home Secretary, will give a clear indication of the action that he proposes to take and the time scale that he offers for that action to be put into operation?

Mr. Waddington: I am grateful to the right hon. Gentleman for his expression of admiration for all those who have been involved in this operation. I am also grateful to him for his expressions of sympathy for the relatives of the dead and for the injured. Of course he is right to say that, generally speaking, we must wait for the conclusions of Lord Justice Woolf, but I think that I made it plain in my statement that there are things that we can do now and things that we should do now. Certainly we should not take the view that we should be frozen into inaction because a committee has been set up to look into the matter. That would not be the right approach.

I am grateful to the right hon. Gentleman for expressing support for the policy that was adopted to minimise the risk of death and injury. It has been said that a more aggressive policy was wanted. The media have said that the governor wanted a more aggressive policy at the beginning and was overruled. I should make the position clear straight away. The public should know that governors, when situations such as this arise, are not left without support. They receive support from the region and from the prison department.

I wish also to make it abundantly plain that, when I talk about support from the prison department, I am not talking about people who are ignorant of the management of prisons putting their spoke in the wheel. The deputy director general of prisons, who has been criticised by some in the media today, is himself a former prison governor.

On occasions such as this a great deal of advice is taken and a conclusion reached. Ministers accepted advice from those responsible for the operations—for example, from the deputy director general of the prison service, as I say, himself a former governor—after consultation with the governor.

I am not for a moment saying that if there had been the offence of mutiny, that would have made any difference in these circumstances. But we must not—I am sure that the right hon. Gentleman would not—assume that if there is more trouble, it will follow exactly the same pattern as the trouble in Strangeways. I am suggesting for discussion that whereas, for instance, in the case of riot, 12 must be involved and there must be action such as would put a reasonable person in fear of injury, the ingredients of the old offence of mutiny, which was an offence under prison regulations, were that two or more people were acting in combination to overthrow or resist the lawful authority of the governor or his staff. So it might be thought that in certain circumstances that would fill a gap not filled by other offences on the statute book.

As I said in my first statement, it is wrong to suggest that no action has been taken recently to deal with having three prisoners to a cell. Indeed, rapid progress has been made in Manchester. I believe that before the riot broke out there were only 133 examples of three prisoners to a cell. That was a great improvement on 459 the year before. The matter is put in perspective when one compares that with the total population in Strangeways of 1,649.

The right hon. Member for Sparkbrook calls on us to reduce the prison population. I am happy to say that I have been lucky since arriving at the Home Office to have witnessed a rapid fall in the prison population. There has been a fall of over 2,000 in the past year. Indeed, had there not been that fall in the prison population, it would have been much more difficult to have accommodated those who must now be placed in other accommodation because of what happened at Strangeways.

The right hon. Gentleman says, and persists in saying, that we should, as it were, begin to take action to do something about punishment in the community. I pointed out then that one of the reasons why there has been a fall in the prison population is that the courts are already sending fewer people—especially young people—to prison. It is not a case of our producing a White Paper that marks a fresh start; it is a case of our producing a White Paper that builds on all the achievements of the past few years, and on the changes to legislation made in the Criminal Justice Acts 1982 and 1988.

I can give the right hon. Gentleman good cheer on time limits. I think I am right in saying—my right hon. and learned Friend the Solicitor-General, who is sitting next to me, may confirm it—that they should be in force throughout the country by the end of the year. They are already in force in a substantial part of the country, and, incidentally, were in force at the time of the outbreak of the Manchester disturbances.

I have been asked about a reduction in overtime. I must make it plain to the right hon. Member for Sparkbrook and others that fresh start was a negotiated package agreed with the unions and supported by prison staff. There was a ballot, in which more than 90 per cent. of those who participated voted in favour of fresh start.

Fresh start was introduced because of excessive dependence on overtime. It was agreed that there would be a measured reduction, and that half the hours lost would be made up through the recruitment of new staff. As I have said before, it was not a case of there being no additional recruitment of staff, there are now more than 3,000 more prison staff than there were three years ago, and more than 1,100 more are being recruited this year. The 200 were already in our programme for this year. I do not know why

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the right hon. Member for Sparkbrook is grinning. I have already said that we are talking not about 1,100 staff for this year, but about an additional 1,100. The 200 to whom I referred have been recruited and brought forward for training earlier, so that they will be in service by about September rather than later in the year.

The present position must be seen in perspective. Over the past 10 years, there has been an increase of no less than 46 per cent. in the number of prison staff; during the same period, there has been an 11 per cent. increase in prisoners. I agree with the right hon. Gentleman that we must make swift progress towards ending the practice of slopping out, and in Manchester progress had been made towards that end. The right hon. Gentleman will remember that we announced at the time of the autumn statement last year that we were able to divert resources from new prison building towards refurbishing existing prisons, because our policies were bearing fruit and the prison population was falling.

I agree largely with what the right hon. Gentleman said about the constant television coverage, which has not been helpful. It was not just a question of excessive coverage; at times the coverage was irresponsible. I clearly remember sitting in front of the television and hearing, as the first item on Independent Television News, that there were three confirmed deaths. That was after the Home Office had been consulted and had said that it was not possible to confirm any deaths. That was a most disgraceful event. I hope that it will never happen again.

Appalling costs will be incurred. There is no point in any of us shrinking from that fact. There is no point, either, in trying to avoid the fact that considerable costs have been incurred as a result of policing the incident.

The right hon. Member for Sparkbrook knows perfectly well that the general rule that is applied by the Home Office is that from time to time all police forces have to deal with exceptional circumstances. Some have to deal with party conferences; some have to deal with royal residences; some have to deal with terrorist incidents. The general rule is that police forces have to take that on board. However, I have agreed to set up a meeting with the people from Manchester at which all these matters will be discussed.

When Lord Justice Woolf reports, there will have to be a debate, and I hope that the business managers will quickly find time for a debate so that these matters can be taken further.

Several Hon. Members: *rose——*

Mr. Speaker: Order. In relation to what the Home Secretary has just said, may I ask for single questions, please? This is an important statement which covers other constituencies, apart from Manchester. We have a heavy day ahead of us and we must move on to the next business by 5.15 at the very latest.

Sir Fergus Montgomery (Altrincham and Sale): If it was safe to take action yesterday, why could nothing be done a week ago when the circumstances were more or less the same? Can my right hon. and learned Friend give a categorical assurance that top priority will be given to getting rid of three men being kept in a cell for 20 hours a day and sloping out, which is obviously a breeding ground for trouble?

Mr. Waddington: I have already answered my hon. Friend's question about slopping out. I agree entirely with him that it ought to be given priority. I am also glad that my hon. Friend put his question in the way that he did. It highlights the fact that some people said that the prison officers should have gone in after 24 hours, that some people said that they should have gone in after 48 hours, and that others said that they ought to have gone in a week ago. The chairman of the Prison Officers Association complained to me this morning that we did not take action after 24 hours, but yesterday he said that the lives of prison officers were being placed at risk in order to bring the incident to an end: so as many people as there are, as many opinions there are.

The sensible approach is to obtain good advice. Unless there are good reasons for rejecting it, that advice should be taken. It is so easy to be wise after the event. However, the commonly held view for very many days—even weeks—and the view held also by the national media was that the incident would not last long and that it was not worth risking lives.

When these Ramboesque people talk about bringing in the Army and the SAS and sending in thousands of prison officers, they always forget that, after the first 24 hours, nobody in Strangeways was at risk either of losing his life or of injury, except in the sense that the prisoners were at risk and might have suffered accidents. The time was not wasted. Careful planning over a considerable period resulted in yesterday's events. With the prisoners on the roof, the most difficult problem to overcome was how to get large numbers of prison officers up to that level. Eventually, a new way into the roof space was found.

It is nonsense to talk about the use of tear gas. One has to ask whether there would have been any grounds for police intervention. I am sure that the right hon. Member for Morley and Leeds, South (Mr. Rees) would agree with me that one would not commit the police unless there was a serious risk to life or a hostage situation. The Army could not go in unless it was asked to do so by the chief officer of police if he felt that the demands made on him could not be carried out by him alone.

Mr. Merlyn Rees (Morley and Leeds, South): It is, of course, right to await the Woolf report, but does the Home Secretary agree with me that it is right to leave ultimate operational control to the governor? Nevertheless, did the Home Secretary, or his Department, at any time during the later stages of the masquerade on the roof by a few people offer to send in the SAS to deal with the incident?

Mr. Waddington: I am almost sure that I am right when I say that it would be for the chief constable to judge whether the risk to life was such that, because he could not take the action required, it was necessary to seek military assistance. That point did not arise because at no stage did the police take the view that they could not master the incident themselves. That stage was not reached because the matter was in the hands of the prison officers. As events worked out, how right it was that the prison officers regained control of the prison. What sort of criticism would be coming from the media now if the Army had been sent in and 10 people had been killed? What sort of copycat riots would there have been if five of the prisoners on the roof had been killed?

Sir John Wheeler (Westminster, North): Does my right hon. and learned Friend agree that, however serious the

incident was and however long it took to bring it to an end, the fact is that it began with a prison population of 1,500, that it resulted, when the disturbance occurred, in 100 being in rebellion, that the prison governor brought the incident to a conclusion with his staff without involving outside forces of any kind, that no prisoner escaped, that no prison officer was killed or injured at the conclusion of the event and that throughout the incident the governor, ably supported by ex-senior governors in the prison management, had control of the prison?

Mr. Waddington: That is absolutely right. However, may I correct my hon. Friend in one small regard? Those who talked about storming the prison after the first 24 hours ought to be reminded that 133 prisoners were still on the loose then. When I went to Strangeways last Sunday, I discovered that there have always been some prisoners in Strangeways; at no time have there been no prisoners in captivity in Strangeways. There were no escapes. Again I compliment all those involved in the operation on the work that they did. In the first 24 hours, they managed to move 1,500 people out of the prison. They probably saved the lives of some of the rule 43 prisoners. Altogether, they carried out a magnificent exercise. Their skill and the common-sense way in which the operation was carried out can be judged by the supreme criterion that no one was injured or killed—apart, unfortunately, from the deaths right at the beginning of the trouble.

Mr. Robert Litherland (Manchester, Central): Does not the Home Secretary accept that his comments to the media about the dangers of bringing in the Army and the SAS will be seen merely as a red herring? Is he aware that the prison officers at Strangeways presented a plan to be executed by the prison officers with the minimum force? If he is not aware of that fact, I suggest that there was a marked lack of liaison between the prison department and the Home Office.

Does not the Home Secretary feel a sense of shame about his own appalling complacency? It was 22 days before he visited the biggest prison fiasco in history, during which this so-called Government of law and order were held up to world ridicule. The only point on which I join the Home Secretary is to say that the governor is first class and has a magnificent staff. We are watching carefully to ensure that he is not made a scapegoat.

Mr. Waddington: The hon. Gentleman has a cheek. I read his article in the *Sunday Express* last Sunday—

Mr. Litherland: Many days ago.

Mr. Waddington: —in which he supported the action taken by our staff.

Mr. Michael Shersby (Uxbridge): Is my right hon. and learned Friend aware that the Greater Manchester police will be grateful for his tribute to them today for the way in which they contained the perimeter? How long is the criminal investigation that those police are carrying out likely to last? Can my right hon. and learned Friend assure the House that severe punishment will be meted out to anyone who is found guilty as a result of charges brought against him?

Mr. Waddington: That is, of course, not a matter for me but for the courts, and who is charged is not a matter for me. I spoke to the chief constable of Greater Manchester last night, and I do not have the slightest doubt that the criminal investigation is being pressed ahead with all speed.

Mr. Robert Maclennan (Caithness and Sutherland): Will the Home Secretary accept the thankfulness and admiration with which we greet his statement and the attitude that has been shown throughout these appalling events by the police, by the prison officers in particular, and by other public servants? Will he also accept that it would be quite wrong to seek to draw conclusions on the 25 days of mayhem only 24 hours after the events have been concluded?

Will the inquiry under Lord Justice Woolf be sufficiently widely drawn to take into consideration the impact that the events have had on other prisons and on the prison system generally? There was the greatest disquiet that what was happening in Manchester would simply spark off other ugly events, both in other antediluvian prisons and in modern prisons.

Mr. Waddington: I am grateful to the hon. Gentleman for his introductory remarks. I do not have the slightest doubt that Lord Justice Woolf will be able to investigate the matters to which the hon. Gentleman has referred, although the interpretation of his terms of reference is a matter for Lord Justice Woolf himself.

Mr. John Greenway (Ryedale): Does my right hon. and learned Friend agree that it is easy for the armchair expert to make suggestions at a distance on how the riot could have been brought to an end, but that the events have shown that those on the ground who control the situation are the best judges of what should be done? Can he confirm that the ending of this siege and riot was related to the fact that the prison authorities were able to get above the prisoners and that it was only then that action to move into the gaol could be contemplated?

Mr. Waddington: That is absolutely true. At one stage, a scaffold was put up on the side of the remand wing and an exercise was carried out which involved punching a hole through the gable end at roof height and seeing whether a number of men could be put through there on to the wire inside. The most appalling problems were attendant on that experiment. One had to judge how many men the wire could carry and one had to work out whether one could get the first man through the hole before he was murdered by a person inside holding a scaffold pole. Another way of getting into the roof space had to be found. I gather that an ingenious way was eventually found to get into the roof space through the walls of the chapel.

Mr. Alfred Morris (Manchester, Wythenshawe): Is the Home Secretary aware of my many exchanges with his Department, after discussion with the prison's doctor long before this predicted disaster, about the number of people who, being seriously ill mentally, were wrongly accommodated at overcrowded Strangeways? Where are they now? Are they still inappropriately accommodated in overcrowded prisons? What extra manpower has gone to the prisons that are now trying to cope with those who have been evacuated from Strangeways?

May we have a clearer reply to the question of my right hon. Friend the Member for Birmingham, Sparkbrook (Mr. Hattersley) about the potential cost of all this to the people of Manchester?

Mr. Waddington: There are far fewer mentally disordered people in the prison system than there used to be. It is, of course, up to the courts to use the powers they have to deal with people other than by sending them to prison when they are mentally disturbed. That point is met. However, I do not want the right hon. Gentleman to feel that I do not take his point seriously, and it is one of the many points into which we should inquire. We should ensure that there is correct accommodation for those who are mentally disordered and yet still have to be kept in custody.

I cannot yet give the right hon. Gentleman any estimate of the cost of all this, but obviously there will be an opportunity for hon. Members to ask questions here and I shall obtain all the information I can as soon as possible.

Mr. Ivan Lawrence (Burton): May I commend my right hon. and learned Friend for his clear indication this afternoon that he will take immediate, positive and constructive action on the lessons that have already been learnt about this deplorable incident? Does he agree that, if the prison officers had gone in too early in the well-defended position that he has described and serious injuries and deaths had resulted, the copycat results would have been nothing short of horrific?

Mr. Waddington: My hon. and learned Friend is so obviously right; I made that point earlier. I have no doubt that, if anybody had been seriously injured or even killed, I should not be standing here today being criticised for not taking tough enough action. I should be standing here accused of having imperilled people's lives without any justification.

Mr. Tony Lloyd (Stretford): I join the Home Secretary in giving due praise and credit to the governor and his staff at Strangeways. However, I want to ask the right hon. and learned Gentleman about his own role and that of senior management in the prison service. Can he deny that there were requests for specialist equipment or for specialist personnel which were not made available to the governor of Strangeways and which could have resulted in the siege being ended more quickly without any loss of life or serious injury to those involved? I should like the Home Secretary to be very precise in his answer.

Mr. Waddington: I know that new equipment was obtained and that there were allegations that there was not enough equipment. I know that a further order for more equipment was placed to the tune of £750,000, to which I have already referred. I went to Strangeways last night and I saw some of the control and restraint teams. I questioned them on whether they had been properly equipped to carry out their operation. They said that they were properly equipped, although there was a case for smaller shields for working in confined spaces.

Sir Peter Emery (Honiton): Will my right hon. and learned Friend accept that we are grateful for his extensive statement, which must be closely studied, and that the House must recognise the need of Ministers to support local governors and local control? Will he also accept that there is a strong view among many people that one cannot treat prisoners in mutiny with kid gloves and that the message must be clearly understood that the maximum force will be used as soon as possible to overcome riot and mutiny, even if it carries the risk of physical harm to prisoners? Unless it is understood that people who riot and mutiny stand physical risk to themselves, there is a great chance of copycat mutinies and riots to attract the media, including television. A strong stance is urged by many.

Mr. Waddington: My hon. Friend will recall that, as I said in my statement, what happened at Pucklechurch, Bristol and Dartmoor makes it plain that the prison department is perfectly prepared to take tough action when tough action is appropriate. Yesterday I heard a prison governor being quoted as saying that the difficulty in these situations is that unless control of the prison is regained in—I think he said—the first few minutes or the first hour or two, almost insuperable difficulties are involved.

As I said earlier, what happened has been frustrating beyond measure for those of us who have had to carry the responsibility, and it has been infuriating for the public. Indeed, some members of the public have found it humiliating and I do not blame them for that. However, the public's attitude would have been very different if substantial loss of life had been entailed, and if the place had been stormed on the first day, I believe that the prison could have been retaken only with the risk of substantial injury and substantial loss of life.

Mr. Derek Fatchett (Leeds, Central): The Home Secretary and other hon. Members have made it clear that we owe a debt to the prison officers. However, from all that we have heard during the events at Strangeways, it is also clear that the morale of prison officers is low, with a number of criticisms of the prison service. Does the Home Secretary intend to meet the Prison Officers Association to discuss the possibility of renegotiating fresh start and the additional manning implications that follow from what happened at Strangeways? From the right hon. and learned Gentleman's earlier comments, it is clear that the number of jobs that he has promised were already in the pipeline for this financial year and that all that he is promising is to bring those jobs forward.

Is it not clear that in a prison such as Leeds, which is already overcrowded and has the worst conditions of any prison in this country, the Home Secretary is asking the prison staff to face yet more days of intolerable strain and bad working conditions?

Mr. Waddington: I do not detect the low morale of which the hon. Gentleman has spoken. Indeed, the prison officers to whom I spoke last night were proud to have taken part in a successful operation.

It is not true to say that prison officers are poorly paid. The average remuneration of a prison officer is now £16,000 per year, and £18,000 per year in London. The difference today as compared with a few years ago is that then prison officers had to work 56 hours a week to earn their remuneration, whereas they now work little more than an ordinary working week. Therefore, there has been a vast improvement in their position.

Obviously there will be opportunities for fresh start to be discussed and perhaps staffing levels will be thought a matter of importance by Lord Justice Woolf. However, I repeat what I said a short time ago. Fresh start came about as a result of an agreement with the POA and as a result of the general recognition that we could not continue with prison officers having to work absurd overtime hours to receive a decent remuneration.

Mr. John Browne (Winchester): Does my right hon. and learned Friend accept that curbing the large concentrations of prisoners could have a major effect on prisoners' cell time and on staffing levels? If he adopts such curbs, will he please ensure that they are properly financed?

Mr. Waddington: I put the matter in the way that I did because it needs careful study. On the one hand, if one cuts the size of large assemblies, one reduces the immediate risk, but, on the other hand, the more restrictive the regime, the more pressures there are to build up. We must examine that matter logically and sensibly and come to a conclusion about the best way to proceed. I am sure that no hon. Member would say that that is not something that we should study carefully; after all, this all began because there were 300 such people all together in the chapel.

Dr. John Reid (Motherwell, North): Although I welcome many of the things that the Home Secretary has said, may I offer one or two observations arising from the experiences at Shotts prison in my constituency which is, as he knows, one of the most modern prisons in Britain? First, good design and a full complement of officers are no guarantee that there will not be trouble. Secondly, that is especially true when the prisoners can watch every night on television a long-running siege at another outdated prison. Thirdly, while minimising the risk of danger to prisoners and/or officers, we should also weigh in the balance the fact that such a long-running siege might encourage activity at other prisons and put officers' lives at risk, as was the case at Shotts. Finally——

Mr. Speaker: That is the fourth point.

Dr. Reid: I said "one or two", Mr. Speaker, but that is a generic Scottish legal term for "four".

Finally, as the effect that a small number of disruptive prisoners can have must now have been brought to the attention of the Home Secretary, will the right hon. and learned Gentleman bring that point to the attention of Ministers at the Scottish Office and ask them to abandon their crazy plans to centralise all Scotland's disruptive prisoners at Shotts prison in my constituency, as that could only lead to further heartache and problems?

Mr. Waddington: I shall certainly draw the hon. Gentleman's remarks to the attention of my right hon. and hon. Friends at the Scottish Office. I am grateful to the hon. Gentleman for his opening remarks, which show the simplistic nature of some of the propositions that have been advanced over the past three or four weeks. Shotts is a new prison which is not overcrowded and where nobody suggests that there are not enough prison staff. We should bear that in mind when we hear all the stories to the effect that none of this would have happened if only fresh start had never come into existence and there is more prison officers. What has happened is a classic example of the way in which trouble can brew up other great trouble for no apparent reason.

On the point about copycat action—I am sorry that I did not reply to the point made about this by my hon. Friend the Member for Honiton (Sir P. Emery), but I had mentioned it earlier—if people had been killed, I believe that there would have been far worse copycat action. The choice that had to be made was between taking a more cautious approach and ensuring that there would not be an unacceptable loss of life, in which case there was time for copycat action, and going in hard, risking life and probably causing loss of life, in which case there would certainly have been copycat action.

Mr. Richard Alexander (Newark): Is not one of the most distasteful features of the whole business the attitude of some of the tabloid press, with some suggesting that 12 prisoners had been killed and that people had been castrated during the riot? Without making this a party political matter, to coin a phrase, is it not pertinent to ask, which side do they cheer for?

Mr. Waddington: It is certainly not a party political matter, but I was disgusted by the headlines in some of the press. *The Sun* stated:

"12 dead in jail drug riot".

Other headlines included that in the *Daily Star* which stated:

"10 die in jail riot horror".

The *Daily Express* reported:

"12 murdered in jail riot";

Today had the headline:

"Prison mob hanged cop".

The Daily Telegraph wrote:

"Prisoners die as rioters burn jail";

and the *Daily Mail* referred to

"Twelve dead in jail riot",

with *The Sun* stating:

"Bodies cut up and dumped in sewer".

As I have already said, even ITN stated incorrectly and without any justification that three people had been killed.

That will not do. I do not want to incur even more bad publicity than I have had in the national press by being so critical, but the general public would feel that I would be failing in my duty if I did not emphasise how disgraceful such reporting has been. It has not helped a solution to be arrived at in any way.

Mr. Dennis Skinner (Bolsover): Is the Home Secretary aware that the episode lasted nearly as long as the Falklands war? Why should the British taxpayer have to fork out £200 million to finance the shambles just because we have a lousy Home Secretary who cannot handle the job? If anybody should be paying the bill, it should be the Home Secretary and other members of the Government. If a local authority had been in charge, it would have been surcharged.

Mr. Waddington: This was not a war. A war always costs lives. Those who decide to engage in war make up their minds before doing so that there will be what is called acceptable loss of life. It is ridiculous for the hon. Gentleman to draw an analogy between the events at Strangeways and a war. All reasonable people would say that in conducting such an operation one should start with the proposition that no one should be put at unacceptable risk, let alone danger, to his life.

Mr. Tim Devlin (Stockton, South): Is my right hon. and learned Friend aware that late last year, before the Strangeways riot, there was a similiar riot at Kirklevington prison in my constituency? It seems clear from what has happened during the past two weeks that, whatever public opinion might have been—that has given rise to great pleasure this afternoon—the public would approve of an immediate and, if necessary, violent reaction to this sort of activity in our prisons and the demolition of our Victorian prisons. Therefore, will my right hon. and learned Friend immediately set up a centrally directed riot squad, armed

[Mr. Tim Devlin]

if necessary, to deal with such events, and will he take advantage of the situation at Strangeways to demolish the prison and build a new one on the rubble?

Mr. Waddington: As I have pointed out, there was a pretty violent reaction at Bristol, Dartmoor and Pucklechurch, so the prison department is clearly not afraid to take violent action. The question is, what is it sensible to do when 135 people are still at loose in the prison and up in the rafters? How many prison officers could one allow to be killed in order to put them through the doors downstairs, making them climb on to gangways which had been rendered unsafe by the removal of bannisters and through an area which we already know had been booby-trapped? I should like to see some of our Victorian prisons demolished, but one must take a common-sense view.

We must accommodate those whom it is proper to send to prison. As I have already pointed out, we have done a great deal to introduce the possibility of more punishment in the community and there has been a reduction in the prison population, but it will be a long while before we can get rid of all our Victorian prisons.

I am glad to be able to tell my hon. Friend that during the past year more than 3,000 prison officers have been specially trained in the control and restraint technique to deal with the sort of situation which has occurred recently in our prisons. It is now proposed to train even more, but it is a good thing that over a year ago that special training programme was embarked upon.

Mr. George Foulkes (Carrick, Cumnock and Doon Valley): What guarantees are there that the Woolf report will not join other riot and disaster reports gathering dust on the shelf while the Government proceed in their own ideological and dogmatic way? Which of the lessons learned from the riots at Saughton and Peterhead in Scotland were applied to the riot at Strangeways?

Mr. Waddington: The lessons of Peterhead were not thought relevant. That is a classic example of how unrealistic it is to talk of bringing in the Army. If someone is a hostage in a prison in imminent danger of death, there may be a case for putting in the Army; there is certainly no case for putting in the Army when seven scruffy layabouts are holed up in a prison and there is a way of getting them out without the loss of a single life. I can assure the hon. Gentleman that we shall look swiftly at the conclusions reached by Lord Justice Woolf. I thought that we had done rather well with reports recently. We certainly acted quickly when Lord Justice Taylor produced his report.

Mr. James Kilfedder (North Down): What is the present estimate of the damage caused to Strangeways prison? Was not most of the damage caused after the first couple of days?

Mr. Waddington: I do not know. We shall have to make an estimate, and when that has been done the House will be told. I do not know how much damage was done in the first two days and how much was done thereafter, but I do know that a lot was done in the first day or two. There is no doubt that a great deal of damage was done then, including the burning of an old chapel. A whole building was destroyed.

Dr. Michael Clark (Rochford): How would my right hon. and learned Friend advise me to reply to those of my constituents who write saying that the goings on in Strangeways during the past three and a half weeks have brought shame on the governor, derision on the Home Office and ridicule on the country?

Mr. Waddington: I would say that it is easy to see why people became so thoroughly frustrated and why, seeing the scenes on their televisions, they were upset for Britain's reputation. But at the end of the day those responsible have to make rational plans and execute them. I hope that my hon. Friend will make it clear to any constituents who talks nonsense about bringing in the SAS and taking the place by storm that in such a situation a Home Secretary who wilfully imperils the lives of prison officers, let alone the lives of prisoners, would be severely criticised, and rightly so.

Several Hon. Members *rose*——

Mr. Speaker: Order. I shall give precedence to the three hon. Members whom I have been unable to call on today's statement the next time that we return to the matter.

BALLOT FOR NOTICES OF MOTIONS FOR MONDAY 14 MAY

Members successful in the ballot were:

Mr. Bowen Wells
Sir Hugh Rossi
Mr. David Shaw

BILL PRESENTED

TOXIC AND HAZARDOUS SUBSTANCES (MISCELLANEOUS PROVISIONS) (NO. 2) BILL

Mr. Ian McCartney, supported by Mr. Mike Watson, Mr. Frank Doran, Mr. Eric Martlew, Mr. Martyn Jones, Mr. Keith Bradley, Mrs. Alice Mahon, Mr. David Hinchliffe, Mr. Thomas McAvoy, Mr. John Battle, Mr. Gerry Steinberg and Mr. Lawrence Cunliffe, presented a Bill to protect the general public in the purchase and application of toxic and hazardous substances within the home environment; to provide for the labelling of such products; to provide for the licensing of manufacturers in respect of hazardous substances, products and processes; to improve safety standards and to require testing of substances, products and processes; to provide codes of practice for consumers and contractors; to set up a register of toxic and hazardous substances; and for connected purposes: And the same was read the First time; and ordered to be read a Second time on Friday 4 May and to be printed. [Bill 135.]

GREENWICH HOSPITAL BILL *[Lords]*

Ordered,

That the Greenwich Hospital Bill *[Lords]* be referred to a Second Reading Committee.—*[Mr. Greg Knight.]*

Royal Assent

Mr. Speaker: I have to notify the House, in accordance with the Royal Assent Act 1967, that the Queen has signified Her Royal Assent to the following Acts:

Education (Student Loans) Act 1990

Greater Manchester (Light Rapid Transit System) Act 1990

Happisburgh Lighthouse Act 1990

Orders of the Day

Enterprise and New Towns (Scotland) Bill

As amended (in the Standing Committee), considered.

New Clause 9

Winding up and dissolution of new town development corporations

'For sections 36 and 36A of the New Towns (Scotland) Act 1968 there shall be substituted the following sections—

"*Winding up of development corporation.*

36.—(1) Where the Secretary of State is satisfied that the purposes for which a development corporation were established under this Act have been substantially achieved he may by order (a "winding up order") provide for the winding up of the corporation.

(2) Before making a winding up order the Secretary of State shall consult—

(a) the development corporation to which the order will relate.

(b) the council—

(i) of the region or islands area, and

(ii) of each district,

in which any part of the new town is situated, and

(c) such other person or body as he thinks appropriate.

(3) A winding up order shall name the day on which the winding up of the corporation is to commence and the day by which it is to be completed and may—

(a) stipulate a timetable for the winding up,

(b) require the corporation to make interim reports to the Secretary of State,

(c) require the corporation to comply with any directions made by the Secretary of State under section 36C of this Act,

(d) impose such duties, or confer such additional powers, in relation to the winding up as the Secretary of State thinks appropriate,

(e) revoke any order relating to the development corporation,

(f) contain such incidental, consequential, supplementary, transitional or ancillary provisions (including provision modifying the effect of any enactment as it relates to the corporation) as the Secretary of State thinks necessary or expedient.

(4) The Secretary of State may, after such consultation as is mentioned in subsection (2) above, by order vary any of the terms of a winding up order.

(5) An order under this section shall be made by statutory instrument which shall, if it contains provision modifying the effect of any enactment as it relates to the corporation, be subject to annulment in pursuance of a resolution of either House of Parliament.

Application of sections 35 etc. to operators of telecommunication systems

36A. Sections 35, 36B and 36D of this Act shall have effect as if references to statutory undertakers included references to operators of any telecommunications code system and as if for this purpose—

(a) references to a statutory undertaking were references to the running of such a system, and

(b) references to the appropriate Minister were references to the Secretary of State for Trade and Industry.

Additional power to dispose of property etc.

36B.—(1) Subject to the conditions set out in subsection (2) below and without prejudice to the powers contained in section 3, 18, 18AA or 18B of this Act, a development corporation may dispose of any of their property, rights or liabilities on such terms (including by way of gift) as they think fit to any person, including (without prejudice to this generality) Scottish Enterprise, the Scottish Development Agency, Scottish Homes, a local authority or a statutory undertaker.

(2) The conditions relating to the power conferred by subsection (1) above are that the power may be exercised only—

(a) with the consent (which may be general or specific) of the Secretary of State, and

(b) during the period from the day of coming into force of the winding up order until the date of dissolution of the corporation.

Direction and order making powers of Secretary of State

36C.—(1) Without prejudice to the power contained in section 4(2) of this Act the Secretary of State may, in relation to a development corporation who are subject to a winding up order—

(a) during the period from the date of coming into force of the order until the date named in the order as the date by which the corporation are to be wound up (the "winding up date"), give directions (which may be general or specific) to the corporation in relation to the winding up; and

(b) during the period from the winding up date until the date of dissolution of the corporation, give directions (which may be general or specific) to the corporation.

(2) In the case of a development corporation who are subject to a winding up order the Secretary of State may exercise the power conferred by section 5(2) of this Act without its having to appear to him that there are exceptional circumstances rendering such exercise expedient.

Transfer orders

36D.—(1) At any time after a winding up order has been made the Secretary of State may by order (a "transfer order"), made by statutory instrument and subject to annulment in pursuance of a resolution by either House of Parliament, provide for the transfer of any property, rights and liabilities of a development corporation to any person, including (without prejudice to this generality) Scottish Enterprise, the Scottish Development Agency, Scottish Homes, a local authority or a statutory undertaker.

(2) A transfer order may—

(a) transfer the property, rights and liabilities on such terms (which may include transfer either with or without consideration) as the Secretary of State may provide in the order,

(b) include provisions amending any enactment relating to Scottish Enterprise, the Scottish Development Agency, Scottish Homes, a local authority or a statutory undertaker for the purpose, or in consequence, of any transfer made to any such body by virtue of subsection (1) above, and

(c) contain any such incidental, consequential, supplementary or ancillary provisions as the Secretary of State thinks necessary or expedient for the purposes of the order.

(3) Any property, right or liability transferred to any person by a transfer order shall vest in that person on such date as may be specified in the order.

(4) If a person to whom any land is transferred by a transfer order wishes to complete his title to the land by expeding a notarial instrument or notice of title or otherwise, the order shall be deemed to be and may be used as a general disposition or assignation of the land in his favour.

Reduction of liability of development corporation.

36E.—(1) If the Secretary of State is satisfied that it is expedient, having regard to the provisions of any transfer order or proposed transfer order, that the liability of a development corporation in respect of advances made to them under this Act should be reduced he may, by order with the consent of the Treasury, reduce that liability to such extent as may be specified in the order.

(2) Section 46(6) of this Act applies to orders under this section.

Grants by Secretary of State.

36F.—(1) Where the Secretary of State is satisfied that a disposal of land by a development corporation or any transfer of land under a transfer order imposes or will impose a financial burden on the disponee or transferee he may make grants to the disponee or transferee of amounts to be determined by him with the consent of the Treasury.

(2) Where a development corporation are satisfied as mentioned in subsection (1) above they may make grants of amounts to be determined by them with the approval of the Secretary of State and the consent of the Treasury.

(3) Any grant made under this section may be given subject to such conditions as the granter thinks appropriate including (without prejudice to this generality) conditions requiring repayment of all or any part of a grant in the event of non-compliance with any other condition; and any consent given under this section may be general or specific.

Dissolution of development corporation.

36G.—(1) A development corporation shall, after the making of a winding up order relating to them, remain in existence until such date as the Secretary of State, after consultation with the corporation, appoints for their dissolution by order made by statutory instrument.

(2) The date appointed under subsection (1) above shall not be earlier than the date provided for in the winding up order for the completion of the winding up of the corporation.

Financial consequences of winding up.

36H. Any surplus arising from the winding up of a development corporation shall be paid into the Exchequer and any deficit shall be defrayed out of money provided by Parliament.".'.

Brought up, and read the First time.

5.18 pm

The Minister of State, Scottish Office (Mr. Ian Lang): I beg to move, That the clause be read a Second time.

Mr. Speaker: With this it will be convenient to take the following: New clause 2—*Development Corporation tenants' choice of landlord*—

'In the period prior to and at the time of a winding-up order made against any development corporation the tenants of development corporation housing stock shall be allowed to exercise a choice of alternative landlord which must include the District Council within which the development corporation is situated.'.

New clause 3—*Transfer of vacant houses to District Council*—

'At the time a winding-up order is made against a development corporation all vacant houses shall be transferred to the District Council within which the development corporation is situated at a price to be negotiated and agreed upon by the parties involved.'.

New clause 8—*Winding up and dissolution of new town development corporations*—

'30. For Sections 36 and 36A of the New Towns (Scotland) Act 1968 there shall be substituted the following sections—

36.—(1) The Secretary of State shall require the Development Corporation—

(a) to undertake

(i) an environmental audit of parks, woodlands and recreational areas;

(ii) an audit of all other lands and buildings in the New Town, in their ownership or over which they have superiority rights;

within one month of the Enterprise and New Towns (Scotland) Act 1990 coming into force and shall be completed within four months thereof;

(b) to make available within one month of completion, the findings of the audits to:—

(i) the regional and district council in which the new town is situated, and

(ii) such other person or body as appear to him to have an interest.

(2) Where the Secretary of State is satisfied that the purposes for which a development corporation was established under this Act have been substantially achieved he may by order (a "winding up order") provide for the winding up of the corporation.

(3) Before making a winding up order the Secretary of State shall consult—

(a) the development corporation to which the order will relate,

(b) the council—

(i) of the region or islands are, and

(ii) of each district,

In which any part of the new town is situated, and

(c) such other person or body as he thinks appropriate

(4) A winding up order shall name the day on which the winding up of the corporation is to commence and the day by which it is to be completed and may—

(a) stipulate a timetable for the winding up,

(b) require the corporation to make interim reports to the Secretary of State,

(c) require the corporation to comply with any directions made by the Secretary of State under section 36C of this Act,

(d) impose such duties, or confer such additional powers, in relation to the winding up as the Secretary of State thinks appropriate,

(e) contain such incidental, consequential, supplementary or ancillary provisions (including provision modifying the effect of any enactment as it relates to the corporation) as the Secretary of State thinks necessary or expedient for the purposes of the order.

(5) A winding up order shall provide that the regional and district council within whose area the new towns are situated, shall be entitled to invest, by equity participation or otherwise, in a local development company (set up to own and manage assets of the former new town development corporation within their area).

(6) The Secretary of State may, after such consultation as is mentioned in subsection (3) above, by order vary any of the terms of a winding up order.

(7) An order under this section shall be made by statutory instrument which shall, if it contains provision modifying the effect of any enactment as it relates to the corporation, be subject to annulment in pursuance of a resolution of either House of Parliament.

Application of sections 35 etc. to operators of telecommunications systems

36A. Section 35, 36B and 36D of this Act shall have effect as if references to statutory undertakers included references to operators of any telecommunications code system and as if for this purpose—

(a) references to a statutory undertaking were references to the running of such a system, and

(b) references to the appropriate Minister were references to the Secretary of State for Trade and Industry.

Consultation by development corporation

36AA. (1) A development corporation shall, before disposing of any of their property, rights or liabilities and before entering into any agency agreements (whether by means of management buy-out agreements or otherwise) in respect of any of the development corporation's functions or services, consult and have regard to representations, related to any proposed disposal of such property, rights or liabilities which may be made by—

(a) Regional and District Councils within whose areas the new town is situated

(b) Scottish Homes and Scottish Enterprise

(c) any other body as they think appropriate

and shall advertise in a newspaper circulating in the locality any proposed disposals of property and consider any representations relating to it.

Additional power to disposal of property including houses etc.

36B (1) Subject to the conditions set out in subsection (2) below and without prejudice to the powers contained in section 18, 18AA or 18B of this Act, a development corporation may dispose of any of their property, rights or liabilities on such terms (including by way of gift) as they think fit to any person, including (without prejudice to this generality) Scottish Enterprise, the Scottish Development Agency, Scottish Homes, a local authority or a statutory undertaker.

(2) The conditions relating to the power conferred by subsection (1) above are that the power may be exercised only—

(a) with the consent (which may be general or specific) of the Secretary of State, and

(b) during the period from the date of coming into force of the winding-up order until the date of dissolution of the corporations.

(3) in granting consent as provided for in subsection (2) above, but also in respect or the period from the date commencement of this section, until the date of coming into force of the winding-up order, the Secretary of State shall ensure that each tenant of any house owned by a development corporation, if that house may be transferred or disposed of to a new landlord, shall have the right to choose that the new landlord shall be one of the following bodies

(a) the district council in which the new town is situated,

(b) Scottish Homes or

(c) such other body as may be approved for that purpose by Scottish Homes,

provided that the tenant's choice of landlord is agreed by that body.

Direction and order making powers of Secretary of State

36C.—(1) Without prejudice to the power contained in section 4(2) of this Act the Secretary of State may, in relation to a development corporation which is subject to a winding up order—

(a) during the period from the date of coming into force of the order until the date named in the order as the date by which the corporation is to be wound up (the "winding up date"), give directions (which may be general or specific) to the corporation in relation to the winding up; and

(b) during the period from the winding up date until the date of dissolution of the corporation, give directions (which may be general or specific) to the corporation.

(2) In the case of a development corporation which is subject to a winding up order the Secretary of State may exercise the power conferred by section 5(2) of this Act without its having to appear to him that there are exceptional circumstances rendering such exercise expedient.

Transfer orders

36D—(1) At any time after a winding up order has been made the Secretary of State may by order (a "transfer order"), made by statutory instrument and subject to annulment in pursuance of a resolution by either House of Parliament, provide for the transfer of any property, rights and liabilities of a development corporation to any person, including (without prejudice to this generality) Scottish Enterprise, the Scottish Development Agency, Scottish Homes, a local authority or a statutory undertaker.

(2) A transfer order—

(a) shall transfer the property rights and liabilities in land including the superiority thereof held on feu or lease or otherwise held, occupied or used at the date this Act is passed or subsequently, by a local authority for the performance of its statutory or other duties or powers or functions to such local authority, on such terms as the Secretary of State may provide in the Order.

(b) may transfer the property, rights and liabilities on such terms (which may include transfer either with or without consideration) as the Secretary of State may provide in the order, provided that no such property, rights or liabilities shall be transferred to a local authority unless there has been prior agreement between that authority, the development corporation and the Secretary of State as to the terms upon which the transfer is to be made.

(c) may include provisions amending any enactment relating to Scottish Enterprise, the

[Mr. Speaker]

Scottish Development Agency, Scottish Homes, a local authority or a statutory undertaker for the purpose, or in consequence, of any transfer made to any such body by virtue of subsection (1) above, and

(d) may contain any such incidental, consequential, supplementary or ancillary provisions as the Secretary of State thinks necessary or expedient for the purposes of the order.

(3) Any property, right of liability transferred to any person by a transfer order shall vest in that person on such date as may be specified in the order.

(4) If a person to whom any land is transferred by a transfer order wishes to complete his title to the land by expending a notarial instrument or notice of title or otherwise, the order shall be deemed to be and may be used as a general disposition or assignation of the land in his favour.

Reduction of liability of development corporation

36E—(1) If the Secretary of State is satisfied that it is expedient, having regard to the provisions of any transfer order or proposed transfer order, that the liability of a development corporation in respect of advances made to them under this Act should be reduced he may, by order made with the consent of the Treasury, reduce that liability to such extent as may be specified in the order.

(2) Section 46(6) of this Act applies to orders under this section.

Grants by Secretary of State

36F—(1) Where the Secretary of State is satisfied that a disposal of land by a development corporation or any transfer of land under a transfer order imposes or will impose a financial burden on the disponee or transferee he may make grants to the disponee or transferee of amounts to be determined by him with the consent of the Treasury.

(2) Where a development corporation is satisfied as mentioned in subsection (1) above they may make grants of amounts to be determined by them with the approval of the Secretary of State and the consent of the Treasury.

(3) Any grant made under this section may be given subject to such conditions as the granter thinks appropriate including (without prejudice to this generality) conditions requiring repayment of all or any part of a grant in the event of non-compliance with any other condition; and any consent given under this section may be general or specific.

Dissolution of development corportion

36G—(1) A development corporation shall, after the making of a winding up order relating them, remain in existence until such date as the Secretary of State, after consultation with the corporation, appoints for their dissolution by order made by statutory instrument.

(2) The date appointed under subsection (1) above shall not be earlier than the date provided for in the winding up order for the completion of the winding up of the corporation.

(3) At a date not later than dissolution a number of houses for allocation to the homeless, as may be agreed by the development corporation and the district council, and failing such agreement, as may be determined by the Secretary of State, shall be transferred to the district council in which district the new town is situated.

Financial consequences of winding up

36H—Any surplus arising from the winding up of a development corporation shall be paid into the Exchequer and any deficit shall be defrayed out of money provided by Parliament."'.

Mr. Lang: New clause 9 reintroduces the original clause 30. Interestingly, its content is replicated in a new clause tabled by the Opposition and grouped with it, which illustrates the opportunist and frivolous approach that the Opposition took to eliminating the clause in Committee.

For the benefit of the House, I should explain that the clause replaces sections 36 and 36A of the New Towns (Scotland) Act 1968 with a series of new sections on the procedures to be adopted for the winding up and dissolution of the five Scottish new town development corporations. We debated the provisions of the clause extensively in Committee and I will summarise that debate. The clause extends the scope for the development corporations to dispose of their property, rights and liabilities, and empowers the Secretary of State to make directions and orders, including wind-up and transfer orders, for the transfer of property, rights and liabilities affecting the development corporations up to and at dissolution.

It also empowers the Secretary of State to relieve, by making grants, any financial burden imposed by the transfer of corporation property. The clause is essentially enabling, designed to ensure that sufficient scope is left to ensure a smooth winding-up process, consistent with the intent of the architects of the original 1946 legislation. Wind-up has been implicit for new towns since the outset, and it is generally recognised that the new towns, at varying stages of maturity, are reaching the time when wind-up is appropriate and necessary.

We intend that wind-up orders will be made in 1991 for East Kilbride and Glenrothes, and those corporations will be dissolved no later than 1994. Cumbernauld will begin winding up in 1993, Livingstone in 1995 and Irvine in 1996. Winding up will normally take place over three years, after which corporations will be dissolved. It is important to handle this matter sensibly, and we are anxious to maintain the momentum—particularly the economic momentum—established by the towns while they have had special legislative protection and support from the taxpayer.

The economic benefits that the new towns have generated for themselves, for their surrounding areas and for Scotland as a whole are too significant simply to wind up the towns without providing for a smooth transition. In the last year alone, more than 5,000 new jobs were established in the towns, where unemployment rates are well below those of the surrounding areas, having halved in the last three years. Even since we have debated the Bill in Committee, we have had excellent news about Conner Peripherals in Irvine and NEC's expansion in Livingston, I announced Locate in Scotland's annual results earlier this week, in which the new towns played a prominent part.

It is intended to make sure that satisfactory arrangements are in place before any corporation is wound up. We have concluded that the most effective way to take forward development in the towns will be through the private sector by way of a local development company, the principal role of which would be to own and manage a portfolio of industrial and commercial assets of the former development corporations and to undertake new property development on a commercial basis as it judges appropriate. In addition, and for a limited number of years, the company will undertake certain public sector functions under contract in the new town area.

A local development company vehicle offers three main advantages. The first is the potential for the introduction of a substantial private sector involvement in the on-going

economic development of the towns. The second is the disposal of a significant part of the industrial and commercial assets. The third is the assured continuing delivery of certain key activities—promoting, marketing and support for the attraction of inward investment; property development; and business support and advisory services.

Housing is an important issue and undoubtedly one which concerns local residents, so we devoted considerable time to it in Committee. It is clear that the housing argument in the new towns is moving our way. Our support for diversity and variety is just what people want. That is why more than 30,000 tenants have bought their own homes and that is why housing associations are being set up and expanded. I know that district councils and Opposition Members have been quick to press the claims of councils to take over development corporation housing, but there is no sign of a demand among tenants to transfer to district councils. There are many more applications to move from councils to the development corporations. Most tenants—four fifths of them in a recent survey—want to make their choice at wind-up. I agree with them that that is the right time to choose. Our priority now is to make sure that they are aware of the alternatives.

We had a thorough and wide-ranging debate on this clause in Committee. The hon. Member for Clydebank and Milngavie (Mr. Worthington) said:

"There is some cross-party agreement on this issue in that both parties accept the success of the new towns and that at some stage there must be winding-up."—[*Official Report, First Scottish Standing Committee*, 27 February 1990; c. 439.]

By tabling their own new clause, the Opposition have made it plain that they accept the fact of wind-up.

I should draw attention to one addition in the clause as now proposed. On Second Reading, the hon. Member for Cumbernauld and Kilsyth (Mr. Hogg) specifically raised the matter of the proposed transfer of planning functions from development corporations to local planning authorities. He also asked how and when this transfer would take place. The new clause includes a further technical provision—section 36(3)(e)—for the Secretary of State to have powers to

"revoke any order relating to the development corporation".

That provision will allow the special development order for any town to be revoked by the winding-up order and to be an integrated part of the wind-up process. It will not necessarily mean that the revocation of the special development order will take effect at the start of wind-up. The precise timing will be influenced by such matters as the state of readiness of local plans. The availability of this power should, however, facilitate a smoother transition, and to this end we have also added an explicit provision at new section 36(3)(f) allowing the winding-up order to contain transitional provisions.

The new clause is essential to the Bill and to the new, robust free-standing picture of the new towns in Scotland.

Mr. Tony Worthington (Clydebank and Milngavie): The Minister said that our new clause is the same as the Government's, so the Government should have no problem in accepting our new clause, which asks them to give tenants of development corporations the right to choose to become tenants of the district council if they so wish. I wait for the Minister to say that he accepts that, but clearly he does not.

The Government are denying tenants of development corporations in Scotland the right, given to development corporation tenants in England, to transfer to district councils in the 17 new towns that were wound up there. Up to 1984, the Government agreed that development corporation housing should go to the district. The right hon. Member for Ayr (Mr. Younger) was not in Committee on the morning when the Government lost the new towns windup clause, but, on Second Reading, he was clearly under the impression that things were as they were when he was Secretary of State for Scotland.

Mr. Norman Hogg (Cumbernauld and Kilsyth): My hon. Friend will recall that I attempted to get answers on this matter from the right hon. Member for Ayr (Mr. Younger). Would my hon. Friend care to comment on the fact that the winding up of new towns in England was undertaken when the right hon. Member for Henley (Mr. Heseltine) was Secretary of State for the Environment? Perhaps we could look forward to a more enlightened approach to this wind- up if, between now and the general election, he was to be promoted to glory.

Mr. Worthington: We do not have to wait for the right hon. Member for Henley (Mr. Heseltine) to be promoted, because the new towns will be wound up under the Labour Government, who will give development corporation tenants the right to become district council tenants if they so wish.

Late last year, the Department of the Environment issued consultation papers that gave that right to council tenants. Our view is clear. It is fine by us if development corporation tenants want to do any of the following things: become owner-occupiers, vote to become a tenant of a management buy-out, join a co-operative, join a housing association, become a tenant of Scottish Homes. However, new town development corporation tenants have said overwhelmingly that they want to become tenants of the local district councils. We would give them that choice, but it is denied them by the Government.

Mr. Bill Walker (Tayside, North): If I heard the hon. Gentleman correctly, he complained earlier that the law in Scotland would be different from the law in England—that was the substance of his comments. If that is so, can he give us an assurance that if there is a Labour Government they will ensure that Scotland has the same laws as England, as they affect the new clause, and also that that would be true of the roof tax?

5.30 pm

Mr. Worthington: I was simply trying to make the point —and I think I did so effectively—that choice is being denied to tenants by the Scottish Office. Nothing that we are asking for is out of line with what the Department of the Environment is doing. The Department would allow development corporation tenants of English new towns to transfer to the district council. The Scottish Office and the Minister have decided to deny Scots that choice. The Minister must still be trying to get brownie points with the Prime Minister at a time when it does not matter whether he gets them.

In Committee, there was great embarrassment when a dawn raid occurred at 10.30 am, and two Conservative members of the Committee, who had not managed to get up by that time, failed to arrive and we voted out a clause. Therefore, the Bill as it stands is very strange, because the crucial clause on new towns is missing from the second part of the Bill. There are two major aspects to the part of

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the Bill that we are discussing and they are both addressed by our new clause. The first is the importance of wind-up to the new towns, and the second is the importance of the new towns to Scotland.

The key issue is the right of tenants to choose district councils as landlords. We demand that district councils should be available as an option. Some 89 per cent. of tenants in a recent survey thought that district councils should be one of the choices. We write that into our new clause. There is nothing revolutionary about that. Until 1984, that was accepted in England and Wales, where 17 new towns have been wound up. The only exception to the rule was Runcorn, because the local district council, for its own reasons, did not want to be a housing authority.

The history of the issue is that, until the mid-1980s, new towns in England and Wales that were wound up had their housing stock transferred almost automatically to the relevant district council. Then the Government decided that more choice should be available. The Housing and Planning Act 1986 contained a provision to enable new town dwellings to be transferred to bodies other than local authorities, but local people still had the right to choose the district council.

A ballot was held in Peterborough in October and November 1987 and when the result was announced in December, 93 per cent. of tenants of an 85 per cent. turnout wanted to transfer to the district council. We want the same rights to be given to tenants in East Kilbride, Glenrothes and the other new towns in Scotland as were given to tenants in Peterborough.

In August 1988, the Department of the Environment issued a consultation paper entitled, "New Towns Housing Transfer" in which plans were announced to repeal part III of the New Towns Act 1982 in favour of new transfer arrangements enabling approved landlords to compete with district councils, but local people still had the right to transfer to the district council.

As recently as 1989, the Local Government and Housing Act—in section 172(2)—made it quite clear that in new towns in England and Wales people can transfer to district councils within whose district the dwelling is situated, or to an approved landlord.

On 11 October 1989, in another place, Lord Hesketh said:

"The Government will bring forward regulations which will include the detailed provisions for such tenant consultation. They will include a ballot in which we would expect tenants to be able to choose between the district council and a landlord approved by the Housing Corporation."

The Minister finds ballots extremely difficult. To paraphrase what he said in Committee, ballots are difficult because they narrow the choice—they make one say yes or no, and that is unacceptable to the Minister.

Mr. Adam Ingram (East Kilbride): My hon. Friend was paraphrasing what the Minister said in Committee. The accurate quote is:

"A ballot is potentially a difficult and dangerous course of action."—[*Official Report, First Scottish Standing Committee*, 6 March 1990; c. 539.]

That sums up how the Government view the democratic choice facing new town tenants in Scotland.

Mr. Worthington: The Minister has a very limited vocabulary. It consists of the words "flexibility" and "choice" and he does not know the meaning of choice. We are trying to tell him that it means that one could choose between alternatives.

I am sure that there is considerable resentment in the new towns about the leaflet that was sent to tenants to tell them that they have a choice—that was the title of the leaflet. However, choice excludes the number one option for tenants.

Lord Hesketh said that even at that stage—in 1989—the Government intended to continue to offer a choice in England and Wales. He said:

"It is proposed that the tenants would be offered a choice between the local council and an approved landlord as the future owner of their homes."—[*Official Report, House of Lords*, 11 October 1989; Vol. 511, c. 490-91.]

That is all that we ask for in the Bill. It is puzzling why the Scottish Office have made a universal declaration of independence. It is not good enough for the Minister to say that at some stage in the future—at wind-up—they may allow a choice, because we know what will happen during the next few years. The full Government propaganda machine will go into operation, and people will be persuaded to choose immediately because of the fears that the Government will be stirring up.

The only honest thing that the Government can do is to tell people now that there will be a choice which will include the district councils as possible landlords if tenants so wish.

The Government are clearly desperately embarrassed about the situation. In Committee, the Minister used some strange language when he was talking about the "strong preference" of 40 per cent. of people who showed an interest in owner-occupation, but the "bare" 50 per cent. who thought that they would choose the district council at wind-up. According to the Minister, the Government are seeking to achieve choice, but they do not want people to choose now. We do not think that people should be making choices now, but they should know that choice will be available at wind-up.

The point that I am making will be exemplified and elaborated by my hon. Friends who represent the five new towns in Scotland. They will express the authentic views in the new towns in Scotland. It is strange that although the new towns are success stories, the Government and the Tory party have failed to achieve any representation in those areas. If the Government continue denying choice to the residents of new towns, they will do even worse in those areas in future.

As I said in Committee, it is not simply a question of the right of tenure. We accept the case for some variety in the choice of tenure of housing in the new towns. It is not simply a question of different systems of tenure and the right to choose a landlord; it is the right to choose where one lives. It is the right of residents of East Kilbride, Glenrothes, Irvine, Cumbernauld or Livingston to continue to live in the new towns. The other options that the Government put forward give far too much weight to the depth of one's pocket in whether one can live in that area. For many people with modest incomes their only real chance of continuing to live there or being given preference over newcomers, would be through district councils playing a major role in housing policy in those areas.

Many other issues affect the new towns. The Government have said, and we accept their intention, that it is extremely important to maintain the momentum of economic development in the new towns. However, the

way in which the Government are going about that is not maintaining that momentum. I am sure that all my hon. Friends who represent new towns will confirm that the impression going around is that the new towns are going out of business simply because the development corporations are going out of business. That is lessening their competitive edge in comparison with areas such as the north-east of England. It would have been much more satisfying if we had been given a satisfactory explanation in Committee of the role of the local development corporations. We were not denied that for any malign reason, but because the Government do not know.

So that other hon. Members can have a fair share of the debate, I shall conclude. I repeat to the Government that it is unacceptable to deny tenants the opportunity to transfer to the tenancy that they want. Why is the number one choice being denied? What is in it for the Government to create indecision and uncertainty and to make people worry—particularly elderly people who do not want to buy?

Mr. Ingram: They cannot afford to buy.

Mr. Worthington: My hon. Friend the Member for East Kilbride (Mr. Ingram) is quite right.

Why will the Government not realise the good sense of new clause 2, which makes it explicit that we will offer the residents of new towns and the tenants of the development corporations the choice of landlord and that choice must include the local district council?

Mr. David Lambie (Cunninghame, South): As a representative of the youngest new town—Irvine, in the district of Cunninghame—I am pleased to take part in today's debate.

When we are discussing a Scottish Parliament and more independence for the Scottish people, Mr. Speaker keeps reminding us that this is a United Kingdom Parliament. The Under-Secretary for State for Scotland, the hon. Member for Stirling (Mr. Forsyth), who is also chairman of the Tory party in Scotland, appears on television, on the radio and in the newspapers every week reminding the Scottish people of the benefits of being members of the United Kingdom Parliament. That is why I am disappointed that the Government should be introducing new clause 9 as a replacement for clause 30 which they lost in Committee.

5.45 pm

The Government had a majority in Committee and it was their job to ensure that Government policy was carried during the debate on clause 30. They failed to get Scottish Conservative Members to come upstairs and vote. Now, because the Scottish Tory Members failed them, the Government will depend on English Tory Members. At 7 o'clock tonight, when we vote on a matter dealing primarily with Scots who live in Scottish new towns, the clause will be reintroduced as a result of the votes of the English Tory majority, mainly from the south-east of England. That is discrimination against the Scottish people and shows that the sooner Scottish representatives are away from this place the better it will be for Scotland and for the people who live there.

Mr. Jim Sillars (Glasgow, Govan): Does the hon. Gentleman agree that it is even worse than he says, because tonight English Tory Members of Parliament will be voting down majority Scottish opinion although in England they applied the same standard that we are arguing for today?

Mr. Lambie: I accept what the hon. Gentleman says. I intended to make the same point to reinforce what was said forcefully by my hon. Friend the Member for Clydebank and Milngavie (Mr. Worthington). The Government are not only bringing in English Members of Parliament to vote against Scottish political opinion, especially that of the representatives of the new towns in Scotland, but they will be voting against what they introduced in the legislation applying to tenants of the English new towns. That is why I make this last-minute appeal, to the Government and to those English Conservative Members who are to be used as Lobby fodder tonight, to change that policy and to withdraw the new clause.

Mr. Bill Walker: Will the hon. Gentleman give way?

Mr. Lambie: I shall not give way, because I promised not to speak for long.

I represent Irvine, the youngest new town, where the winding-up order will be published in 1996 and the new town wound up in 1999. There will be at least two general elections before the effects of the Bill apply to Irvine. I know that, after the next general election, when there is a Labour Government, we shall rescind this legislation and the fears of my constituents, the tenants in Irvine new town, will be removed.

The Government are offering new town tenants certain options, if they do not wish to buy or to take part in any schemes involving mortgages which will give them the right to buy. Among those options is to hand over the houses to Scottish Homes when the new town has been wound up. The people in Irvine new town are afraid of the policies of Scottish Homes. I am not prepared to say whether those fears are justified. They think that Scottish Homes was brought into being as a Tory Trojan horse to eliminate the public rented sector. I believe that my constituents are correct to be afraid of Scottish Homes.

The other option for tenants is to become tenants of organisations such as Quality Street, a private sector limited company which tenants fear is interested only in making money. In every vote taken, new town tenants have always chosen Cunninghame district council as their landlord.

I hope that at this late stage the Government will rescind their decision to go it alone in Scotland, implement the policy that was accepted for England and give the tenants of Irvine development corporation the opportunity to become tenants of Cunninghame district council when the new town is wound up.

Mr. Bill Walker: I shall be brief, because hon. Members representing new towns should be given an adequate and fair hearing. I hope that they will understand that my being brief means not that I could not speak at length but that I believe that they should be heard.

The hon. Member for Cunninghame, South (Mr. Lambie) made great play of the fact that the Government are introducing legislation for Scotland different from that for England. That comes rich from a member of a party which, when in government, enacted provisions for

[Mr. Bill Walker]

revaluation every five years in Scotland but not in England and Wales. I could give a long list of similar points, but I will not do so.

The hon. Member for Cunninghame, South should bear in mind the fact that Scottish Homes is the inheritor of the Scottish Special Housing Association, which did a good job, and of the housing associations, which have a long and distinguished record in Scotland. To suggest that the new body, Scottish Homes, is less than Scottish or something of which we cannot be proud is nonsense—it is Scottish, and it will be run by Scots for Scots.

Of course we are different in Scotland. We are always telling people that we want to be different. Yet when the Government introduce legislation making Scotland different, all we get is girning and greeting from Opposition Members.

Mr. Ingram: I certainly will not be as brief as the hon. Member for Tayside, North (Mr. Walker), who made not a genuine contribution to the debate but a mere interruption.

When Opposition Members voted down clause 30, the Minister accused them of being frivolous and opportunistic. The truth is that a Whip was at fault in not ensuring that Conservative Members were present to vote. The vote went deeper than that, because it showed the indifference of Scottish Tory Members to voting on such an important issue. It was not frivolous or opportunistic, but a clear statement of the views of the people of the new towns on what was happening in Committee.

I said after the vote that, if the Minister had been more willing to listen, more flexible and more prepared to take on board the broad consensus on the arguments being advanced, I would not have voted against the clause. His inflexibility and unwillingness to listen forced Labour Members into that action. There is nothing wrong in our tabling new clause 8, which reflects the principles that we tried to advance in Committee, but without any response from the Minister.

Mr. Bill Walker *rose*——

Mr. Ingram: If the opportunity arises, I might give way to the hon. Member for Tayside, North. I am conscious of the fact that other hon. Members who represent new towns want to speak in the debate.

Everyone involved in the new towns, not only Members of Parliament or local representatives but residents and tenants, are deeply concerned about what the future holds. In Committee, I mentioned comments made to me by industrialists in Irvine, one of whom asked, "Who will speak for industry when the development corporations are wound up?" No one could answer that. Opposition Members cannot say what is in the Government's mind, but the Government are not saying who will speak for industry when the development corporations are wound up.

There was deep disillusionment and disappointment about what happened in Committee. Everyone recognised that, at some stage, the new towns would have to be wound up. There were constructive responses to the Green Paper—although perhaps they were not what the Government wanted to hear—but there were gasps of surprise at the drafting of the White Paper and people were stunned by the lack of detail in the Bill. They waited to see whether any flesh would be put on the bones of the Bill in Committee. The Minister was probed and pushed by Opposition Members about how the considerable assets that the new towns have built up over the years were to be disposed of and how they would be managed in the future for the greater good of not only the new town communities but the wider communities in which they exist and the Scottish economy. He was further probed and pushed on local authorities' role in the management of those assets and what the role, structure and function of the vague body called the local development company would be when it was given their industrial and commercial assets to manage.

The local development company is not mentioned in the Bill, yet in Committee the Minister said that it is a key element in Government policy. When we tried to question him about it, we were simply pushed aside, because, as my hon. Friend the Member for Clydebank and Milngavie (Mr. Worthington) said, he does not know what it will do. The answers that we were given were evasive and shifty. The minds of the people who are aware of the success of the new towns were not put at rest by the Minister's approach.

Attempts were made in Committee to include in the Bill the basic principles now set out in new clause 8. They were watered down following the arguments in Committee in the hope that the Minister, even at this late stage, would respond to the wide concern that has been expressed.

I repeat the point that was made in Committee about the need for a proper economic audit of the assets of the new towns. The Government say that they will conduct an audit of the recreational, environmental and parks assets of the new towns, but they are not prepared to conduct an economic audit of the industrial, commercial and land assets of the new towns. They are saying, "All that detail is contained in the annual reports of the new town development corporations; go and find it yourselves." That is disgraceful. A proper portfolio of what the new towns are worth is required.

We do not agree with the Government's proposed method of disposing of the new towns' assets, but none the less there is a need to understand their total worth. The Government are not prepared to concede that, because, I suspect, they do not want people to be aware of their total worth. They want to give away those considerable assets, all of which were built and developed at public expense, at knock-down prices. In Committee, the Minister said that the understanding of the worth of the assets is essentially an administrative matter, but that is not the view of the people of the new towns. It is essential to their understanding of what will happen when their communities are wound up that they should understand the worth of those assets.

Local authorities have asked to be able to purchase, through equity participation, a share in the local development company. It is accepted that the Government will press ahead with that body. The local authorities say, "If that is to happen, can we have a role in the development and management of our town?" We made this request in Committee. Will the Minister please concede the point? Will he instruct or advise the new town development corporations, over which he has direct control, to allow the local authorities to have not a controlling place, but simply a place on the board? If the Minister does that, he will mirror the arguments that he claims to support in relation to the private and public

mixture which is supposed to be for the good of the Scottish economy. When we made that appeal for the new towns, we were told that it was a matter for the development corporations. The Minister is not prepared to give that simple advice or instruction to the development corporations.

6 pm

Through new clause 8, we are asking the Minister to recognise that local authorities should have the right to buy equity participation, and I should like to hear what objections he has to that proposal. I again ask the Minister, as I did in Committee, to give a green light to that concept, because it will encourage the development corporations to involve local authorities in the development of their towns.

I shall leave it to my colleagues to refer to the need to consult on wind-up about transportation. It is unbelievable that a consultation process is not enshrined in the legislation. The Minister said that consultation would take place, but I do not trust the Minister or the Government to consult properly with any level of representation within the new towns. The hon. Gentleman dismissed the concept of ballots as too democratic—perhaps resulting in the wrong answers, according to his thinking.

I have been involved in housing matters since I moved to East Kilbride 20 years ago and since I have been a local authority representative, leader of the council and the Member representing that new town. The choice to be given to new town tenants is a major issue in the new towns, as my hon. Friends the Members for Clydebank and Milngavie and for Cunninghame, South (Mr. Lambie) pointed out. That view cuts across the whole community —not only people who live in development corporation houses but those who have bought their houses and whose children would expect one day to be able to get a district council house or, if in a new town, a development corporation house. They are worried about what the future holds. The Minister has not said anything of any substance on that score.

We need from the Minister a clear statement that he has revised his thinking and realised how inflexible he has been over the past year and a half since this exercise started and this matter was considered in Committee. He has consistently refused to grant tenants that right and has caused unease in the minds of residents and tenants of new towns. This is not a party political point—it cuts across the breadth of the community. It is a point about tenants who are worried about what the future holds for them and for their families in terms of the opportunity to get a development corporation house.

Worry is felt not only by the people who live in the new towns but by the officials. I have received a document written not by my new town development corporation but by the Glenrothes development corporation. It was dated 20 February 1990 and was considered by the development corporation's board. It made four main points about the concern felt by those who manage the houses. The development corporation said:

"The uncertainty in this matter is to continue."

The officials commented on the survey of tenants in Scottish new towns and, contrary to the Minister's consistent interpretation of such surveys, said:

"It is clear from the Survey findings that a substantial majority of our tenants would, if required now to make a choice, choose the District Council."

Everyone holds that view, except the Minister. It prevails within the new towns. The chief officers of the development corporation concluded:

"in order to remove uncertainty on the part of our tenants, it is desirable that the Government should announce now whether when the Corporation is wound up its tenants will be permitted to transfer to the District Council. The Corporation is invited to say whether representations on these lines should be made to the Industry Department for Scotland."

I do not know whether those representations were made, but I referred to that development corporation document because it showed that the professionals—even those who may be interested in a management buy-out—recognise the fear of the people whom they have tried to place in houses and over whose interests they have so much control. I should be interested to hear whether the Minister has received a report from Glenrothes development corporation and whether he is prepared to move from his inflexible position.

The point about English legislation needs to be repeated. This is a valid point, unlike the case that was trivialised by the hon. Member for Tayside, North. All Members voted for that legislation. It is not English versus Scottish legislation. The correct legislation applies to England. The same principle, not necessarily the detail, should apply to tenants in Scotland who will be affected by the wind-up orders. They should be allowed to "choose" the district council as a landlord, rather than "say" that the district council "will" be the landlord.

Mr. Bill Walker: I would not wish the hon. Gentleman to think that, because I made a brief intervention, I was being trivial. I was not. The Labour party thought that it was right to introduce fundamental legislation on revaluation which had an impact on every council house tenant and ratepayer. One can argue about the details, but I cannot accept the hon. Gentleman's principle. The Labour Government introduced legislation providing for separate revaluations. That was important fundamental legislation and there was nothing trivial about it. The Labour Government introduced it on the principle that it was right to legislate differently for Scotland.

Mr. Ingram: The hon. Gentleman shows us that, whether his interventions are brief or long, they are always trivial.

Reference is made in new clause 3 to an important aspect which was argued about in Committee—vacant houses. It has been proposed in certain new towns that vacant houses should be sold off either in management buy-outs or to other housing entrepreneurs and that the new owners would manage the housing stock. I have heard about a price in my new town of East Kilbride of £4,000 a house. That is a ridiculous price for an asset which may be worth up to £50,000—for example, newly built houses in green environments. It is unacceptable.

In new clause 3, we have said that, because of the growing homelessness in the new towns and the demand for housing, the Minister should at least accept that vacant property should be transferred to the district councils on wind-up at a price to be agreed between the development corporation and the district council. That is not such a radical concept. The approach proposed in new clause 3 is the proper approach to adopt: those houses should be transferred to the district council.

I hope that the Minister will show himself more responsive and flexible in dealing with these most important issues than he has in the past 18 months.

Mr. Barry Porter (Wirral, South): The House may wonder why I should have the effrontery to intervene in Scottish matters. My mother's maiden name was Brown, which does not help much. My father served in the Liverpool Scottish military forum in the war and was later transferred to the 51st Highland division. I do not like porridge very much, but I prefer Loch Fyne kippers to Manx kippers. It could be said that that gives me my credentials, but the real reason why I choose to intervene is that, as a number of hon. Members have said, this is a United Kingdom Parliament. Unless the hon. Member for Glasgow, Govan (Mr. Sillars) gets his way, I shall continue to speak in a United Kingdom Parliament on Scottish, Irish and Welsh affairs, as I shall on English affairs and on any other affairs that may be appropriate.

I have listened with interest to a debate about housing. I have great pleasure in supporting the Government's housing policy over the past 10 years, but one or two matters concern me. It appears from the arguments advanced by Opposition Members that there is some block on district councils having the right to choose to become landlords in due course. I must say to my hon. Friend the Minister of State that the document provided by the great and glorious Conservative central office does not back up that view. I quote:

"The Bill proposes that district councils should not be the automatic inheritors of new town housing at wind-up."

Fine; that is super by me. But the central office brief continues:

"They remain an option among a number of other possibilities."

Will my hon Friend confirm that, to be the case, and that when the wind-up is completed, the option of a partial transfer to district councils is not ruled out? Whether or not the district councils are dreadful, awful, demented or mad is of no consequence to me. If the Scots choose to elect such people, that is a matter for them; they must suffer the consequences.

Mr. Worthington: The hon. Gentleman is making a helpful speech. The handout to which he referred says that, at some stage in the future, the choice of going to district councils may not be ruled out. What we ask is quite simple —that that choice should be ruled in now, because if it is not ruled in now it will be open to a Government of the present Government's disposition to rule it out in future. Does the hon. Gentleman agree that we are being reasonable?

Mr. Porter: The answer to that is that I do not know, because I am waiting to hear from the Minister precisely what the position is. I must add, however, that I shall need to be convinced that there is some specific reason why Scotland should be treated in a different way from England and Wales. In the absence of my hon. Friend the Member for Birmingham, Selly Oak (Mr. Beaumont-Dark) and as his PPS, I have to say that I remain to be convinced. If the Scottish people wish to treat their district councils in a certain way, which may be different from what we should like, that must be a matter for them—otherwise, what is the point of having local government?

Mr. Norman Hogg: I listened with interest to the Minister of State. Judging by his remarks about the Government losing clause 30, he cannot have attended the same sitting of the Standing Committee as me. Nobody was being frivolous; what happened was that Conservative Members failed to turn up. My hon. Friend the Member for Clydebank and Milngavie (Mr. Worthington) described an event that took place at half-past 10 in the morning as a dawn raid. I can only conclude that, once upon a time, he worked at a college or somewhere similar. But whatever kind of raid it was, it was certainly successful.

My hon. Friend the Member for East Kilbride (Mr. Ingram), who made an excellent contribution today and made excellent contributions on behalf of new town tenants throughout the Committee proceedings, was right to take the Minister to task for saying that the event was frivolous. The clause was lost because Conservative Members were dilatory in performing their parliamentary duties.

6.15 pm

I view the setting up of the local development companies with some concern. I am sorry that the Minister has not felt able to say that he hopes that these commercial organisations—that is what they will be—will none the less accept the principle of having local authority representatives on their boards. There is no difficulty with that; it happens in other organisations, including commercial organisations, and there is no reason why it should not happen with the local development companies. I am surprised that the Minister is not encouraging it.

The development corporations themselves have greatly benefited from the presence of local authority representatives. Over the years in Cumbernauld, the development corporation has had representatives from the Labour party, the SNP and the Conservative party, although none of the Conservative representatives came from Cumbernauld, because, as we all know, Cumbernauld is a Tory-free zone.

The development corporations have benefited from the experience of local authority representatives and from their knowledge of local conditions. It is a sad day if the Government now so disapprove of local government and if the principle of local government is so ideologically unacceptable to them that they are prepared to reject altogether the idea of local authority representatives. The local development corporations will be the poorer for their mistake.

The Government information—not only on housing but on inward investment—that is reaching those who live in the new towns and industrialists with factories in the new towns is very scant indeed. I hope that the Scottish Office will do something to improve that. It is to the credit of local newspapers and their editors that the information has found its way to the people through them. Even at this late stage, however, there is a shortage of information about what is intended.

We have concentrated today on housing, and that must be right. I am sorry that the Government have not taken into account any of the representations that they have received from SLANT—Scottish Local Authorities with New Towns. I fear that that is because, yet again, they do not think that local government has anything to say about anything that they might want to listen to. That is a great mistake. SLANT was set up by my hon. Friend the Member for East Kilbride when he was leader of East Kilbride council, Councillor Rosemary McKenna, who subsequently became the provost of Cumbernauld, and myself to help all those concerned with the winding up of the new towns development corporation.

It is to be regretted that, once again, the Government have set their face against any view that the local authorities may wish to express. They have ignored the local authorities just as they have ignored the hugely well-attended public meetings in my constituency. I have never seen anything like it except during a general election campaign. In various areas of my new town, we have had numerous meetings attended by more than 100 people. I am sure that the largest meeting that my hon. Friend the Member for Clydebank and Milngavie has attended since he became Opposition spokesman was the meeting that we had in my constituency when we met the people of Carbrain to discuss the wind-up.

All those people have said the same thing. They want the option of the district council as their landlord. No one in the Labour party or in any other political party is telling tenants of corporation houses that they should become council tenants. We accept that housing associations and co-operatives are options. I reluctantly accept that choice must include private landlords. However, it is unacceptable for the Government to tell tenants that they cannot choose the district council as landlord until the end of the process. The Government are saying that the district council might only then be a choice. That is disgraceful.

We have had this Conservative Government for a long time. I am sorry that they talk about choice, but tell people, "We know what's good for you and we will tell you how to behave." If that is contemporary Conservatism as expressed by the Minister of State, we will be saying farewell to him at the next general election. I hope that, even at this late hour, the Government will have regard to the views of the people who live in the new towns.

Mr. Robin Cook (Livingston): By the nature of our proceedings, this debate on the Government's new clause is rather more open-ended than I had anticipated on Second Reading. I understood initially that the open-ended nature of our proceedings tonight was the result of what I had hoped was a wise and fair-minded decision of the hon. and learned Member for Perth and Kinross (Sir N. Fairbairn) to absent himself from a critical vote in Committee. However, I more readily comprehend his absence in that I understand that the vote took place at dawn.

The happy result of that misunderstanding is that the House faces a choice between two very different new clauses on the wind-up of the new towns. The critical difference lies in the treatment of the housing stock. Before I consider that, I want to respond to the observations by the Minister of State about industrial promotion in new towns following the wind-up.

When the Minister of State described a development company in Committee, he made it perfectly plain that it would be a commercial operation. He said:

> "The development company will be a Companies Act company, with a normal share structure, board of directors and articles of association. It will be commercially driven." —[*Official Report, First Scottish Standing Committee*, 1 March 1990; c. 479.]

The problem is that a decision that may make commercial sense for that commercially driven private company may not be a decision that makes industrial sense for the new town's local community. Livingston is one of the younger new towns and we have many green-field sites awaiting development. Indeed, the whole of Livingston is built on a green-field site. The existing development corporation, perfectly properly and responsibly, has encouraged high-tech, high-skill, electronic companies on those green-field sites. Undoubtedly that gives us a strong, healthy economic base and that was the right decision to take.

If that development corporation had been a commercial company with development powers looking simply at how to maximise its rate of return on those green fields bang in the middle of Scotland's motorway hub, it would have developed warehousing and distribution facilities that would have maximised the returns, but provided the minimum number of jobs.

The Minister of State has constantly avoided facing the fundamental problem. It is clear from the White Paper that the Government's motivation in the Bill is to maximise the rate of return on the sale of the new towns' assets. It is impossible to read the White Paper without hearing cash registers ringing at the back of Ministers' minds. There is inevitably a conflict between maximising the return on the new towns' assets and protecting the economic future and basis of the people who live in those new towns.

The main issue of concern to my constituents and to the constituents of my hon. Friend who represents the other four Scottish new towns is, what will happen to the houses that people rent from the development corporations once the corporations are wound up? I read the debates in Committee about housing. In a spirit of compassion, I must tell the Minister of State that I felt sorry for him when I did that. Now, that is uncharacteristic of me and I promise my hon. Friends that I will try to conquer that uncharacteristic sentimental weakness. However, I have been part of delegations to the Minister, as have my other hon. Friends who represent the Scottish new towns, and we have discussed that matter.

I hope that I speak for some of my colleagues when I say that it is impossible not to be moved by the Minister's obvious discomfort when we discuss that matter. The Minister is impaled on a fork. Having used the language of tenants' choice for several years, he suddenly finds that the one choice that tenants want is the choice that he does not want to give them. That is the fundamental problem.

In Committee, the Minister of State referred to the fact that the percentage of people who expressed a preference for the district council was "barely 50 per cent." I challenge the Minister now to explain to this democratically elected House of Commons how "barely 50 per cent." differs from a clear majority. The two must surely be synonymous. The survey from which the Minister quoted shows that only 12 per cent. expressed an interest in any other landlord. Of those who want to remain tenants and expressed a preference, four out of five expressed a preference for the district council. I submit that it would be an outrage if they were denied that choice at wind-up.

I want to refer to the distress that the Minister faced in his speech today and also in Committee about the fact that quite a number of the new town residents want to purchase their houses and become owner-occupiers. It is not necessarily the case that even those who intend to buy have no interest in what happens to the rest of the housing stock. Over the past month, the clear majority of people in Livingston who have come to me for assistance with a housing problem and in desperate housing need were owner-occupiers facing dispossession and a forced sale either as a result of a marital split or because of redundancy.

[Mr. Robin Cook]

The position of those people on wind-up threatens to be impossible. The statutory authority with a duty for homelessness in Livingston is West Lothian district council. As I understand the Minister, after wind-up that council may be stuck with that duty and responsibility, but without any housing to fulfil it. It will no longer have access to Livingston development corporation housing stock to discharge its responsibility.

Mr. Worthington: Is my hon. Friend aware of the position in East Kilbride, where tenants must pay £1 extra a week on their rents because of the low number of houses which the district council controls?

Mr. Cook: I am grateful to my hon. Friend for that information, which fortifies my case. I will strongly support new clause 2 because it entrenches the right of individual tenants—not on a majority ballot—to choose from a full range of options, including the district council.

It will not be enough for the Minister of State to respond to our anxieties by accepting the bolthole offered by his hon. Friend the Member for Wirral, South (Mr. Porter) that the district council option is not ruled out. The massive majority of the tenants have chosen the district council option. By the Minister's own admission, 50 per cent. chose the district council while only 12 per cent. chose any other landlord.

It is not enough to respond to that by saying that the Government have not ruled out the district council option. The Minister of State is asking Parliament to pass the Bill tonight. He cannot ask us to do that while he is saying that the Government retain an open mind about what they will do when the new powers have been enacted. He must tell the House what he intends to do with his powers. More important, he owes it to tenants to tell them what to do, because they want to know now, not three years hence.

If the Minister of State accepts that proposition, it will offer him a blessed release from the discomfort that has been caused by the position that he has been asked to defend. The Minister of State affects a style that has a certain gravitas. The position that he is being asked to defend threatens to undermine that rhetorical style. It is impossible for the Minister of State to speak with dignity when he is committed to saying that the Government are committed to tenants' choice but they have not yet made up their mind on whether they will let tenants choose the landlord they want. That position is a farce. It has neither gravitas nor dignity. The Minister should abandon it. If he does not, hon. Members should vote it down.

6.30 pm

Mr. Henry McLeish (Fife, Central): I am pleased to participate in the debate, and I warmly welcome the comments of my hon. Friend the Member for Livingston (Mr. Cook). From meetings with the Minister of State at Dover house and from our proceedings in Committee it is quite obvious that he suffers discomfort, partly because he must know that he cannot offer choice to the tenants of the five new towns when their major aspirations are security and an accountable landlord that will take care of their long-term interests. He clearly cannot be talking about choice if that major option is ruled out.

It is nearly 50 years since the New Towns Act 1946 came into being as one of the most significant regional policy initiatives of the first post-war Labour Government. It is a tragedy that, in the next two or three years, that achievement will be turned into the implementation of this measure, which is a curious combination of ideology, incompetence, investment squandering, irrelevance and, more important when we discuss housing, insensitivity. The key issue is that the Government will not allow the tenants of Scotland's five new towns to exercise a judgment that will allow them, if they wish, to opt for the district council as a preferred landlord. Hon. Members have said that this matter is not political; it is technical, it is common sense and it is logical. If we want to maximise choice, we maximise options. However, the key has been excluded.

The reason why the Government languish in the polls is that they listen to no one about anything. The situation cannot be defended. Scots in new towns want a choice. The debate is a travesty. People in Scotland, including hon. Members from the five new towns, support the district council option, but one significant group have isolated themselves—Conservative Members.' The Secretary of State, unlike the Under-Secretary of State, should surely want some avenues to try to improve his party's electoral prospects among one tenth of the population of Scotland. That is how many people will be affected by our decisions this evening.

I shall be charitable because my hon. Friend the Member for Livingston said that he had some feeling for the Minister of State's plight. *Hansard* will possibly record the silences. I invite the Minister to intervene and tell the Scots without equivocation why the Government will not allow tenants to select the district council in the winding-up period, if that is one option on offer to them. Will the Minister of State respond to that challenge so that we can have it on the official record that that is the Government's unequivocal position? I want to be charitable, so I shall ask again—

Mr. John McAllion (Dundee, East): The Minister of State may be sleeping.

Mr. McLeish: My hon. Friend is suggesting that the Minister of State is nodding off.

The Government have no case. It is simply an exercise in politics, when we should be putting tenants' interests high on our political agenda.

If this were only political malice, it would be bad enough, but we have confusion as well. In Committee, in response to my hon. Friend the Member for Glasgow, Maryhill (Mrs. Fyfe), the Minister of State said:

"If the hon. Lady will allow me to continue, I shall come to that.

The second important point to emerge from the report was that only 30 per cent. of tenants want to make a choice now; four fifths would prefer to choose at wind-up. That seems to be a more appropriate time at which to address the choice."

Later in the same debate, he said:

"Had the hon. Gentleman been here at the beginning, he would have heard me say that there was no justification for transferring from one public authority to another. The role of Scottish Homes is to become the residual landlord of those houses that are not transferred elsewhere in the interim."—[*Official Report, First Scottish Standing Committee*, 6 March 1990, c. 518-31.]

The Government have not completely closed the door. In the process between now and the wind-up, district councils will not be an option and anything that is left will go to Scottish Homes. That defies logic—it cannot work. In the Minister of State's rantings, there is no prospect of the district council being a serious option in the run-up to

the wind-up or post wind-up. The Minister of State is deceiving the Scottish people on a scale previously not seen, even under the standards of the present Government. Why is that? The powerful combination of confusion and ideology will mean that tenants in Glenrothes and the other four new towns will look upon the Government and merely shrug their shoulders and say, "Fifteen per cent. in the opinion polls is probably far too generous."

Parliament's time can often be tragically wasted. This issue unites everyone in a common cause to provide choice to tenants who live in some of the most successful post-war public sector initiatives. I make a final appeal to the Minister of State. He should put aside his confusion, step back from ideology and do the things that matter to people. If Parliament is to mean anything, we should, as far as possible, reflect tenants' wishes and those of the five new town representatives who are closer to the public in Scotland than are the present Government, and certainly the Minister of State.

Mr. Mike Watson (Glasgow, Central): There have been several high-standard contributions to the debate. In some respects one of the most interesting speeches was by the hon. Member for Wirral, South (Mr. Porter), who failed miserably to establish his Scottish credentials but none the less made some interesting comments on the proposals. It might have been useful if he had been a member of the Standing Committee. The Government had to pull in five hon. Members representing English constituencies, and the hon. Member for Wirral, South was not one of them. Perhaps now that we have heard his view, having looked at one of the aspects of the Bill in detail, it is obvious why he was not a member of the Committee. None the less, his comments were interesting and have been expanded in great detail and with great force by my hon. Friends who represent the new towns.

It is a matter of hypocrisy and double standards for the Minister of State and the Secretary of State to come to the House with proposals that are so restrictive of tenants' choice. Their double standards take two forms. First, they have championed choice. They have built many pieces of legislation on choice—choice for consumers, patients, parents and tenants in other aspects of their right to buy local authority houses. That choice is now being significantly narrowed, specifically to exclude the one choice that the majority of tenants have designated.

The second double standard was referred to by my hon. Friend the Member for Cunninghame, South (Mr. Lambie)—the different way in which legislation is framed for Scottish tenants and tenants south of the border. It is disgraceful that English tenants can still opt for their district councils when new towns are wound up, while that facility is not to be offered to Scots.

The Government should have learnt something from the painful lesson that emerged from the Budget statement last month, when different treatment between Scotland and England rebounded on them with force. Indeed, I have discovered in recent days that there is to be another double standard between Scotland and England, this time in relation to Scottish Enterprise and Highlands and Islands Enterprise and the way in which complaints relating to them are to be handled.

At present, the Training Agency has responsibility for dealing with complaints applying to training, and individuals can go to the Parliamentary Commissioner for Administration with their complaints. I hear that it is being proposed through a back-door method—I say that because I have only seen a copy of a letter dealing with this matter—that that right should be removed and that it should not be possible for complaints to be referred to the commissioner under Scottish Enterprise, Highlands and Islands Enterprise or any of the local enterprise committees in Scotland.

In England and Wales, where the Training Agency continues to have responsibility for training, the Parliamentary Commissioner for Administration will still be able to deal with complaints which go through the agency.

The Government, including the Scottish Office, are treating Scotland in a second-class way, and that exemplifies the double standards that the Government are applying in this and other legislation. The people of Scotland will note this trend, as they will note the disgraceful restriction on tenants' choice that this measure proposes.

Mr. Sillars: We have listened with interest to the five excellent speeches that have been made by hon. Members who represent new towns in Scotland. Our main anxiety is about the Minister's statement that the final choice is not ruled out. It is not just that he has not ruled it in. Our fear is that in due course a Government spokesman will say, "We did not make any such promise. Nowhere can you find that promise in black and white." That is our major anxiety and it is disreputable for the Minister to use such weasel words as "We have not ruled it out."

Throughout the debate, the hon. Member for Wirral, South (Mr. Porter) has been the only English Member present. He entered the Chamber willing and happy to support the Government, but as he listened to the debate, he saw the logic, fairness and principle of our argument, and his speech was in support of the Opposition. Whether in due course his vote will follow his speech is a matter for him.

The point that the hon. Gentleman made will not be missed, because our proceedings are televised. The Government Benches have been empty for the debate, while a clear case on behalf of the tenants of Scottish new towns has been made by Opposition Members. In other words, the only English Tory who came to listen became convinced of the wisdom of our case. Tragically, when a Division takes place, all those English Tories who did not hear the argument will vote for the Government.

6.45 pm

Mr. Lang: The debate has taken a predictable course. I suppose that I should be grateful for the sympathy offered by Opposition Members and their avowed conversion to the principle of choice and diversification in housing. I would express such a view if I found it remotely credible, but I have not forgotten how Opposition Members fought tooth and nail when we sought to introduce choice and tenants' rights into Scottish housing. The Opposition are, as they have always been, believers in the municipalisation of housing and the ownership of housing by district councils, and they have always resisted private housing.

Mr. Norman Hogg: The Minister talks about tenants' choice. That worries me, because he is an authority on aggressive paternalism. If that is what he is giving us, he

[Mr. Norman Hogg]

should be careful about talking of choice and the right to buy in the context of new towns because those tenants always had the right to buy their houses.

Mr. Lang: I have yet to be persuaded that Labour Members have changed the policy attitude that they adopted when we came to office in 19.., which was to resist our proposals to introduce the right to buy for council house tenants. Opposition Members have spoken of large turn-outs at meetings and of concern and anxiety in new towns about our proposals for housing, and it is no wonder that there is that anxiety because Opposition Members are stirring up fears about the future. It is their statements which are raising those doubts. We want to see diversification in housing. We want more housing associations and other forms of rented tenure as well as more private ownership. That ties in with the wishes of tenants. Opposition protestations of a similar commitment to diversification carry no conviction with my hon. Friends and me.

Opposition Members still seek the option of district council transfer as a means to press that option alone. If that were to happen, tenants would lapse back into the old monopolistic straitjacket of a public sector landlord, and all our work in eliminating uniformity would have been to no avail.

Mr. Robin Cook: Leaving aside for a moment the Minister's suspicions about the Opposition's motivation, is he aware that one reason why it would be impossible to do as he alleges is the fact that district councils themselves are no longer seeking that course? A unanimous feature of the five districts representing new towns is their statement, "Leave it to the tenants to choose, but put us on the menu of choice."

Mr. Lang: My impression from all my meetings with SLANT, Scottish Local Authorities with New Towns—the hon. Member for Livingston (Mr. Cook) was present at those meetings—has been of that there is a substantial ambition that local district councils should take over that housing.

Mr. Ingram *rose*——

Mr. Lang: I will not give way. I promise to deal later with the points that the hon. Gentleman made.

Mr. Norman Hogg: On a point of order, Mr. Speaker. I understood that we were engaged on what are described as the remaining stages of the Bill and that these proceedings are not time-limited. The Minister therefore has every opportunity to reply to our points. I assure him that we are prepared to sit here for as long as he is willing to address us.

Mr. Lang: I am anxious to reply to the points raised in the debate and I have before me a considerable number of notes.

The hon. Member for Clydebank and Milngavie (Mr. Worthington) said that all English new towns had the right to opt for the district council, and the hon. Member for Glasgow, Govan (Mr. Sillars) also seemed to favour the English solution to Scotland's problems—a course that he is not normally accustomed to follow.

In fact, English new towns do not have that right. The power in England was introduced in the Housing Act 1988, by which time only four remained out of the 19 corporations originally set up in England. Before that change, the Commission for the New Towns was the body available, as a residuary body, to take over housing. Scotland does not have a commission for new towns. We did not regard that as a desirable body to set up. We have Scottish Homes, and that body is available to take over corporation houses.

There is no comparable body in England. Had there been such a body, the approach adopted in England might have been different. I believe that Scottish Homes is a responsible landlord and will operate the same high standards as the corporations. It is still in its early days, and although it may be suffering from the fact that it is still an unknown quantity, I am confident that tenants need have no cause for concern about the future with Scottish Homes.

Mr. McLeish: Why will the Minister not allow the district council to become part of the menu offered to him by my hon. Friend the Member for Livingston (Mr. Cook)?

Mr. Lang: The hon. Gentleman should examine the booklet that we circulated to the new town local authorities, in which we made it clear that, among the options that we would consider at the appropriate time during wind-up, were housing associations, housing co-operatives, district councils and other landlords. In that booklet we also made it clear that, at the end of wind-up, the residuary body for houses which did not go to other destinations would be Scottish Homes.

The hon. Gentleman quoted me as saying that at this stage there was no sense in transferring from one public body to another, but at this stage in the process the Government—who in any case believe that there should be not an increase but a reduction in the amount of public housing—could achieve nothing by transferring housing from the development corporation to the district council. Towards the end of wind-up will be the time to consider the appropriate choice.

Mr. Barry Porter: I am genuinely puzzled. It seems that, during the wind-up period, the option to transfer to a district council does not exist, and that on wind-up those who have not transferred to something else will go to Scottish Homes. Scottish Homes may or may not be a wonderful thing, and district councils may or may not be dreadful things, but at what point do the tenants have the option of going to the appropriate place? I do not understand.

Mr. Lang: I was about to come to that. My hon. Friend asked me earlier to confirm that the option of transfer to the district council had not been ruled out, and I am happy to do so, but now is not the right moment at which to decide that that will be a firm option. We have made it clear that the options will be addressed and decided during wind-up, which will start in the first new towns—East Kilbride and Glenrothes—next year and run for a further three years. The winding up of the last of the five new towns—Irvine, in 1996—will not finish until just before the end of the century, by which time the hon. Member for Cunninghame, South (Mr. Lambie) will be a venerable individual. It would be wrong for us now to pre-empt the

option, to foreclose on the choices and to make decisions which might bear no relation to the housing circumstances prevailing at that time.

Mr. George Foulkes (Carrick, Cumnock and Doon Valley): Like the hon. Member for Wirral, South (Mr. Porter), I was not a member of the Standing Committee, and I am equally puzzled. No one today has urged the Government to take the course they are taking—that of ruling out the opportunity for tenants to choose a district council as their landlord. What bodies or individuals in Scotland have urged that course on the Government?

Mr. Lang: The Government do not form their policies in response to urgings from people—we prepare our policies and put them to the electorate. The electorate returned a Conservative Government at the last election. Obviously, people support the policies that we pursue, including our housing policies. We are pursuing a policy that we believe is right and in the best interests of new town residents.

Mr. Foulkes: Will the Minister give way?

Mr. Lang: No, I have many other points to answer.

The hon. Member for Clydebank and Milngavie asserted that in England all the housing went to district councils, but that is not so—housing in Basildon is still managed by the Commission for the New Towns and in Runcorn the district council was not prepared to take on the housing, so the Government had to retrieve the situation there and ensure that the needs of tenants were met. In Scotland, Scottish Homes can continue to provide secure tenancies and a high quality of service for existing development corporation tenants.

The hon. Member for Clydebank and Milngavie talked of tenants' right to choose where they wished to live. Nothing in our proposals would affect in any way the rights of secure tenants to continue to live in the houses that they currently occupy. Sections 45 to 56 of the Housing (Scotland) Act 1987 govern security of tenure, and our proposals do not change those rights. If the hon. Gentleman is worried about those who are now without houses in the new towns—a perfectly legitimate concern —I should point out that we are responding by spending some £40 million on Scottish new town housing in 1991-92, including £17 million in East Kilbride where, I acknowledge, there are particular problems. More than 1,400 completions have taken place since I lifted the moratorium on general needs house building a couple of years ago, and 4,300 public and private sector houses are being built in the new towns.

The hon. Member for Fife, Central (Mr. McLeish) said that one tenth of Scottish people were affected by the Government's decision on new town housing. The hon. Gentleman's sums are somewhat out of kilter. The new towns accounted for 5 per cent. of the Scottish population, but for only 4·1 per cent. of the Scottish public sector tenanted stock as at the end of last year. Taking all Scottish housing stock together, fewer than 1·5 per cent. of the Scottish population are new town development corporation tenants, and that figure is falling every day as a further 11 houses per day are bought by sitting tenants.

Opposition Members have cited various figures culled from surveys in an attempt to prove an overwhelming demand among tenants to move to district councils from development corporations, but insofar as any demand is evident, it is in the other direction. If we examine the number of applications from development corporation tenants to move to local district councils, we find that about 40 times as many district council tenants want to do the opposite. For example, in Irvine, three development corporation tenants have applied to go to Cunninghame district council, but 184 have applied to go in the opposite direction.

Mr. Worthington: If so few tenants want to go to the district council, why cannot that simply be agreed? If there are a great many, why cannot it be agreed as a democratic choice? Either way, the Minister is being awkward.

Mr. Lang: It can be agreed, but now is not the right time to make the decision. The time for that is when wind-up ends and the development corporations approach the point of dissolution.

From the surveys that have been carried out, it is evident that tenants want more information as they do not know what options are available to them or what they want to do. As one survey pointed out, only 30 per cent. of district council tenants want to make a choice now. Four fifths of development corporation tenants want to choose at wind-up, which is the right time to choose. Some 50 per cent. of people currently think that they would choose to move to district councils. That is not the ringing endorsement of district councils that the hon. Member for Livingston seems to think it, as some 38 per cent. of tenants—more than a third—say that they do not know what their choice would be, and if they made their choice now, fewer than one fifth would choose the district council.

The number one choice—to use the phrase of the hon. Member for Clydebank and Milngavie—is not the district council but home ownership. That is the strong trend emerging through the development corporations. Some 40 per cent. of existing tenants are interested in home ownership, two thirds are actively considering it and three quarters of the rest expect to consider it within the next five years. That is where the central thrust is in new town housing, and I believe that it is a desirable trend.

Mr. Ingram: Will the Minister come to my constituency? I will pay for a meeting and arrange for him to deliver that argument to the vast numbers of people who will turn up. Let him listen to what the residents of the new towns have to say. If they say what we are saying, will he then change his mind?

Mr. Lang: I hope to have many opportunities to visit East Kilbride again. Substantial economic success has been achieved there and I have visited both industrial and housing developments. There will be plenty of opportunities for me to assess, in various ways, the views of the residents.

The hon. Member for East Kilbride (Mr. Ingram) raised a number of points relating to new clause 8. The, wording is similar to the Government's, but it seeks to introduce a number of additional provisions, which we debated in Committee but which the hon. Gentleman seeks to re-air. The first proposal relates to an audit. An economic audit of the industrial assets of the towns takes place every year and is summarised regularly in the annual reports of the corporations. It would be a waste of resources, time and effort to repeat the exercise.

[Mr. Lang]

We want to carry out an environmental audit to identify those areas in the new towns which are non-productive and non-revenue-earning and which in due course will need to find a new owner. That does not need legislation—it is an administrative matter. East Kilbride and Glenrothes are preparing to proceed at an early stage.

As for making the findings available, I should like that to be done if possible. That would be worth while. However, commercial confidentiality may be involved in certain cases. To the extent that that could limit the availability of information, I am inhibited from giving an unqualified undertaking. However, as complete a version as possible of the report will be made available.

7 pm

As for local authority investment in local development companies, development corporations are not inhibited from investing in local development companies. Legislation is not needed. Why should the Government seek to compel development corporations or district councils to invest in local development companies? The Government ought to be neutral. However, there is no reason why those bodies should not seek to invest in local development companies. It might be in the interests of a local development company to seek that investment, but it is for the company to take that decision.

I take issue with several elements in the proposal that there should be consultation on disposals. The most important is the sheer impracticality of the proposal. Consultation would be required every time that a development corporation intended to dispose of some of its assets or liabilities. Under such an arrangement, everyone would become bogged down in the process of consultation and response. Even without wind-up, the development corporations are disposing of properties. We are contemplating an intensification of that process. However, I will consider whether the wind-up order might properly contain a provision for enhanced consultation.

I see no merit in transferring vacant houses to district councils. An appropriate part of the management of housing stock is to provide for a certain number of vacant houses to allow for modernisation and other factors. The development corporations have an excellent record on the efficient management of their housing stock. The average of empty properties is less than 2 per cent., compared with about 6 per cent. in district councils.

The hon. Member for Livingston referred to industrial promotion and to other aspects which he believed were contrary to the commercially driven momentum of local development companies. He was right to identify that aspect, but we have addressed the point. I referred to this in Committee when I made it clear that any local development company which succeeded in securing a contract to take over commercial assets and the opportunity further to develop them in new town areas would also be obliged to enter into a contract for a period of years with Scottish Enterprise to fulfil precisely those non-commercial roles which would be in the interests of the Scottish economy and of the new towns—such as industrial promotion, the provision of specific factory requirements for inward investment cases and the provision of commercially unattractive small industrial start-up workshops.

Far from seeking to maximise the return to the taxpayer, the Government's purpose is to maintain the existing momentum in the new towns. It would be easy to wind up the new towns and walk away leaving nothing, but we believe that the economic momentum and economic achievements of the new towns are such that we should seek to preserve that momentum and enhance it in the period ahead.

The Scottish new towns have been, and will continue to be, powerful engines of social and economic change. They have been an almost unqualified success story, and the changes that they have achieved are fundamental and lasting. Our economic policies are informed by justifiable pride in the maturity of the new towns and their ability to make their own way in the world. New problems and different economic challenges elsewhere should properly command our concern and commitment. The new clause is a necessary provision to ensure that the new towns can be wound up and that the future economic and social well-being of those areas is maintained. I commend the new clause to the House.

Question put, That the clause be read a Second time:——

The House divided: Ayes 141, Noes 81.

Division No. 182] **[7.04 pm**

AYES

Alexander, Richard	Forth, Eric
Alison, Rt Hon Michael	Garel-Jones, Tristan
Amess, David	Gill, Christopher
Amos, Alan	Glyn, Dr Sir Alan
Arnold, Jacques *(Gravesham)*	Goodlad, Alastair
Ashby, David	Goodson-Wickes, Dr Charles
Atkins, Robert	Gorman, Mrs Teresa
Atkinson, David	Gow, Ian
Baker, Nicholas *(Dorset N)*	Greenway, John *(Ryedale)*
Bellingham, Henry	Gregory, Conal
Bennett, Nicholas *(Pembroke)*	Hague, William
Boscawen, Hon Robert	Hamilton, Hon Archie *(Epsom)*
Boswell, Tim	Hamilton, Neil *(Tatton)*
Bowis, John	Harris, David
Brandon-Bravo, Martin	Hayhoe, Rt Hon Sir Barney
Brazier, Julian	Hayward, Robert
Brooke, Rt Hon Peter	Higgins, Rt Hon Terence L.
Browne, John *(Winchester)*	Howell, Ralph *(North Norfolk)*
Bruce, Ian *(Dorset South)*	Hughes, Robert G. *(Harrow W)*
Buck, Sir Antony	Hurd, Rt Hon Douglas
Burns, Simon	Irvine, Michael
Burt, Alistair	Jack, Michael
Butler, Chris	Key, Robert
Carlisle, John, *(Luton N)*	Kilfedder, James
Carlisle, Kenneth *(Lincoln)*	King, Roger *(B'ham N'thfield)*
Carrington, Matthew	Knapman, Roger
Cash, William	Knight, Dame Jill *(Edgbaston)*
Chapman, Sydney	Lang, Ian
Chope, Christopher	Lawrence, Ivan
Clark, Hon Alan *(Plym'th S'n)*	Leigh, Edward *(Gainsbor'gh)*
Clark, Dr Michael *(Rochford)*	Lester, Jim *(Broxtowe)*
Colvin, Michael	Lightbown, David
Coombs, Simon *(Swindon)*	Lilley, Peter
Cope, Rt Hon John	Lloyd, Peter *(Fareham)*
Cran, James	Lord, Michael
Davis, David *(Boothferry)*	Luce, Rt Hon Richard
Dorrell, Stephen	Lyell, Rt Hon Sir Nicholas
Douglas-Hamilton, Lord James	MacKay, Andrew *(E Berkshire)*
Dunn, Bob	Maclean, David
Durant, Tony	McNair-Wilson, Sir Michael
Emery, Sir Peter	Mans, Keith
Evennett, David	Mariand, Paul
Fallon, Michael	Marshall, Michael *(Arundel)*
Favell, Tony	Martin, David *(Portsmouth S)*
Fenner, Dame Peggy	Mitchell, Andrew *(Gedling)*
Finsberg, Sir Geoffrey	Monro, Sir Hector
Fookes, Dame Janet	Morrison, Sir Charles

Moss, Malcolm
Neubert, Michael
Nicholson, David *(Taunton)*
Norris, Steve
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Page, Richard
Paice, James
Patten, Rt Hon Chris *(Bath)*
Pawsey, James
Porter, David *(Waveney)*
Raffan, Keith
Redwood, John
Renton, Rt Hon Tim
Riddick, Graham
Rifkind, Rt Hon Malcolm
Sackville, Hon Tom
Shaw, David *(Dover)*
Shaw, Sir Michael *(Scarb')*
Shelton, Sir William
Sims, Roger
Smith, Tim *(Beaconsfield)*
Speed, Keith
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Steen, Anthony
Stern, Michael
Stevens, Lewis
Stewart, Andy *(Sherwood)*
Stradling Thomas, Sir John
Summerson, Hugo
Taylor, Teddy *(S'end E)*
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Twinn, Dr Ian
Wakeham, Rt Hon John
Walker, Bill *(T'side North)*
Waller, Gary
Wardle, Charles *(Bexhill)*
Watts, John
Wheeler, Sir John
Widdecombe, Ann
Wood, Timothy
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Ayes:
Mr. John M. Taylor and
Mr. Irvine Patnick.

NOES

Allen, Graham
Anderson, Donald
Archer, Rt Hon Peter
Beckett, Margaret
Beith, A. J.
Bennett, A. F. *(D'nt'n & R'dish)*
Bermingham, Gerald
Bidwell, Sydney
Boateng, Paul
Bruce, Malcolm *(Gordon)*
Carlile, Alex *(Mont'g)*
Clay, Bob
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Cryer, Bob
Cummings, John
Dalyell, Tam
Dixon, Don
Dobson, Frank
Doran, Frank
Dunnachie, Jimmy
Dunwoody, Hon Mrs Gwyneth
Field, Frank *(Birkenhead)*
Fields, Terry *(L'pool B G'n)*
Flynn, Paul
Foster, Derek
Foulkes, George
Galloway, George
Godman, Dr Norman A.
Golding, Mrs Llin
Gordon, Mildred
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Heal, Mrs Sylvia
Henderson, Doug
Hogg, N. *(C'nauld & Kilsyth)*
Home Robertson, John
Hughes, Robert *(Aberdeen N)*
Illsley, Eric
Ingram, Adam
Janner, Greville
Kennedy, Charles
Kirkwood, Archy
Lambie, David
Lloyd, Tony *(Stretford)*
McAllion, John
McAvoy, Thomas
McCartney, Ian
McFall, John
McKay, Allen *(Barnsley West)*
McLeish, Henry
Maclennan, Robert
Madden, Max
Michie, Mrs Ray *(Arg'l & Bute)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Murphy, Paul
Nellist, Dave
Patchett, Terry
Pike, Peter L.
Powell, Ray *(Ogmore)*
Quin, Ms Joyce
Reid, Dr John
Robertson, George
Ross, Ernie *(Dundee W)*
Ruddock, Joan
Salmond, Alex
Sillars, Jim
Skinner, Dennis
Spearing, Nigel
Watson, Mike *(Glasgow, C)*
Welsh, Michael *(Doncaster N)*
Williams, Rt Hon Alan
Williams, Alan W. *(Carm'then)*
Wilson, Brian
Winnick, David
Wise, Mrs Audrey
Worthington, Tony

Tellers for the Noes:
Mr. Frank Haynes and
Mr. Martyn Jones.

Question accordingly agreed to.
Clause read a Second time, and added to the Bill.

New clause 10

ENCOURAGEMENT OF WOMEN, MEMBERS OF MINORITY RACIAL GROUPS AND DISABLED PERSONS TO TAKE ADVANTAGE OF OPPORTUNITIES FOR CERTAIN WORK ETC.

'Without prejudice to paragraph (a) of section 2(4) of this Act or to any enactment prohibiting discrimination (within the meaning of the Sex Discrimination Act 1975 or the Race Relations Act 1976), Scottish Enterprise and Highlands and Islands Enterprise shall each, in exercising its functions, promote—

(a) such actings by any employer as are lawful by virtue of section 48(1) of the said Act of 1975 (facilities for women only or for men only to train for, and encouragement for them to take up, work not ordinarily done for the employer by persons of the sex in question etc.) or 38(1) of the said Act of 1976 (corresponding facilities and encouragement in relation to members of particular racial groups); and

(b) actings by any employer—

(i) to afford access to facilities for training for disabled persons which would help to fit them for particular work in his employment; or

(ii) to encourage disabled persons to take advantage of opportunities for doing such work.'—*[Mr. Lang.]*

Brought up, and read the First time.

7.15 pm

Mr. Lang: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Mr. Harold Walker): With this it will be convenient to consider Government amendments Nos. 1 to 4, 15, 22, 23 and 27.

Mr. Lang: In Committee, we considered amendments to give Scottish Enterprise and Highlands and Islands Enterprise a role in developing employment opportunities for women, the disabled and ethnic minorities, and I said then that there were technical problems with the amendments. In particular, the wording risked infringing the Sex Discrimination Act 1975 and the Race Relations Act 1976. I also said that I was wholly in sympathy with the sentiments underlying the amendments.

The promotion of equal opportunities is a firm plank of Government policy, and our commercial prosperity will increasingly depend on unlocking the potential skills of all groups in society. I am happy to commend the new clause, which we propose to insert between clause 15 and clause 16. It will oblige Scottish Enterprise and Highlands and Islands Enterprise to promote positive action by employers to increase employment and training opportunities for women—and, indeed, for men—for the disabled and for racial minorities in occupations in which such groups are under-represented.

The new clause may seem complicated, but it is important to ensure——

Dr. Norman A. Godman (Greenock and Port Glasgow): As one who unequivocally supports the need to have the concerns of women and others in training and employment at the forefront of the Bill, I point out to the Minister that the board of the Renfrew enterprise company has no woman among its 18 members. I hope that the hon.

[Dr. Norman A. Godman]

Gentleman will join me in voicing regret over the total omission of women from such a board. Is that likely to be the case for other such companies?

Mr. Lang: It is a matter for each local enterprise company to decide who will constitute its board. I should like to see them choose women, but those women must be chosen on merit and not as a tokenist approach. We are responsible for appointing the directors of Scottish Enterprise and Highlands and Islands Enterprise, and I am happy to be able to point out to the hon. Gentleman that there are three women on the board of Scottish Enterprise. I believe—I will correct this later if I am wrong—that there are two women on the board of Highlands and Islands Enterprise. Therefore, as far as it is within our power to make such appointments, we have demonstrated our commitment fairly substantially. I share the hon. Gentleman's wish to see more women coming forward to such public positions, and perhaps local enterprise companies will find suitable opportunities for them to do just that.

The new clause will oblige Scottish Enterprise and Highlands and Islands Enterprise to promote positive action by employers to increase employment and training opportunities for women—and men—the disabled and members of racial minorities in occupations in which such groups are under-represented. It is important to ensure that the clause does not detract from the provisions against discrimination in employment and training in the Sex Discrimination and Race Relations Acts. The new clause builds on those provisions, giving Scottish Enterprise and Highlands and Islands enterprise a duty to promote positive action by employers when exercising their functions.

Amendments Nos. 1 and 3 are technical amendments, consequential on new clause 10 and, in the case of amendment No. 3, on amendment No. 4.

Amendment No. 4 deals with a matter that we discussed in Committee. There, an amendment was tabled to extend the role of Scottish Enterprise and Highlands and Islands Enterprise—carried forward from the Training Agency—in encouraging increases in training opportunities for women, girls and the disabled to ethnic minorities. I put on record then my agreement with what was intended. Existing race relations legislation, of course, makes it illegal to discriminate against racial minorities in such matters. This amendment goes beyond prohibiting discrimination to empowering Scottish Enterprise and Highlands and Islands Enterprise to take positive action. There was some difficulty with the original amendment proposed in Committee because the use of the term "ethnic minorities" does not tie in with existing race relations legislation. The present amendment gets round this by referring directly to the Race Relations Act 1976.

I turn now to amendment No. 15. It is at present unlawful for the Training Agency to discriminate on grounds of sex or race in exercising its functions. It is clearly right that, once the Training Agency in Scotland is subsumed within Scottish Enterprise and Highlands and Islands Enterprise, sexual or racial discrimination in the exercise of their training functions should also be unlawful, on the same basis. That is what the present clause 16 sought to achieve by reference to provisions in the Sex Discrimination Act 1975 and the Race Relations Act 1976.

But there are technical problems with the rest of the clause as it stands. I am advised that it does not bring Scottish Enterprise and Highlands and Islands Enterprise within the ambit of all the relevant provisions in the 1975 and 1976 Acts. It has also been overtaken by amendments to the 1975 and 1976 Acts made by the Employment Act 1989. The present amendment therefore gets round those problems by simply inserting references to Scottish Enterprise and Highlands and Islands Enterprise in the 1975 and 1976 Acts. Therefore, I hope that the amendment will be acceptable to the House.

Amendment No. 2 relates to women and girls and to disabled persons, and makes it clear that the provisions of clause 2 include all types of training. Clause 2(4)(a) empowers Scottish Enterprise and Highlands and Islands Enterprise to encourage increases in the opportunities for training that are available for women, girls and the disabled. In Committee, Opposition Members suggested the addition of the words "at all skill levels". As they will recall, we saw some technical problems with that amendment. It might have been taken to imply that, if any training opportunities were encouraged, it had to be done at all levels, but, as hon. Members who served on the Committee will recall, I was happy to take on board the spirit of the amendment.

It is certainly desirable that not just the quantity but also the range of training for women and the disabled should be developed wherever practicable. We have also tabled an amendment to extend this provision to ethnic minorities. Indeed, we expect Scottish Enterprise and Highlands and Islands Enterprise to act as catalysts in developing training opportunities for all sections of the community, but I recognise the necessity to pay particular attention to the needs of women, the disabled and racial minorities.

It it already implicit in the clause that training may be at a variety of levels. All that is required is a clarification, and that is what the amendment is designed to do. It makes it clear that arrangements may include all types of training.

Amendment No. 22 arises from points made in Committee by the hon. Member for Glasgow, Maryhill (Mrs. Fyfe), who is unfortunately not in her place. In response to an amendment that she moved, I undertook to bring forward amendments requiring the Secretary of State to have regard to the principle that equality of opportunity should be promoted as between men and women, in making appointments to the boards of Scottish Enterprise and Highlands and Islands Enterprise. Amendments Nos. 22 and 23 fulfil that undertaking.

At the time, the hon. Lady said:

"Since I came to the House . . . I have heard various employment Ministers reiterate their commitment to equal opportunities, but that never seems to result in action. . . . We still await the day when the Government will act all by themselves, without needing to be spured into action by someone else."—[*Official Report, First Scottish Standing Committee*, 1 February 1990; c. 178.]

It is sad that the hon. Member for Maryhill is not in her place now because she pressed these matters in Committee effectively and articulately. When she reads the report of our proceedings in *Hansard*, I hope that she will agree that, in advance of tabling this amendment, we have

demonstrably had regard to that principle in making our appointments to the designate boards of Scottish Enterprise and Highlands and Islands Enterprise.

The Scottish Development Agency at present has only one female member—I believe that she is the first it has ever had. As I said in reply to the hon. Member for Greenock and Port Glasgow (Dr. Godman) a moment ago, three of the 10 ordinary board members of Scottish Enterprise will be women, as will two of the 10 of Highlands and Islands Enterprise. There cannot be any suggestion of tokenism in those appointments. Those women have all been appointed for their personal qualities and track record and for the individual contributions that they can make. They are unquestionably there on merit. I hope that that will be reflected in the appreciation of Opposition Members for what I believe is a sensible move.

Amendment No. 23 is consequential, relating to amendment No. 22.

I turn now to amendment No. 27. We have been keen to remove barriers facing parents who want to return to work, or to take up training before returning to work. In the Budget, we announced tax relief on the assessed value of workplace nursery places. Within employment training, we make available a special allowance of up to £50 a week for child care to lone parents. In that connection, we took a power in the Employment Act 1989 to exempt discrimination in favour of lone parents in connection with training from the restrictions of the Sex Discrimination Act 1975.

The precise wording of section 8(1) in the 1989 Act refers to training arrangements under section 2 of the Employment and Training Act 1973 or to any training otherwise provided. Of course, training by Scottish Enterprise and Highlands and Islands Enterprise could count as training otherwise provided, but I think it best to put the matter beyond doubt by inserting in the 1989 Act a specific reference to training arrangements by Scottish Enterprise and Highlands and Islands Enterprise. I am sure that that will meet with approval on all sides, and I commend the amendment to the House.

The amendments are not controversial and do not change anything in previous legislation in any policy sense. However, they heighten the importance of avoiding discrimination whether on the grounds of sex, race, ethnic origin or disability. The amendments will improve the Bill. I am grateful to the Opposition Members who contributed to the debate that resulted in these amendments, which I commend to the House.

Mr. Worthington: I wonder whether the Minister has noticed how much more comfortable it was to talk sense instead of what we heard in the previous debate. I am sure that he found it comfortable to make his second speech, and I hope that that will encourage him to speak in such a vein more often.

We made suggestions along these lines in Committee. As the Minister has said, a lot of the work on this was carried out by my hon. Friend the Member for Glasgow, Maryhill (Mrs. Fyfe). We very much welcome what the Government have done and their proposals. Those who represent ethnic minorities in the Glasgow area have conveyed to me their pleasure at such a specific reference.

The importance of new clause 10 is that it will give women, disabled people and members of the ethnic minorities the levers that might be necessary in the future if at any time they feel that Scottish Enterprise and Highlands and Islands Enterprise or—let us not forget about this—the local enterprise companies are not doing enough in that respect. The united wish of the House that action should be taken on that will now be enshrined in legislation. Therefore, we welcome the provisions.

Mr. Foulkes: I understand why my hon. Friend the Member for Clydebank and Milngavie (Mr. Worthington) will welcome equal opportunities for ethnic minorities in Glasgow and its district. However, the specific point that I want to make relates to training opportunities for the mentally handicapped.

A week ago last Tuesday, I had an opportunity to visit Seabank and Henrietta street in Girvan, one of the Quarriers homes. I was greatly impressed by the work being done there, as I am by the work done by the Quarriers homes throughout Scotland, and the way in which they are adapting to different challenges. The home is responsible for providing accommodation and other help for a relatively small number of mentally handicapped adults.

7.30 pm

The people at the home raised with me the question of the length of training, in particular, in Maytag, the Maybole enterprise training scheme, which is now developing and expanding to Girvan, on which there have been mentally handicapped people. They find that the training opportunities for the mildly mentally handicapped are useful, but with one reservation. They feel strongly that, in order that mildly mentally handicapped people, often slow learners, may benefit fully from the training opportunities available, they should attend the course for two years rather than just the one to which they are limited under the current regulations.

I have written to the Secretary of State for Scotland —I expect that my letter will find its way to the Minister's desk, as these things do—urging him to consider changing the current regulations to allow mildly mentally handicapped people to go on the course for two years so that it should be as valuable to them as it is to other people in a year.

I had hoped that the amendments would allow some flexibility to enable training organisations such as Maytag to keep such trainees for two years rather than one, but at the end of his speech the Minister said that none of the amendments changed the structure of training, and that is slightly disturbing. If the Minister replies, I hope that he will say that there is some flexibility so that once the amendments are accepted Scottish Enterprise or local enterprise companies will be able to allow organisations such as Maytag some flexibility in the training of mentally handicapped people. If, after completing a course, such people are to compete on reasonably even terms with the rest of society, they should be able to go on the courses for two years.

I told the representatives of the Quarriers Home and some of its residents that I would press their case with the Minister, and I am glad to have the opportunity to do so on the Floor of the House. I hope that the Minister will be able to say that there will be flexibility in the schemes to allow for that need and that they will not be as rigid as at present.

Dr. Godman: I want briefly to echo the plea made by my hon. Friend the Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes) about the training needs of those

[Dr. Godman]

with mental handicaps. The Minister will recall that, in Scottish questions a couple of weeks ago, I asked him about the sheltered employment scheme which has found sheltered workplaces for some 350 people. In his reply, the Minister spoke warmly of that scheme.

I pointed out that, in Strathclyde region alone, between 14,000 and 15,000 people are, sadly, afflicted with mental handicaps to a lesser or greater extent. My hon. Friend made a sound plea when he asked that the special needs of such people should be taken into account where training provision, within the parameters of the Bill, must be given special attention. He is right to say that those with mental handicaps require systematic training, which, by its very nature, needs to be much more extensive than training given to people without handicaps. Given the number of people in Scotland who are handicapped, it is essential that they be found training places and employment. The sheltered employment scheme can only be a part of the employment opportunities offered to some people.

All the work of industrial psychologists in that area and those working in ergonomics shows that, with the right kind of training, mentally handicapped people can perform functions as adequately as those who are not handicapped. It is the quality of the training and the trainers that is important.

I am pleased to see that lone parents are to be given financial assistance for child care provision when they undertake training, but what of a couple with small children who are suffering unemployment? Do the Government intend to give the same assistance offered to lone parents to couples with immature children?

Mr. Lang: The final point raised by the hon. Member for Greenock and Port Glasgow (Dr. Godman) would probably be more appropriately addressed to my right hon. Friend the Secretary of State for Social Security, and I shall make sure that the matter is drawn to his attention.

It is encouraging that, in such difficult and sensitive matters, there is a degree of agreement across the House on how we approach them. For example, the general approach as embodied in our "Care in the Community" proposals, although we may disagree on some aspects, has gained acceptance on both sides of the House and it embodies the recognition of the need for a new and sensitive approach to the problems of those with disabilities and handicaps, whether mental or physical.

I am grateful to the hon. Member for Clydebank and Milngavie (Mr. Worthington) for his welcome for the amendments. I have not yet seen the letter from the hon. Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes), but no doubt I shall in due course and I shall reply to it. It is hard to generalise on the right period of training for mentally handicapped people, because the degree of handicap varies. I note that he was primarily concerned on behalf of Maytag, with its reservations about the mildly mentally handicapped, the need for flexibility and the possible extension of training facilities from one year to two.

We have made provision for greater flexibility for employment training which might go some way to cover that point. There are, as the House will know, some central guarantees on which the Government insist for the provision of training schemes. In the case of employment training, one of the requirements is that training should be open to everyone who has been unemployed for a certain period, with a guaranteed place for those aged between 18 and 25 who have been unemployed for between six and 12 months.

We require that all training will enhance the job prospects of those taking part. We need a guarantee on minimum nationally set levels of training allowance, and we need a guaranteed acceptance of health and safety and equal opportunity standards. But that apart, there is flexibility. Not only do we allow for flexibility but we are keen to see it and we emphasise the importance of it in the kind of training places on offer, in the length and context of training, and in the payments to providers of training.

I hope that the needs of the mentally handicapped will not be overlooked as the new Scottish Enterprise proposals come into being. As clause 2(3) emphasises:

"Scottish Enterprise and Highlands and Islands Enterprise shall each, to such extent as it considers appropriate, make arrangements for the purpose of—assisting persons to train".

Clause 2(4)(a) refers to

"arrangements for encouraging increases in the opportunities for training that are available to women and girls or to disabled persons".

This important sector is receiving increasing attention in Government and in the wider community, and I am sure that the new clause will enhance the chances of further recognition of it.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New clause 11

MONITORING OF TRAINING FOR EMPLOYMENT

'Where the functions of Scottish Enterprise, or of Highlands and Islands Enterprise, mentioned in section 2(3)(a) or (b) of this Act are carried out through an agent or are delegated to any person, the body in question shall have the duty (which shall not itself be delegated) of keeping under continuous review the suitability and adequacy of any training provided by that agent, or as the case may be by that person (or his agent) in discharging those functions.'.—*[Mr. Lang.]*

Brought up, and read the First time.

Mr. Lang: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this it will be convenient to take new clause 4—*Training Inspectorate*—

'Scottish Enterprise and Highlands and Islands Enterprise shall together establish and fund an inspectorate, and shall place at its disposal the services of such officers or servants as each body considers appropriate, with the duty of monitoring the quality of the training and the efficacy of the arrangements made under section 2(3) of this Act.'.

Mr. Lang: The Government have consistently demonstrated their determination to maintain and improve training quality, and this new clause is concerned with that. We have introduced the approved training organisation concept, and rapidly implemented it, first for youth training and in its turn for employment training.

Mr. Worthington: Will the Minister give way?

Mr. Lang: I have said nothing controversial yet, but I shall give way.

Mr. Worthington: How many approved training organisations are there in Scotland?

Mr. Lang: I shall give the figure in my winding-up speech.

In awarding approved training organisation status, and in monitoring it thereafter, the Training Agency verifies that the training provider meets comprehensive quality standards, covering assessment procedures, calibre of training, design and delivery, quality of management and staff, adherence to equal opportunities and health and safety requirements, and financial viability. In addition, the training standards advisory service provides an independent advisory service that has as its main role to assess the overall quality of training provision and to undertake evaluations of individual projects.

Mr. Worthington: Will the Minister confirm that there are six people in that unit?

Mr. Lang: Yes, I will confirm that, and that is a sufficient number of people to carry out the work efficiently and effectively.

We have repeatedly made clear our commitment to ensuring that training quality will continue to be a key consideration once the new bodies of Scottish Enterprise and Highlands and Islands Enterprise come into being. New clause 11 makes this explicit. It expressly places a duty on Scottish Enterprise and on Highlands and Islands Enterprise to monitor training quality wherever that training is provided by a local enterprise company or, as is expected invariably to be the case, by training providers subcontracting with the local enterprise company. For self-evident reasons, this duty to monitor is not in itself to be delegated, and amendments Nos 16 and 17 to clause 17 are consequentially needed.

No such provision was included in the Bill as originally drafted, for the simple reason that no specific provision of this kind has been thought necessary heretofore to empower the monitoring of training quality. The training standards advisory service operates under the general terms of section 2 of the Employment and Training Act 1973, as amended. The equivalent provision in this Bill is in clause 2. I have been convinced that training quality is so important and so central to what we are seeking to achieve through the Scottish Enterprise initiative that it is desirable on policy grounds to make specific reference to it in statute.

I recognise that new clause 4 is similar in its intention. Had it been possible, I should have been happy to support it, as I have no significant difficulty with it in policy terms. However, it is technically defective, so I have judged it best to table a version that avoids such technical difficulties. In the circumstances, I hope that the hon. Member for Clydebank and Milngavie will be content not to press new clause 4 but will support new clause 11.

Mr. Worthington: I listened to the Minister with great interest, but what he said about his new clause was not congruent with my reading of it. I hope that he will take up that point. New clause 11 says:

"Where the functions of Scottish Enterprise or of Highlands and Islands Enterprise . . . are carried out through an agent or are delegated to any person, the body in question"—

which I have interpreted as meaning the local enterprise company—would be responsible for monitoring the quality of the training. That is just good management by that company. We are proposing an independent body to monitor and supervise the quality and performance of the local enterprise company. It is not adequate to ask the local enterprise company to monitor its own performance, and that would not meet our point, as it would be part of the contract that such companies are likely to have with Scottish Enterprise or Highlands and Islands Enterprise.

7.45 pm

I can go further than that. The new clause is unattractive because there is a hand-washing element to it. It says that it is solely the reponsibility of the local enterprise company to monitor the quality of training rather than that it is the responsibility of Scottish Enterprise or Highlands and Islands Enterprise. The Government are washing their hands of training and are stepping back from it, expecting it to be done by other bodies. Public control of training, already limited, will decrease.

Our new clause would set up a training inspectorate because we are concerned about quality. That concern has arisen because of the Government's performance with their current schemes, a performance that has repeatedly given rise to public concern. The Government are changing the arrangements, but the direction of that change gives us cause for further concern, as an independent commercially driven body—the local enterprise company—will be responsible for training. The Department of Employment has run training in an appalling way. I speak about the Department of Employment because that training was, as it will continue to be, instigated by the Department. In Committee and on Second Reading, the pretence that there is Scottish Office control was simply deceitful.

Dr. Godman: Will the training inspectorate, as outlined in the new clause, not only assess the quality and efficacy of training programmes undertaken within local enterprise companies but have an advisory role? Will the people in the inspectorate have sufficient skills and knowledge to advise the local enterprise companies of the training that should be carried out in their areas?

Mr. Worthington: Our new clause is not ideal. Part of the problem is that, if we wanted to set up a genuinely independent inspectorate, outside the two enterprise bodies, such a move would be outside the scope of the Bill. To stay in order, we have tabled a new clause setting up a body that is inadequately independent but is the best possible within the terms of the Bill.

We are concerned that training is to go under the wing of local enterprise companies and will disappear from public view. On Second Reading, I described the situation as the laundering of public money. Money will come from the public and will be spent by private concerns. There is widespread anxiety that trainers whose central motivation is profit will be attracted into the field. There is a straight correlation, because the more that one spends on training, the less profit will go to the company. Therefore, there has to be some check, and at the moment the Training Agency does not achieve a good level of scrutiny. The Minister seems to be sanguine that there are six people to monitor quality throughout Scotland. That is simply not adequate.

I look forward with great interest to learning how many approved training organisations now exist in Scotland. When I last asked, I was told that we had hardly reached the first stage—setting up such organisations. It is not even as if training will be under the control of the Scottish Office, or under the control of a public body in Scotland, as we were promised. Control remains with the

[Mr. Worthington]

Department of Employment, and nothing emphasised that fact more than the recently proposed initiative on training credits.

I think that it was on a Tuesday that the Department of Employment announced, with a great fanfare, the 10 pilot schemes for training credits that were to be introduced throughout Britain. If there was Scottish control of training, why should Scotland not have as many training credit schemes as it wants to experiment with? It cannot be because of the cost as the expense of introducing the training credit scheme throughout Britain for 1990-92 is only £12 million, and this year the Government are cutting £28 million from the Scottish budget.

Mr. McLeish: At least.

Mr. Worthington: As my hon. Friend says, we have been able to identify at least £28 million so far, but more may be revealed.

Why should Scotland not have as many training credit schemes as it wants? These schemes were initiated to an English and Welsh timetable, which is strange. Organisations that do not yet exist—local enterprise companies—have to put in a bid for a training credit scheme by 4 May. How can a body which has only just been approved for development money put in a bid by 4 May for a training scheme? I do not know. However, that is the timetable that has been set down, and it is the same in Scotland as in England and Wales. Outline bids have to go to the Scottish Office by 4 May from bodies that do not exist. Detailed bids have to be submitted by the end of July. Who will submit those detailed bids?

Mr. McLeish: Does my hon. Friend agree that the timetable for credits is consistent with the chaotic timetable for the renegotiation of employment training contracts? Should we be surprised about the incompetence of the Government in Scotland?

Mr. Worthington: My hon. Friend should not spoil the second part of my speech, in which I shall come to the gross incompetence involved in the renegotiation of contracts.

Detailed bids have to be submitted by the end of July. Discussions have to take place between non-existent bodies and the local authorities about career schemes. I do not know how that will be done. I have no doubt that schemes will go forward in the names of certain organisations, but there cannot be much honesty involved.

When one asks the Scottish Office whether there will be a scheme—any scheme—in Scotland, they cannot say, "Yes, there will." We know that there will be such a scheme because the Department of Employment will decide that it had better keep the Jocks quiet, so a scheme will be allocated to Scotland on the grounds of expediency and not quality. Something will be cobbled together.

The Department of Employment is remote from Scotland and dominated by a south of England representative. We know that the employment training scheme would never have been devised by a political party in Scotland because it does not meet Scottish requirements. However, training will continue to be run by the Department of Employment, and the Training Agency has an appalling record of mismanagement.

In Committee, the Minister sought desperately to mislead us about the new flexibility open to local enterprise companies for employment training. He tried to make it sound as if it was a Scottish initiative, but it was clear to everyone in Committee that he was announcing the flexibility that is being introduced into the employment training scheme throughout the United Kingdom. I leave it to the Minister to demonstrate that there is any flexibility which applies particularly to the scheme in Scotland, and any Scottish aspect of youth training or employment training that is distinct from training in the rest of the United Kingdom. *[Interruption.]* I have had to wait for an answer to that question since 9 January. I am still waiting.

Mr. Bill Walker: I hope that the hon. Gentleman is aware that I have been interested in training and development throughout my life. For many years, the Royal Air Force paid me as one of its inspectors. I am curious to know what particular Scottish dimension in training seems likely to be missing from any scheme that applies throughout the United Kingdom.

Mr. Worthington: In simple terms, training the people without jobs for the jobs without workers is a south-of-England expression. In places where there are no jobs or where unemployment levels are about 20 per cent. —what the Minister calls a small patch in Glasgow—the scheme is inappropriate because it is geared for a different situation. When unemployment levels are 2 or 3 per cent., as they are in many parts of south-east England, one scheme may be suitable. In areas such as Springburn and Easterhouse in Glasgow, where male unemployment is between 30 and 40 per cent., one needs to devise another scheme.

Mr. Walker *rose*——

Mr. Worthington: I have answered the hon. Gentleman's question fully, and I would prefer him to make his own speech in his own way later.

Evidence to show why we need an inspectorate has emerged in the past month and my hon. Friend the Member for Greenock and Port Glasgow (Dr. Godman) referred to that a few moments ago.

Training managers and agents have been treated appallingly by the Department of Employment. At the end of March—this was brought to my attention on 30 March —the Department of Employment sent a letter to training managers and agents informing them that their contracts, which were due to run until September, were cancelled and would run only until the end of April. At the beginning of April, when people came into the office on a Monday, they were told that their contracts would run for only another month.

We are talking about hundreds of trainers and thousands of trainees whose lives were wrapped up in the employment training scheme. They found that the plans they made had been totally disrupted, not because of a particular Scottish problem, but for some reason that has not yet emerged because of problems in the Department of Employment. How can one run a quality training scheme in such circumstances?

It happened in the past with the Manpower Services Commission and the Training Commission and when we changed from the community programme to employment training. The whole system is dug up by the roots and thrown up in the air and it is hoped that something will

grow from it. After all the years of the Manpower Services Commission, we still have schemes rather than a structured training system. The end of the letter said:

"the Training Agency will be contacting you"—

that is, the training managers and the training agents—

"urgently to discuss the recontracting process."

To the best of my knowledge, the Training Agency has not yet made contact with any agency or manager throughout Scotland.

8 pm

After 10 days, I became so concerned about the threat to training that I telephoned the head of the Training Agency in Scotland, Mr. Lex Gold, and said, "Are you aware that there has been no contact between the Training Agency and any of the training managers or training agents within Scotland?" He replied, "Who told you that?" I said, "My contacts are in the west of Scotland," and he replied, "Do you mean to say that the west of Scotland has not started yet?" The man who is in control of the training system within Scotland had no idea about what was happening in the west of Scotland. After speaking to him, I found out what was happening in the east of Scotland and it was the same—nothing.

I asked him, "How will you implement these cuts?" That is what it is about. The letter states:

"We shall be taking the opportunity of contract renegotiation to review and agree with providers current payments, the numbers of contracted places and current arrangements for filling more places than specified in contracts. The overall aim will be to reduce unit costs."

How on earth will that be implemented without any guidelines from the Training Agency as to how the costs will be renegotiated? What are to be the future unit costs for places within Scotland?

In a parliamentary question which was answered on 24 April, I asked

"what was the public expenditure per trainee on employment training in 1989-90"

and I was told that it was £104 per trainee. I also asked for the figures for 1990-91 and was told:

"Regional ET plans for 1990-91 are for internal management information purposes only."—[*Official Report*, 24 April 1990; Vol. 171, c. *167*.]

The Department would not tell me. Public money is being invested in training, yet the Government have become so arrogant, withdrawn and unconcerned that they do not think that a Member of Parliament has the right to know what will be spent per trainee in Scotland. It is a crazy, appalling way of running training to send out a letter saying that all contracts are abandoned. I am now told that training agents and managers have received another letter telling them that their contracts are extended until the end of May.

That is exactly why we need a quality inspectorate. We are dealing with the training of young people, as youth training is also being renegotiated. We need a training inspectorate, not to tell the bodies that are administering training that they are responsible for monitoring the quality of training—which is what new clause 11 says—but an independent body to scrutinise the quality of training. No Government dedicated to quality would send out such a letter. It would be a contradiction in terms.

On the Tuesday, there was a fanfare when training credits costing £12 million next year were announced, yet on Friday letters were hand delivered under the cloak of secrecy, with no fanfares, implementing the cuts in training. We must remember that the policy is countrywide. The Minister told us that it will be Scottish training for Scottish needs. The letter states:

"As far as possible ET providers in all parts of the country are operating on a similar basis."

Where is the flexibility in that? The Government are seeking to reduce unit costs to a level which Members of Parliament are told they have no right to know.

What a way to treat trainers, managers and above all trainees. What a way to treat colleges with contracts to supply training. Nothing has happened, despite the statement that agents and managers will be contacted urgently. We still know nothing about budgets, targets or principles on the cuts. We simply have the incompetence of the Department of Employment, which will continue. We need a training inspectorate.

It keeps on happening. Suddenly the system is dug up. It happened when we changed from the community programme to employment training. A devastating document produced by the Scottish Council for Voluntary Organisations shows how may thousands of places caring for the vulnerable in society disappeared because of the indifference of the Minister. The Minister always says that the community programme involved no training, whereas employment training does. Many community programmes involved a great deal more training than some of the employment training schemes. When we made the transition from the community programme to employment training, 5,000 social care training places in Scotland —representing 55 per cent. of the total social care plans provided under the community programme—were lost. Yet the Minister says that he believes in community care. That has no credibility whatsoever.

Other sinister and disturbing things are happening. I am grateful to my hon. Friend the Member for Glasgow, Central (Mr. Watson) for bringing to my attention the parliamentary scrutiny of training. Until now it has been possible to appeal to the ombudsman, or the Parliamentary Commissioner for Administration, if it is felt that there has been some maladministration. However, the Government have now written to the ombudsman to say that they do not consider that training administered under the local enterprise companies should be subject to the ombudsman's scrutiny.

The ombudsman replied to the Office of the Minister for the Civil Service:

"First, there does not appear to have been any communication by the Scottish Office or yourselves with the Select Committee on the Parliamentary Commissioner for Administration in regard to the Government's intentions regarding"

Scottish Enterprise and Highlands and Islands Enterprise. Obviously there was no consultation. The letter went on:

"Secondly . . . I would expect this aspect of the matter to be of concern to"

the Select Committee.

"it appears that the Government are effectively seeking to close off from citizens in Scotland who might be aggrieved at the way a local enterprise company had dealt with their affairs"—

that is a local enterprise company using public money—

"an avenue of redress which—by virtue of the Training Agency's role—would nonetheless be available, it seems to me, to citizens south of the border who had similar grievances in respect of alleged maladministration by Training and Enterprise Councils."

That redress to the ombudsman will be denied in Scotland if the Government have their way.

The ombudsman continued:

"In view of the events in the House of Commons this week following the Budget statement, you may wish to put the above consideration to the Scottish Office."

He was writing in Budget week. The Government have simply ignored the wishes of the ombudsman and are trying to remove matters from public scrutiny.

Mr. Bill Walker: I wish that the hon. Gentleman would not be quite so abrupt and cavalier. I imagine that he understands the position with regard to the Select Committee on the Parliamentary Commissioner for Administration and the Scottish Development Agency. Is he aware that such quangos only recently came under the umbrella of the ombudsman? If he is, he will understand that what falls within the Committee's jurisdiction is part of the normal negotiations between that Committee and Departments. If he is aware of that, what is he complaining about?

Mr. Worthington: I am complaining that, whereas at present the affairs of the Department of Employment and training are supervised by the Select Committee on the ombudsman, when training is transferred to Scottish Enterprise and Highlands and Islands Enterprise, it will not be scrutinised by the ombudsman or the Select Committee.

Many hon. Members will have received a letter from Grand Metropolitan Community Services, which is a good friend of the Government and one of the few major companies involved in employment training. A problem with employment training is that most major companies have turned their backs on it. Mr. T. R. E. Mann, managing director of Grand Metropolitan Community Services—who, to my knowledge, is not a paid-up member of the Labour party and has no interest in supporting it —wrote a letter expressing his concern about how the Department of Employment is operating. He says:

"It is impossible to get sense out of the Training Agency, where practices vary not only between regions but in some cases between the same Training Agency area office from one week to the next."

He expresses his concern about the reduction

"by 30 per cent. over the next three years in expenditure on youth training and employment training."

Referring to the Government's intention to make employers pay more for training, which we do not oppose, he says:

"The Training Agency has indicated that it will expect the reduction in Government funding to be made up by contributions from employers. In view of the combination of both the economic situation"—

we all know what that is—

"and the standard of ET clients now available on the job market"—

that is a south of England rather than a Scottish comment —

"it seems improbable that employers will be prepared to pay more for training in the foreseeable future, especially when only a small proportion of ET clients are likely to be placed with employers."

He concludes by expressing his concern about the effect on training quality:

"What we have got is great financial strain on some of the providers of training at the present time."

A training inspectorate is desperately needed because of the cavalier way in which the Department of Employment —the Scottish Office is irrelevant because it has no control or influence on this matter—will continue to make abrupt changes in practice which will affect Scottish Enterprise and Scottish LECs and prevent adequate quality training in Scotland.

I was impressed by an article on training that I read in *The Economist*. It quoted Mr. Brian Wolfson, who will be known to the Government as the man who has chaired selection committees for LECs in Scotland. He said that the Government had introduced into training a state of catatonic confusion, and that one local LEC had asked companies what they knew about Government schemes. The second most popular answer was a scheme that did not exist.

8.15 pm

Mr. Bill Walker: I intervene because I was astonished by the theoretical and inept speech of the hon. Member for Clydebank and Milngavie (Mr. Worthington). When I asked a fairly straightforward question and gave him the opportunity to say what special Scottish dimension had to be taken on board, all I received was waffle about the problems——

Mr. Worthington *rose*——

Mr. Walker: I will give way to the hon. Gentleman; I am not nearly as discourteous as he is. Labour Members know that I always give way.

Mr. Worthington: May I ask a practical and down-to-earth question? If there is no Scottish dimension, why does the Scottish Office claim that there is?

Mr. Walker: I did not say that there was no Scottish dimension; I asked what special Scottish dimension the hon. Gentleman was referring to, but he gave a dimension that is common throughout the United Kingdom in areas of high and relatively low unemployment. That is not a special Scottish dimension.

I was not saying that there is no need for local enterprise companies to concentrate on the special needs in their areas. Those needs will differ from area to area. I should have thought that that was common ground among those who have attempted to study the problems of training.

We are considering whether an area has shortages not in tactile skills but human relations or social skills. It must be fairly clear to the hon. Gentleman and other Labour Members that, in a constituency such as mine, where the largest employer is the tourist industry, one of the requirements is training in social and human relations skills. Textile workers in Forfar will need tactile skills, and workers in Aberfeldy or Pitlochry will need skills relevant to the whisky industry. Local enterprise companies and employers will have to recognise and train workers in the skills necessary for those tasks.

There is much common ground on training. We should not disagree about it because the United Kingdom will need a well-trained work force if it is to compete in the world of today and tomorrow. What are we talking about? New clause 11 imposes a

"duty (which shall not itself be delegated) of keeping under continuous review the suitability and adequacy of any training provided by that agent".

I should have thought that we would all agree. The hon. Member for Clydebank and Milngavie seems to think that we need to set up a training inspectorate.

I spent many years as an inspector on behalf of the Royal Air Force—*[Laughter.]* I do not find this amusing.

The hon. Member for Fife, Central (Mr. McLeish) has an academic qualification which I respect. He should realise that my qualification took longer to obtain than a degree. It must have some relevance, especially as it relates to training. I spent years training people to fly, teaching pilots how to be instructors and examining instructors. I think that I know something about this matter, although that may be astonishing to the hon. Member for Fife, Central. I respect the views of Opposition Members whose qualifications show that they have certain abilities and have had training. I respect the hon. Gentleman in terms of education and training, because I know his record.

Mr. Watson: Does the hon. Gentleman accept that the education and training courses leading to the various qualifications of hon. Members have been validated and monitored? Is not that an important part of any training programme? Does he recognise that our proposal for an inspectorate is designed to build that into the Government's training programmes?

Mr. Walker: I acknowledge that point. I criticised the hon. Member for Clydebank and Milngavie not because of what he would like to achieve but because he made his point in an inept, academic and theoretical way. Any training mechanism needs to be checked, and the new clause enables the local enterprise companies to do that.

The hon. Member for Clydebank and Milngavie did not treat my question seriously. For what was he asking? What special Scottish needs did he identify? I am confident that the hon. Member for Fife, Central will answer.

Dr. Godman: The hon. Gentleman referred to the training needs of the tourist industry. Given that it is scattered throughout Scotland and its islands, that it is fragmented and that it is largely made up of small enterprises—often family enterprises—might not the envisaged inspectorate be able to lay down training programmes that are beneficial to tourism in all parts of Scotland?

Mr. Walker: My experience of training boards is fairly extensive. Under the old training board system, the boards began to think that they were the be-all and end-all of training authorities. I helped to set up pilot schemes and, in the beginning, was a keen supporter of training boards. I grew disillusioned because they built empires. Marks and Spencer, Trusthouse Forte and similar organisations know more about skill training than any theoretical body. I should have thought that, in the Scotch whisky industry, United Distillers, the largest whisky company, would have training schemes. If such organisations are part of the local enterprise companies, that is a basis on which we can build on what is known to work. That is preferable to setting up an inspectorate with a theoretical approach. At this early stage, I am concerned that we may not lock properly into the established bodies.

Anyone who knows anything about training knows that the same companies have invested in it. They have a reputation. When the local enterprise companies are up and running, they should be locked properly into a system involving experts in training. We will then be able to evaluate skill measurements and so on. I caution my hon. Friend the Minister because of our experience of the training boards. There is a danger that we may set up so-called training experts who become more interested in their empire than in the product—in giving people the opportunity to be trained to alleviate shortages and inadequacies in social, tactile, management and other skills in their areas.

The Opposition should not always assume that Conservative Members are hostile to their ideas. We may not be, but unless those ideas are packaged and properly presented, the Opposition should not be suprised if we want answers to our questions.

Dr. Godman: Despite the fact that I served a six-year apprenticeship in a shipyard and years later studied for a postgraduate diploma in industrial psychology, largely based on training, I readily acknowledge that I have nowhere near the experience and knowledge of industrial training of the hon. Member for Tayside, North (Mr. Walker).

New clauses 11 and 4 are eminently compatible. If the Minister is not willing to listen to the arguments in support of new clause 4, I hope that the 10 members of Scottish Enterprise and the 10 members of Highlands and Islands Enterprise will at least listen. It might be in the interests of those organisations and local enterprise companies if there were an inspectorate or review body. I am not talking about training boards. I asked the hon. Member for Tayside, North about the relevance of the inspectorate to tourism and he answered by talking about Marks and Spencer and whisky distilleries. I believe that local enterprise companies could be helped by the development of training programmes for industries such as tourism which are to be found throughout Scotland. That might defray some of the training costs incurred by LECs.

One of the most important elements in the training role is that of matching employers' training needs with those of employees or potential employees. In constituencies such as mine, there is often significant incompatibility between what incoming firms require and the skills of local people —not only young people but unemployed middle-aged people.

8.30 pm

The Renfrew enterprise company has a board of 18 members. Not one woman has been chosen, although in the area covered by that local enterprise company, women form about 52 per cent. of the population. In response to a comment that the Minister made earlier, I should say that I do not seek to argue the case for tokenism. There are many highly skilled and successful business women in the Inverclyde area, who could make a major contribution on that board, especially in training matters. I have every confidence in the chairman, John McClelland, who is the plant director of IBM. I readily concur with what the hon. Member for Tayside, North said on this subject. IBM is one of the companies which provide a superb training programme for their employees, so I was pleased to learn that Mr. McClelland had become the chairman of that company.

The huge problems that Inverclyde faces are not peculiar to the lower Clyde—they are problems typical of any areas of high unemployment seeking to attract new companies by means of enterprise zones. Many of the companies attracted to an enterprise zone require skilled labour. One of the first of the companies attracted to Inverclyde was the Crusader insurance company, which has already recruited a number of young people—a goodly proportion of whom have quit their employment in the local social security office to go to work for that company,

and I do not blame them for that. They have rightly concluded that they will be offered better terms and conditions of employment by Crusader than they enjoy at the DSS. About 16 employees of the DSS have gone to join Crusader; good luck to them. I only hope that the DSS in turn will take on 16 unemployed people, including some of the middle-aged people who figure all too prominently in the long list of long-term unemployed in Inverclyde.

New companies need training personnel with basic skills to take on in-house training programmes. I welcome the new clause, because I think that the local enterprise companies have a heavy responsibility to ensure that training programmes are set up in their areas, but I also support new clause 4, which advocates a review committee set up by Scottish Enterprise and Highlands and Islands Enterprise. Such a committee could assist local enterprise companies and local colleges as well as local trainers of personnel. It could also play an important role in meeting the training needs of companies, especially companies new to Scotland. Just as important—perhaps more so—it could help with the training needs of unemployed people, especially the middle-aged unemployed who are to be found in such large numbers in the ranks of the long-term unemployed.

I repeat that new clause 11 and the new clause offered by my hon. Friend the Member for Clydebank and Milngavie (Mr. Worthington) are compatible proposals which would assist in meeting training needs.

Mr. McLeish: I support the comments of my hon. Friend the Member for Clydebank and Milngavie (Mr. Worthington). Most people—as usual we must exclude the Government from any consensus—are concerned about the problem of quality. The commercialisation of Government schemes is creating a crisis of investment and quality. As the hon. Member for Tayside, North (Mr. Walker) said, there is a consensus that the 1990s must be the decade of skill training and effective investment by Government and employers, but it appears that that balance is not being struck, because the Government are moving quickly out of investment and are seeking at every possible opportunity to pass the burden from the state to employers, who may or may not be ready to accommodate such an initiative.

I do not blame the Training Agency or the former officials of the Manpower Services Commission. I do not blame advisers in the Scottish Office. I blame the Government alone for their incompetence and insensitivity in allowing the Department of Employment in London and its branch section in Scotland to permit the Treasury to dictate the pace and volume of investment. That is a major reason why we have a crisis in training in Scotland and throughout the United Kingdom.

My hon. Friend the Member for Clydebank and Milngavie was right to suggest that there had been a cut of £28 million. From a review of autumn statements, public expenditure White Papers and supply estimates over the past two to three years, we have established that, on a Great Britain basis, about £250,000-worth of cuts will have been made between 1989-90 and 1990-91. It appears that, in the space of a few weeks, £250,000 has disappeared, although no Minister will admit to it. That is one of the reasons why the quality of planned programme provision including employment training and YTS is in a state of chaos, on the one hand because of incompetency and crisis and on the other because of lack of investment.

It was evident from the remarks of the Minister of State and the Secretary of State that the Scottish Office is some way responsible for the employment activities of the Department of Employment. The truth is a million miles from the fiction peddled by the Scottish Office day in, day out.

I should like to bring to the Minister's attention a sitting of the Select Committee on Employment held on Wednesday 17 January, at which evidence was taken concerning the employment service. There was an exchange of views between my hon. Friend the Member for Dundee, West (Mr. Ross) and a senior official of the Department of Employment concerning local enterprise companies and training and enterprise councils and their relationship and how the Department of Employment would be involved in overseeing their development.

In a telling exchange, minuted in paragraph 42 on page 9, the senior official from the Department was quizzed about the relationship. He remarked:

"I think there will be a degree of stability and shared policy because Ministers are part of the same Government".

That has never occasioned stability and an exchange of policy in the past. He went on:

"our Secretary of State as I understand it will continue to have an overriding responsibility for employment matters in Scotland."

It is clear that the Scottish Office is a poor appendage of the Department of Employment.

My hon. Friend the Member for Clydebank and Milngavie has exposed another myth, which is that the LEC initiative in Scotland reflected the Scottish culture, the Scottish labour market and its training needs and aspirations. In reality, the former Secretary of State for Employment decided to take a trip to the United States and visit Massachusetts. He visited private industry training councils in America and brought the idea back here. Transferring ideas from a different culture is always difficult. The Government made a mess of that idea in Great Britain and the Scottish Office hijacked that residual mess from America, called the principle local enterprise companies and the circle is now complete.

The idea is that we have control over our affairs in Scotland, but we do not. Local enterprise companies are supposedly an imaginative Scottish idea, but they are not. Now, savage cuts have been imposed on employment training by an English-based Treasury which has little regard for the quality of training provision. Instead, the Treasury has a high regard for keeping public expenditure constraints extremely tight indeed.

Why do estimated and outturn figures in any one year virtually automatically now become the planned provision for the following year? In 1986-87, in real terms, we were spending £4 billion on training in Great Britain. By 1992-93 that will drop to £2·8 billion. That is a cut of £1·2 billion over seven years. That is supposed a positive contribution to the skills crisis and a proper reflection of the Government's concern for people who do not have skills. That is hypocrisy, but the position is worse than that.

There is a need throughout Great Britain for the Government to work in partnership with employers. However, as my hon. Friend the Member for Clydebank and Milngavie explained, chaos has ensued as a result of the Training Agency being pressured to send a letter to employment training agents and managers. That was a

panic policy outcome of a chaotic response from the Secretary of State for Employment to training and enterprise councils in England and Wales.

Youth training is no better. The YT budget is being cut in this financial year by £164 million. The burden of expenditure is being passed to employers who have not been consulted about the fact that the £50 a week that trainees receive from the public purse is to be reduced to £33 by 1992-93. That will be a cut of one third of a billion pounds between 1990 and 1993. That will make the Government's plight even worse and that is why I believe that our concern for quality, which is at the centre of new clause 4, is crucial.

I began by saying that the commercialisation of training programmes would have a devastating impact. I believe that the Government have got themselves into such a mess that it is our responsibility to expose the travesty of the current position, in which skill needs are so great and visible that they demand to be tackled.

I sincerely hope that the Minister of State will reconsider his position on quality. As my hon. Friend the Member for Clydebank and Milngavie stated clearly, confidence in the Government's ability to handle the skills crisis is draining away by the day. If the Government continue to heap chaos upon chaos, it will be the duty of a Labour Government, when we are elected, to clear up the mess, put skills training at the top of the political agenda and earmark a sufficient amount of investment which we can use in partnership with the private sector to tackle the needs of our young people, of adults and employer-based training where the greatest deficiency exists. I hope that my comments will be taken seriously and that we do not receive off-the-cuff complacent rhetoric which, when examined, does not stand up to scrutiny.

8.45 pm

Mr. Watson: I also want to emphasise quality in training, because it is central to the provision of training. Recently, a number of horror stories have emerged and have been well publicised, of employment training schemes which have been abused and which, by definition, have been an abuse of public funds.

It is surprising that the Minister of State should come to the House with a proposal that training programmes will be kept "under continuous review" without specifying to our satisfaction just how that will be achieved. I cannot understand why the Minister of State should be unhappy with the proposal that an inspectorate should be charged with the responsibility of ensuring that there is high quality training in the Government's schemes.

On Second Reading, I referred to several cases of abuse of employment training schemes. The Minister told me then that, if there were cases of genuine abuse, the Government would do something about them once they had been investigated. I do not know whether the Minister of State can respond further to that when he replies, but I have heard nothing since Second Reading to the effect that the Government have responded to the cases which were raised in particular by the *Glasgow Evening Times* in a series of articles in October and November last year.

Those articles revealed abuses including the case of a number of people who were taken on ostensibly as landscape gardeners. However, they were given nothing to do other than to build a driveway at the home of the training manager. In another case drivers were trying to get heavy goods vehicle licences to obtain work as lorry drivers or bus drivers. However, they simply had to ferry other ET workers back and forward every morning and evening and had nothing to do in between except twiddle their thumbs.

In another case, a young woman who wanted to learn secretarial skills to improve her chances of getting a job was given nothing but the most menial tasks. Perhaps most worrying of all, a number of completely unskilled people were taken on as security guards under an ET scheme. No doubt my colleagues from other parts of Scotland could give other examples of abuse. The underlying factor is that the policing of ET is far too lax. The emphasis is not on training. In too many cases, employers see ET as a lucrative business in which to be involved and they are not too concerned about training.

The serious employers who are interested in providing training have shied away from Employment Training. Strathclyde university carried out a survey in November 1989 in which it contacted 106 companies in the private sector in Scotland. Those companies employed 80,000 people. Only 12 of them were participating in Employment Training. The other companies said that they did not consider Employment Training as meaningful training.

They also said that it was unlikely to produce the skills that they were looking for or that Employment Training did not meet their needs to the extent that they would rather involve themselves in other forms of training. That is an indictment of Employment Training which—I am prepared to give the Government the benefit of the doubt here—is intended genuinely to increase the chances of long-term unemployed and, increasingly, young people of gaining proper employment.

We must ensure that the training that is provided is of a high quality—or at least of a higher quality than has been offered hitherto. The Government's proposal to keep training schemes "under continuous review" will not achieve that end. A properly financed and resourced inspectorate with people who understand training and know what should be achieved from properly designed training programmes would be much more likely to act as a watchdog with teeth in that important area.

I am sorry that the hon. Member for Tayside, North (Mr. Walker) has left the Chamber. [HON. MEMBERS: "We are not."] Well, my colleagues may not be sorry, but I am because he commented on the complaints procedure which will be open to Scots in terms of the training provided by Scottish Enterprise, Highlands and Islands Enterprise and the local enterprise companies that are set up through them.

My hon. Friend the Member for Clydebank and Milngavie (Mr. Worthington) mentioned that there will be no recourse to the Parliamentary Commissioner for Administration for people in Scotland who wish to complain about the standard of training or maladministration by local enterprise companies. I shall not rehearse my argument about the difference in the situation between Scotland and England, serious though it is.

However, the point that I would have made to the hon. Member for Tayside, North, had he been here, is that I am aware of the length of time in which it has been possible to raise such complaints through the Parliamentary Commissioner for Administration in terms of Scottish training schemes. A letter from the parliamentary commissioner states there that there will be no "avenue of redress" for people in Scotland who are

[Mr. Watson]

"aggrieved at the way a local enterprise company has dealt with their affairs."

That is a serious matter. It is tied up with reviewing, monitoring and inspecting at close quarters the training that is available.

I am similarly concerned about a further comment in the letter:

"Scottish Office officials are considering the scope for an appropriate complaints mechanism for members of the public dissatisfied with the actions of local enterprise companies."

We have heard nothing from the Minister of State about that, and I hope that he will take the opportunity to refer to it when he replies. Perhaps consideration is continuing, but it is important that people understand what system of redress is available, particularly because the Training Agency will continue to have responsibility for training schemes through TECs in England. Complaints raised through a training agency will be able to go to the Parliamentary Commissioner for Administration, and that is a much firmer fall-back for people in England and Wales than for people in Scotland. I look forward to receiving some assurance from the Minister on that point.

It is not a matter of trying to score political points over the Government. The training of young people and the long-term unemployed is much too important to become the victim of a political slanging match. I ask the Minister of State to accept that Opposition Members care deeply about training and think that it has an important role in trying to improve the employment prospects of many people who at the moment seem to have poor prospects, if any at all. If training is to fill the skills gap, it is vital that there is a proper watchdog with teeth and a proper back-up to make sure that quality exists. Without quality, no matter how many schemes there are, we will not improve the employment prospects for people in Scotland.

Mr. Lang: I hope that the debate has been useful. It is a pity that my hon. Friend the Member for Tayside, North (Mr. Walker) is not present to hear me thank him for a short and effective intervention based on his own substantial personal experience of these matters. I heard considerably more good sense from him than from other hon. Members.

Mr. McAllion: Will the Minister of State give way?

Mr. Lang: I have said nothing controversial yet.

The hon. Member for Greenock and Port Glasgow (Dr. Godman), who unfortunately is not present either, made a thoughtful speech recognising the different complexions of training needs and skills in different parts of the country. I hope that he will reflect on what we are bringing forward through the local enterprise companies and through Scottish Enterprise to meet precisely those varieties of needs and skills. He talked about the compatibility of new clauses 11 and 4. Indeed, there is compatibility of policy intention: I hope that I made that clear at the outset. Our clause is more appropriate because it is worded in a more effective way. As I said earlier, the Opposition's new clause is defective in several respects.

I emphasise to the hon. Member for Clydebank and Milngavie (Mr. Worthington), who seemed to misunderstand the point of our new clause, that it expressly places a duty on Scottish Enterprise and Highlands and Islands Enterprise to monitor the quality of training provided by virtue of clause 2(3) (a) or (b) and it requires that the duty itself shall not be delegated. It cannot be delegated down to local enterprise companies.

The hon. Gentleman made several points, most of which we heard in Committee, but I cannot resist the temptation to reply to the last point that he made in Committee. He drew attention to a suggestion of mine when, as a Back Bencher in 1981, I called on the Scottish Development Agency to set up a training scheme in dry-stone dyking. He seemed to think that that was an absurd and preposterous notion. I refer the hon. Gentleman to page 38 of the last year's SDA report where he will find that, during the year, a scheme of local trainingships in dry-stone dyking was instituted. It may have taken some time for me to exert influence over the SDA, but in the end I succeeded. My constituency, and no doubt other parts of Scotland, will be better for it.

The hon. Gentleman launched into his characteristic attack on employment training. The scheme is very worthwhile. It is widely welcomed by the large number of people who are taking part in it. More than 26,000 people throughout Scotland are now in employment training. More than 18,000 people have started on training since the programme began. It is more effective than the community programme precisely because of the training component. Thirty-two per cent. of all employment training starters have been unemployed for more than two years. The figure is lower on the community programme.

Mr. Worthington: How can the Minister of State say that it is more affective when there is no inspection system? He has admitted several times that there has been no scrutiny in Scotland.

Mr. Lang: The scheme is subject to increasing and more effective scrutiny. I shall refer to that point in more detail later. By comparison with the community programme that it replaces, it is engendering a greater skills component in the work force and delivering more effective results, for example for the long-term unemployed and people with long-term health problems or disabilities. Indeed, 33 per cent. of all entrants with training managers are women. That is an increase on the community programme. Also, 53 per cent. of leavers who complete training go into jobs or self-employment, compared with 42 per cent. under the community programme. It is a more effective scheme, and we shall seek to make it better instead of castigating it.

Mr. McAllion: I draw the Minister of State's attention to an article in this week's edition of *The Economist*, which examines the Government's training proposals and deals with employment training and youth training schemes. It describes those schemes as

"elementary low-level training for school drop-outs and for the long-term unemployed which are completely incapable of bridging the skills gap which faces Scotland and Britain."

How would the Minister of State reply to the authors of that article?

Mr. Lang: I shall read the article with great care. The scheme is aimed precisely at helping a particularly difficult to place and difficult to train section of the work force and is increasingly achieving results. A special national survey of trainees shows that between 75 and 80 per cent. either agreed or strongly agreed that employment training had increased their self-confidence and improved their chances of getting a job. Of course it will not deliver the best possible training to the highest possible level. There are

other ways in which that can be delivered. However, the scheme is meeting the needs of the client group to which it is directed. Instead of sniping at the scheme in a petty way, it would be more appropriate for Opposition Members to support it and to recognise the improvement that it offers for that group in society.

The whole point of the Scottish Council for Voluntary Organisations' approach is that it was not recognised that employment training was about training for the unemployed, whereas the community programme was primarily a work experience programme. We are anxious to emphasise that training component. I urge those in the voluntary organisations to seek ways of introducing training elements into their activities and to make use of the facilities that the employment training programme can offer.

9 pm

The hon. Member for Clydebank and Milngavie raised again the old question of the relationship between the Secretary of State for Scotland and the Secretary of State for Employment. There is a national framework to ensure comparability of standards and equality of opportunity. The Government as whole will continue to develop and improve that framework, and the Secretary of State for Scotland will continue to contribute to that process.

Under the Scottish Enterprise proposals, the control of training in Scotland will rest with the Secretary of State for Scotland as from 1 April next year, and I will repeat the key points about that. Whereas the Training Agency has been responsible to the Secretary of State for Employment, Scottish Enterprise and for Highlands and Islands Enterprise will be responsible to the Secretary of State for Scotland.

Whereas the funding of training in Scotland has been the responsibility of the Secretary of State for Employment in consultation with my right hon. and learned Friend, the funding for Scottish Enterprise and for Highlands and Islands Enterprise will be provided by the Secretary of State for Scotland. He will duly consult the Secretary of State for Employment and, of course, the Treasury about the appropriate level of provision, to ensure broad consistency of approach throughout Britain.

Mr. McAllion: The Minister says that the funding for the new enterprise companies will come from the Scottish Office. The allegation is made in the article to which I referred in my previous intervention that 90 per cent. of the funding going into the new enterprise organisations will be money transferred directly from employment training and the youth training scheme, and will not provide the training bodies with the resources that they will need if they are to introduce high-level training to meet the economic needs of Scotland.

Mr. Lang: The figure that the hon. Gentleman gives is not correct; it is a smaller proportion of the total, nearer 70 than 90 per cent. In any event, that is central Government funding. In addition, there is the opportunity to attract private sector funding to lever in more private sector commitment, and I shall give figures on that later.

Mr. Worthington: As the Minister is aware, these bodies are modelled on private companies in the United States. They have been transplanted here. The most successful of those private bodies in the United States—this is revealed in the article in *The Economist*, to which reference has been made—have attracted 5 per cent. of their funds from private sources.

Mr. Lang: Opposition Members love to repeat the myth that what we are doing in this country derives from what is going on in the United States. I visited a number of training activities in New England when I was in the United States. I was interested in what they were doing, but it was clear that they did not begin to come near to living up to the comprehensive approach that we are taking to employment, economic development and training. The relationship is lodged in the minds and imaginations of Opposition Members.

On the question of the relationship between ourselves and the Department of Employment, the hon. Member for Clydebank and Milngavie said in Committee that it was important for us to have compatible training schemes throughout the United Kingdom, but that that did not mean having identical schemes. That is precisely what we are seeking to achieve.

The hon. Gentleman questioned the adequacy of monitoring. That is an important point, which goes to the heart of what we are doing in the new clause. Organisations providing training under YTS and employment training must achieve approved training organisation status. Contracts with organisations that fail to meet ATO standards will not be renewed. Seven criteria govern that status: identification training needs; training designed and delivered to national standards; effective quality management; recruitment selection and competence of staff; equal opportunities; health, safety and suitability of premises and equipment; and financial viability.

There are 115 Training Agency staff in Scotland involved in checking on the attainment of ATO status and monitoring the performance of the training provided. Frequent visits to training agents and training managers are undertaken on a sampling basis and detailed reports are produced for action by training providers.

The Training Agency also carries out financial checks on all training providers and employs independent consultants to undertake a range of quality development tasks. In addition, six training standards inspectors are employed in Scotland to act independently of the Training Agency's line management to scrutinise the provision of training providers.

The hon. Member for Clydebank and Milngavie asked how many ATOs there were in Scotland. The figure that I gave in answer to a written question some weeks ago was a total of 387 for the youth training scheme. For employment training, the arrangements are still being developed. The 226 training agents and managers are currently going through the approval process. The youth training figures are now somewhere nearer to 400 than the 387 that I mentioned.

Mr. Worthington: Is the Minister saying that in relation to employment training, no organisations have achieved approved training status?

Mr. Lang: That is correct, but far from that being a bull point for the Opposition, it reflects the thoroughness and care with which these matters are being developed. In due course, ATO status will be reached and it will be an achievement worth reaching.

[Mr. Lang]

The hon. Gentleman mentioned the recontracting arrangements that are now taking place. Revised employment training contracts are necessary to effect the new flexibilities for employment training that we have announced and which, although grudgingly, Opposition Members have welcomed. The recontracting process is being carried out as quickly as possible to introduce changes that will benefit both providers and trainees. For the vast majority of providers it will not be a difficult process, and it will be largely complete by the end of the month. Negotiations with any remaining providers can be extended to the end of May.

The simplification of the funding basis to a single unit price will mean less bureaucracy and more flexibility for providers. The need to remove underutilised capacity is in both the Government's and the providers' interest, and I believe that the measure is sensible. An important point on which Opposition Members should reflect when they say that it demonstrates that Scotland has somehow failed to develop a new departure from the rest of the United Kingdom is that the transfer of responsibility for training matters is not due to take place until 1 April 1991.

The hon. Member for Glasgow, Central (Mr. Watson) mentioned complaints about employment training schemes. As I have said before, the Government and the Training Agency are ready to investigate fully any such complaint. I encourage any hon. Member who receives or uncovers evidence of abuse to report anything suspicious to the Training Agency or to me. All the issues raised by the *Glasgow Evening Times* have been investigated, and I am satisfied that there has been no serious abuse of the employment training scheme. Some minor matters of concern were identified, and have now been rectified.

Mr. Brian Wilson (Cunninghame, North): The Minister has just issued a remarkable statement—that the serious allegations in the *Glasgow Evening Times* were not justified. I can hardly conceive that, if that is his conclusion and if the findings of the investigation were as he described, the Minister will not be asking the newspaper for a full apology and retraction, such was the seriousness of the allegations. The Minister cannot just brush them away by saying that they were not true; either he must do something about them, or the public will conclude—as I do—that every word was true. It is a serious slander of the journalist concerned to say with a snap of the fingers that the allegations were not true.

Mr. Lang: Far from its being a snap of the fingers, I am telling the hon. Member for Cunninghame, North (Mr. Wilson) the outcome of a thorough and detailed investigation. If I were to ask for an apology and for a retraction every time the *Glasgow Evening Times* said something that I found unattractive, unacceptable or inaccurate, it would have to run a column that would be an even more regular feature than the hon. Gentleman's column in the *Glasgow Herald*.

Mr. Watson: I did not understand the Minister to say that the allegations were not true. He said that he had found no evidence of serious abuse; that means that there was some abuse. To what extent are the training managers who were identified in the report as responsible still undertaking schemes with Government approval?

Mr. Lang: The status of the training managers is currently under consideration. However, I cannot give the hon. Gentleman any specific information now, because anything that I say might be prejudicial to any subsequent appeal.

Bodies that operate in a predominately commercial manner are excluded from the jurisdiction of the Parliamentary Commissioner for Administration. Both Scottish Enterprise and Highlands and Islands Enterprise will be providing many commercial services. Training and enterprise companies south of the border will not be within the jurisdiction of the PCA either, although the Training Agency will be.

The main check on the activities of a local enterprise company will be through its contract. Scottish Enterprise and Highlands and Islands Enterprise will monitor compliance with the contract, and performance against targets. In addition, local enterprise companies will be obliged by the terms of their contracts to operate a complaints procedure, under which an individual with a complaint can be assured that his case will be considered by the chief executive of the enterprise company, and if necessary by the chairman. The Government will also want to monitor such complaints.

The hon. Member for Clydebank and Milngavie raised the recurring question of training flexibilities. He seemed to be asking for evidence that our flexibilities were different from those in the rest of the United Kingdom. The answer is that we are setting up the procedure to introduce flexibility. That flexibility will evolve and develop as the local enterprise companies get under way and develop the training schemes to meet the needs of their areas.

Opposition Members continually returned to the question of cost. I would like to see employers spending more on training: I am sure that we all recognise that training is the key to economic development and success in the 1990s and beyond. That will be even more true as we begin to face additional competition within the single European market and as we face the demographic trends that will reduce the number of young people coming into the work force.

Although the recent report "Training in Britain" identified the need for more money to be spent by employers on training, it also showed that a considerable amount of training is being undertaken by employers and that they are playing a leading role. In 1986-87, some £33 billion was spent in Great Britain on training, involving 500 million trainee days. Some £18 billion of that total expenditure was incurred by employers. Nevertheless, I should like the private sector to spend more money on training. However, it is a bit rich for the Opposition to blame the Government for reducing expenditure on training. We have substantially increased the training budget. It has fallen slightly this year, just as the Scottish Development Agency's budget—the other component of Scottish Enterprise's budget—has been substantially increased.

It would be irresponsible of the Government not to take account of changing circumstances. An important factor to take into account is the significant decline in the number of young people entering the labour market. Together with the considerable improvement in employment prospects for young people, that will inevitably result in a reduced demand for youth training.

There has also been a welcome reduction in the number of long-term unemployed. That is decreasing even faster than unemployment generally. Moreover, more young people are entering higher education. Against that background, it is entirely right to take that fact into account when preparing our budgets.

Mr. Worthington: If there were any logic in the training cuts because of a decline in unemployment or in the number of young people, what is the logic of reducing the amount of money that is spent per training place?

Mr. Lang: We have to ensure that resources are allocated in the most cost-effective way. It is highly desirable that training programmes should use taxpayers' money both economically and effectively.

Expenditure in 1988 on adult labour market training and special youth measures as a percentage of gross domestic product shows that the United Kingdom is spending more on training than West Germany, Japan and the United States. When I look at our 1988-89 budget of £2·764 billion for all training schemes and compare it with the last year of the Labour Government, who spent only £471 million on training—one sixth, in cash terms, or one third, in real terms, of what we are spending now—I see that we need no lessons from the Opposition on the commitment of resources to training.

More people are in employment in Scotland than there were when the Labour Government left office. Unemployment is falling sharply. During the last three years, it has gone down by 170,000.

The quality of training is crucial. The clause seeks to enhance the quality of training, and I commend it to the House.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New clause 1

POWER TO MAKE DIRECTIONS REGARDING LAND USE

'(1) Where it appears to Highlands and Islands Enterprise that land within its area of operation (as defined by section 19 of this Act) is being neglected, or not used, or used in a manner inimicable, in that opinion of the body, to the furtherance of the economic and social well-being and development of the Highlands and Islands, Highlands and Islands Enterprise shall have power, with regard to the said land, to direct the owner, or, as the case may be, occupier, as to its future use.

(2)(a) Directions, made under subsection (1) above, may follow proposals

(i) by Highlands and Islands Enterprise, or

(ii) made to the Highlands and Islands Enterprise by interested parties, including (without prejudice to this generality) local authority councils, branches of the National Farmers' Union of Scotland, the Scottish Crofters' Union, and residents of the area in question.

(b) Highlands and Islands Enterprise may accept, reject, or, in consultation with the proposers, amend proposals made under subparagraph (2)(a)(ii) above.

(3) In making directions under subsection (1) above, Highlands and Islands Enterprise shall have particular regard to

(a) the prospects of real gains in local incomes,

(b) increasing local employment opportunities,

(c) the general economic, social and cultural conditions of the area,

(d) the need to protect the environment and the natural beauty of the area, in accordance with section 4(4) of this Act.

(4)(a) Before making any directions under subsection (1) above, Highlands and Islands Enterprise shall state its reasons for those directions, setting out why it considers that, in the particular case, such directions would lead to changes in land use which would promote the development of the area, and

(b) shall make those reasons publicly available.'.—*[Mrs. Ray Michie.]*

Brought up, and read the First time.

Mrs. Ray Michie (Argyll and Bute): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Sir Paul Dean): With this, it will be convenient to discuss new clause 5—*Misused Land*—

'Where it appears to Highlands and Islands Enterprise that land is misused, or used in a way which does not assist the economic and social development of its area and that action should be taken to bring the land (in this Act referred to as "misused land") into use, the body in question:

(a) in accordance with arrangements approved by the Secretary of State, may request the owner of misused land to carry out on the land such works as appear to the body necessary to bring the land into use and may give such financial assistance to those works as the body deems expedient; and

(b) if the request is not complied with, within a reasonable time, may acquire the misused land compulsorily.'.

Mrs. Michie: I welcome the opportunity to move new clause 1 on land use because there was little time to discuss the issue in Committee. The new clause is designed to strengthen the powers of Highlands and Islands Enterprise over land use. However, it is necessary to consider it in the context of the Minister's answers to my amendments on compulsory purchase and ownership of land in Scotland, particularly in the Highlands and Islands. New clause 5 also refers to compulsory purchase.

The Minister painted a confusing picture. He said:

"The power, although rarely used, is necessary for the development function. The power of compulsory purchase is especially useful in dealing with land whose ownership is unknown or where the whereabouts of the owner are unknown."—[*Official Report, First Scottish Standing Committee*, 15 February 1990; c. 332.]

Yet I seem to recall that later in the debate the Minister sought to dub me a xenophobic socialist because I objected to the sale of Scottish land to the very people to whom he referred. At least I was able to establish without a shadow of doubt that the Minister and the Tory party do not really care if large parts of Scotland are sold off into the shadowy ownership of persons or companies registered in odd places around the world. The people of the highlands and islands were interested to hear his views. Even if he does not care, they care deeply about the land on which they live and what happens to it.

The Minister came to my constituency and did me the courtesy of letting me know that he was coming. While he was there he attacked my views on the ownership of land, but he did me a service because he gave the issue considerable publicity and my constituents are now well aware of his views. Perhaps I may be able to stimulate the Minister's interest with the new clause, as he said in Committee that the use to which land was put was important.

9.15 pm

Over the years, there has been a realisation that people's policies and endeavours in relation to areas of land can vary widely. What an owner may see as the right development for his or her own best interests may be

viewed as unacceptable by those concerned with the future and productivity of the land—in other words, local people. Too often, land is purchased as a speculative activity, pushing up the cost out of all proportion to the real value and so shutting out the less affluent people—mainly Scots—who want to live and work on it.

Some estates are well run, but others are not. Some are changed for sporting or residential purposes, whereas others are just neglected, and land improvement or use becomes an unimportant aim. Inappropriate ownership can lead to the loss of rural jobs and thus to the loss of population and the running down of the area. I have seen an estate on which there was a tenant farmer, but where, when the tenant farmer ceased his tenancy, the farm was destocked and the shepherds and herdsmen had to leave. That meant that their families had to leave, so schools and local shops were closed. There was a serious knock-on effect.

The Minister said that the compulsory purchase powers in the Highlands and Islands Development Board Act 1965 were rarely used. He was right, but the real question is why. Over the years, the board has had a land use policy, but has never been able to implement it. No matter how conscious it has been of the misuse or underuse of land, it has been restricted by weak powers of compulsory purchase which were no better than those of a district council and were more suited to the aims of providing schools and roads than to providing a real economic injection and a complete overhaul of land use.

I am not convinced that the powers in the Bill are any better. I hope that the new clause will go a considerable way to rectify the problem. The new clause seeks to give Highlands and Islands Enterprise the power to direct the owner or occupier on the future use of the land to further the economic and social well-being of the highlands and islands. Proposals on land use could be brought forward not only by Highlands and Islands Enterprise, but by other interested and committed parties such as the Scottish Crofters Union, the National Farmers Union of Scotland and the residents of the area in question.

I recall that the Minister sought to ridicule my suggestion that, where appropriate, land could be handed over to crofters and young farmers for agriculture and rural development. At the time, I drew his attention to the fact that his noble Friend Lord Sanderson had agreed to look at the land owned by the Department of Agriculture and Fisheries for Scotland and at the possibility of transferring the Secretary of State's crofting estates into community trust ownership.

Mr. Lang: Before we lose sight of this point, does the hon. Lady accept that there is a difference between considering the possibility of transferring money owned by a Government Department to something such as a crofters' union and taking land from private ownership for distribution to individuals?

Mrs. Michie: My amendment seeks to direct owners of land about how they should use the land if they are misusing it.

Returning to the point about compulsory purchase powers, I am seeking to point out that those powers were part of the Highlands and Islands Development Act, (Scotland) but could never be used. I will try to explain to the House later why it was thought necessary to use them.

Perhaps the Minister is now aware that the Secretary of State has produced a consultation document on this very subject. One of the most interesting parts of that document is where it poses the question whether the approach proposed by the Secretary of State should also be considered by other crofting landlords. I welcome the document, because it suggests that Lord Sanderson is addressing the issue, although his motives may not be entirely altruistic and may have more to do with administrative costs than with anything else. I am glad that the Scottish Crofters Union has employed consultants to advise it on the way in which it should consider the matter.

Mr. Wilson: To avoid having to go over the same ground again later, may I take it that both the hon. Lady and the Minister are aware of the meetings of crofters in the areas most immediately involved—in Skye and Raasay—at which there was distinct scepticism about that proposition? I hope that, in response to the hon. Lady, the Minister will give us the assurance that if the Secretary of State's tenants in those areas do not want to be transferred into another form of ownership, their views—like those of islanders in other places—will be paramount.

Mrs. Michie: I thank the hon. Gentleman for that intervention. I hope that the Minister will give us that undertaking, because Lord Sanderson must know the views on this by the end of June.

Today there is a great demand for crofts and a growing number of young people want to be involved in crofting. With the changes in the common agricultural policy, there is increasing emphasis on diversification in agriculture and encouragement to do a variety of other things. That is what crofters have always done. I hope, therefore, that Highlands and Islands Enterprise and the local enterprise companies will be responsive to crofting needs and to the future possibilities. Despite the low agricultural income, there are many more houses containing families in our crofting areas than, sadly, is the case in many farming areas. If we want to keep the countryside populated and, indeed, to repopulate it, and if we want to care for the environment and to see the best kind of use made of our land, crofting is a realistic answer.

In a recent lecture at Sabhal Mor Ostaig, Dr. Jim Hunter said:

> "In Grampian, the Lothians and elsewhere, the creation of new croft-type holdings is being seriously investigated in order to foster rural repopulation by enabling more families to establish themselves on the land in much the same way as has long been possible in our crofting areas."

I said that I would try to explain why I was worried about the compulsory purchase powers.

The debates on the 1965 Act in *Hansard* are full of references from this House and the other place to an assumption that the compulsory powers drafted for the Bill would have teeth which would, where necessary, be used. The then Secretary of State for Scotland, Willie Ross, said:

> "Surely, one of the first powers which must be given is a power related to the proper use of the land itself. To my mind, this is basic to any improvements in the Highlands. Anyone who denies the Board powers over land is suggesting that the Board should not function effectively at all."—[*Official Report*, 16 March 1965; Vol. 708, c. 1082.]

It is clear that the powers of compulsory acquisition were intended to refer to rural land use but with the passage of time there was a general disillusionment as it became evident that the powers conferred were ineffective.

The new clause is in no way extreme and I have sought to make it compatible with the general thrust of the Bill in terms of local incomes and employment opportunities and the general economic, social and cultural condition of the area, with particular emphasis on the cultural. If, on the one hand, there is support for the Gaelic language, music, traditions and people and, on the other hand, the ownership of land is in the hands of a few, which militates against local people making a livelihood and surviving, the policy of support for those people becomes a waste of time.

I have also included in the new clause the need to protect the environment and the natural beauty of the area, as already spelt out in the Bill. Furthermore, under subsection (4), Highlands and Islands Enterprise would not be able to make any directions without stating its reasons for considering that such directions would lead to changes in land use which would promote the development of the area. It also makes it incumbent on Highlands and Islands Enterprise to make those reasons publicly available to everyone.

So crucial is the question of land ownership and use that it is essential that Highlands and Islands Enterprise should come up with an indicative strategy for the whole area. That should include forestry planting, fish farming, tourism and agriculture, so that potential investors will have a much better idea which areas are suitable for particular types of development and which are not.

It may be difficult for the Minister to understand what I am saying, but I am trying to explain that there is a deep and abiding affinity between the people in the highlands and islands and the land on which they and their ancestors have worked and lived over the years. I believe in a property-owning democracy, but there is something fundamentally wrong with the way in which vast tracts of land are trapped in the hands of a few and are not accessible to the local community. There should be a far greater opportunity for many more people to have a share in the working of the land. It is my firm belief that the land belongs not to the Government, not to speculators, not to Highlands and Islands Enterprise, but to the people, and I put that to the Minister in all seriousness.

Sir Hector Monro (Dumfries): One may not appreciate it when listening to the hon. Member for Argyll and Bute (Mrs. Michie), but both her new clause and the Opposition's new clause 5 contain astonishingly draconian measures that attempt to fulfil their ideals. Despite the hon. Lady's Liberal background, her ideas of compulsory purchase and bureaucracy fill me with horror. It is right that we should call her to order about what she is trying to do to the highlands and islands through her new clause and should call the Opposition to order for what they are trying to do through their new clause.

9.30 pm

Mrs. Ray Michie: There is nothing in my new clause about compulsory purchase.

Sir Hector Monro: I shall come to the details of the new clause in a moment.

I was on the Committee that considered what was then the Highlands and Islands Development (Scotland) Bill in 1965. One of our chief concerns was compulsory purchase, which the Bill enacted. The hon. Lady is wrong to say that those powers were not sufficient. Under the Act, the Highlands and Islands development board could compulsorily purchase land if it so wished. However, over a long period of constructive and efficient operation, the board never thought it fit to use those powers in the way suggested by the hon. Lady, by buying large estates and splitting them up. It used the powers to buy small developments and for other requirements, as the local authority does today.

Sir Russell Johnston (Inverness, Nairn and Lochaber): I, too, served on that Committee. Does the hon. Gentleman recall that the late Michael Noble, speaking on behalf of the Conservative Opposition, described the Bill as a "Marxist proposition". Is not the hon. Gentleman falling into that trap in his response to my hon. Friend?

Sir Hector Monro: I have not really started to deal with the hon. Lady. I have said that the Act gave the Highlands and Islands development board full powers of compulsory purchase and, of its own volition, the board did not use those powers to purchase estates in the way implied in the new clause. I have the highest regard for the board and I have had pleasure in watching its operation since 1966. It never felt it necessary compulsorily to purchase estates and split them up or to run estates itself. It was far too wise to do so, and could see that it was unnecessary.

The hon. Lady did not speak about the cost of these proposals. Many of the highland estates are well run. Whoever monitors them, whether it is an agricultural adviser, planning official or somebody interested in nature conservation or habitat, to check on whether they are run effectively, or have been neglected or are run to the economic or social well-being of the district, it will cost a great deal of money. How much additional finance would Highlands and Islands Enterprise require if it were to fulfil all these obligations?

Furthermore, what the hon. Lady or the members of some committee may think is neglect may not be so at all. Running an estate is a complicated operation, bearing in mind the winter keep and grazing, whether it is for cattle, sheep or deer. What may look like neglect in the summer may be provision for winter keep. It would be very hard for anyone not particularly involved in agriculture to come to a firm judgment about the well-being of an estate.

I have travelled a great deal in the highlands, and I firmly believe that the large highland estates are well run. Obviously, the better that they are run, the more local employment will be created. We should do all that we can to encourage and promote the rural economy in Scotland: I agree with the hon. Lady on that. It is obvious that, if the population in a rural area declines, the village school will close, the parish church will begin to fall down, the village hall will get into financial difficulties and the community will fall apart. Population is of the greatest importance in any rural area, but particularly in the highlands.

Sometimes I think that, rather than criticising the running of highland estates as the hon. Lady has done, we should direct our attention towards the planning authorities throughout Scotland. Sometimes they are astonishingly restrictive about the developments that they will allow in rural areas, such as individual houses which, if they are built with sound materials and are of a good design, can add to the scenic beauty of an area. If we do not allow houses to be built and we do not allow small rural craft developments or diversification for farms who are facing difficulties these days, the population in rural areas will decline.

[Sir Hector Monro]

Rather than criticise those who run estates, we should consider the people who prevent development and prevent people from moving to the countryside—people, among others, with young children who can make the rural community viable and enjoyable.

Mr. Wilson: Since the hon. Gentleman rightly supports the idea of people living in the countryside, and since there is an enormous contrast between the numbers who live in areas which are under crofting tenure and those in areas which are not, would he support an extension of crofting to the rest of the highlands, as I certainly would?

Sir Hector Monro: I do not want to get too deeply involved in the subject of crofting tenure, because, as the hon. Gentleman knows, it is a particularly complex issue. Of course I welcome crofters having a share of the prosperity in the highlands and I welcome diversification for farming land. I also welcome any opportunities for assistance to crofters. The Government have done a great deal to help them, and I am sure that they are working on more plans to help them in the future, because crofters are an important part of the highland community.

However, before buying farm land to split into crofts, we must consider carefully. That happened on the Solway shore after the great war in 1919. The Mansfield estates were bought and split into small farms, but, almost without exception, they had to be almagamated into larger farms by the Department of Agriculture and Fisheries to make them viable. We should not confine our consideration to small farms, but should consider also what else is genuinely viable in agricultural terms.

Crafts and tourism may provide added opportunities for crofters, but I would be worried to think that it was a general view that many people could make a living out of crofting, as the size of a croft makes it difficult. Larger farms now have great difficulty in paying their way.

Mrs. Ray Michie: Perhaps the hon. Gentleman is not aware that few small crofts are agriculturally viable. I have been trying to tell him that the crofter has always had to have some other occupation in order to survive, but the fact that he works on the land makes all the difference to land use.

Sir Hector Monro: I think that the hon. Lady has just repeated what I said. We share a belief in the importance of the crofter and the croft, and we accept that crofts are unlikely to be viable, given their average size. Crofters need a craft, tourism or some other occupation if they are to make the croft economically viable and support a family.

The sporting side of many large estates is valuable in terms of employment. We must not criticise sport as such, as there are many more employees on estates if there are gillies for fishing, gamekeepers and stalkers who know a lot about the countryside and put everything they can back into the countryside to make it a beautiful place. One should not criticise sporting estates, because if one removed the sporting aspect and tried to run just a few herds of sheep or a few cattle, the number of employees would drop dramatically, causing exactly the reverse of what the hon. Lady and I wish to do to keep people in the countryside.

I oppose new clause 5 because it is a return to compulsory purchase of land in private ownership. That would be totally wrong; it would be bureaucratic and would not produce results. While the hon. Lady and I appreciate what is needed in the highlands, she is going about it in the wrong way. We want to encourage people there to develop in the right way without holding over their heads in legislation draconian measures that can be taken by people who may not know a great deal about running estates, farms or crofts.

On those grounds alone, while I appreciate what is in the hon. Lady's heart, her new clause will not produce an answer for Scotland. We have to achieve much more of a balance and a compromise and find the right way forward to help people, but new clause 1 would hold the sword of Damocles over their heads—if they do not do what the Highlands and Islands Enterprise board thinks they should be doing, severe measures will be taken against them. I am sure that my hon. Friend the Minister will agree that the House should not accept new clause 1.

Mr. Wilson: The picture of the highlands and islands covered by well-run estates would not be immediately recognised by most of us who spend a fair proportion of our lives there. The speech of the hon. Member for Dumfries (Sir H. Monro) was interesting in one respect, when he mentioned the holdings that were created on the Solway after the first world war. That was a time of great land agitation in the highlands and islands and in other parts of Scotland, which resulted in Governments being to forced to take over land, estates and farms and break them up into holdings.

I wish to take the debate back to the highlands and islands. Whatever has happened in the Solway, the takeovers in the highlands and islands have been a great success for the past 80 years. The creation of holdings in many areas created communities which survive to the present day.

The point about crofting and the expansion of that social system, which we should like to emerge from this and other legislation, is not that it provides full-time agricultural employment, which, by and large, it does not, but that it acts as the social cement which keeps communities together. If people have access to a bit of land where they can build a house, they can gain part of their livelihood from the land and they can supplement it with some other employment. That is the triumph of the crofting system, and it is unique in Scottish terms.

The hon. Member for Dumfries had a go at the hon. Member for Argyll and Bute (Mrs. Michie) on the ground that her new clause was seeking a draconian imposition. I always think of the hon. Lady—and the hon. Member for Inverness, Nairn and Lochaber (Sir R. Johnston)—as Liberals, and give their party no other fancy title. I recognise that the Liberal party has a great historic record on this issue.

It would be interesting to debate whether the reason why the hon. Members for Argyll and Bute and for Inverness, Nairn and Lochaber are Members is not so much what they have done in the 1980s as what the Liberal party did in the 1880s. It is still regarded in the highlands and islands as the party of land reform which took on the Tory interests. Under the Crofters' Holdings (Scotland) Acts of 1885 and 1886, it gave absolute security of tenure to people in many parts of the highlands and islands. The tragedy was that those acts did not apply to all the

highlands and islands and areas beyond. The double tragedy was that, apart from the land raids to which the hon. Member for Dumfries obliquely referred, although not in that name, the system was never extended.

9.45 pm

The reason why the extension of the system is so desirable is evidenced in every part of the highlands and islands. Where crofting tenure applies and has applied for decades, there are living communities—shops, schools and churches—and, above all, people. Where it does not apply, there is emptiness, barrenness and land that is unworked and neglected and often consists of private kingdoms presided over by grandees.

At least tonight we are discussing people and social and economic issues in the highlands and islands; yesterday, the other place discussed capercaillies. It was rich for members of the other place to discuss why the capercaillie is a disappearing species when many of them contributed to blasting them out of existence.

Sir Hector Monro: The hon. Gentleman must not exaggerate and talk more rubbish than normal. The noble Lord Sanderson said that habitat has led to the reduction in capercaillie.

Mr. Wilson: I cannot square the circle that, by shooting birds, one does not reduce their numbers. Many of the highlands estates are public disgraces and have been condemned as such by the Royal Society for the Protection of Birds. The sky above those estates is almost empty because of the policies pursued by them. But the capercaillie is only threatened; compared with the Conservative party in the highlands and islands, it is alive and well.

From time to time, we have debates—in my view it is a fairly sterile argument—about the Tory mandate in Scotland. We should be in no doubt that, whatever mandate the Tories have in the rest of Scotland, they have even less in the highlands and islands. One of the great triumphs of Scottish politics in my lifetime is that they have been completely erased from the map of Highlands and Islands. From Muckle Flugga to Macrihanish they do not return a single Tory Member.

As a native of the county that the hon. Member for Argyll and Bute represents, I am particularly pleased to see the transition there, which doubtless will not be reversed as a result of the Minister's excursions into that territory. The Government's action in the highlands and islands and their meddling with the Highlands and Islands development board do not, therefore, stem from any electoral mandate from the people of the area.

It is also worth remembering when Tories talk about the Highlands and Islands development board that they fought its creation tooth and nail. I noticed from looking through *Hansard* that the Liberal party advocated the creation of a highlands board for many years before it was created. The hon. Member for Inverness, Nairn and Lochaber was a Member when the Bill was passed. He will recall that the Tories opposed it and described it, in the words of the late Michael Noble, as a Marxist enterprise. They argued against it, especially because of the powers that they perceived it was being given over land. Its creation was the burning issue of Scottish politics in the 1960s. People overwhelmingly welcomed the fact that here at last was the challenge to the power of landlordism in the highlands and islands—the creation of the Highlands and Islands development board.

It is worth placing on record the words of Willie Ross in that debate almost exactly 25 years ago:

"If there is bitterness in my voice, I can assure the House that there is bitterness in Scotland, too, when we recollect the history of these areas. We have to put this aside, however, to do what we are all now determined must be done to redress history. We have 9 million acres, where 275,000 people live, and we are short of land. Surely, one of the first powers which must be given is a power related to the proper use of the land itself. In my mind, this is basic to any improvement in the Highlands. Anyone who denies the Board powers over land is suggesting that the Board should not function effectively at all. Let us appreciate what we are up against."

With the exception of the Conservative Members, everyone cheered. Willie Ross was more specific:

"Clause 4 empowers the Board to acquire land—by compulsion if necessary—and to manage it . . . land is the basic natural resource of the Highlands and any plan for economic and social development would be meaningless if proper use of the land were not a part of it."—[*Official Report*, 16 March 1965; Vol. 708, c. 1082-89.]

That was true then and it is true today.

Sir Hector Monro: If Lord Ross said all that and that provision was made in the legislation, why did the board, in its careful judgment, never use it?

Mr. Wilson: If the hon. Gentleman can bear the suspense and follow the chronology, I shall explain all to him.

Willie Ross was right and the Scottish people, particularly those from the highlands and islands, welcomed every word. It is indeed eccentric for any development organisation to be set up to address the problems of underdevelopment and depopulation, whether in the highlands and islands or anywhere else in the world, without first dealing with the distribution of land ownership. Whether it is in the great highland wildernesses or a Third-world dictatorship, the ownership and use of land predetermine other social conditions.

But as the hon. Member for Dumfries pointed out, the years went by and the powers were not used. It was gradually discovered that this was because the powers believed to have been in the Act were not in it. Section 4, which created the HIDB, did not give it the wide-ranging powers that it was widely believed to have given. Reading the debates with the power of hindsight, I realise that the man who realised that those powers had not been given was Michael Noble, the landowning shadow Secretary of State for Scotland. He realised that, for all the talk about the powers that were given, they had not been given.

This finally came to a head in the early 1970s on the issue of the island of Raasay, a matter with which the hon. Member for Inverness, Nairn and Lochaber is more than familiar. On the island of Raasay there was the ultimate in obstructive highland landowners—Dr. John W. Green of Cooden in Sussex, an eccentric by any standard, who had acquired his properties from the Department of Agriculture and Fisheries for Scotland in a sale which I believe to this day would have some difficulty in standing legal scrutiny. For reasons that were perverse, to say the least, he decided to use that power of ownership specifically to obstruct any possibility of development on Raasay. The population of Raasay plummeted, Dr. Green sat in Cooden in Sussex and nothing could happen on

[Mr. Wilson]

Raasay because of the malign power that he exerted—one of the model highland landowners with whom the hon. Member for Dumfries recently dealt.

The HIDB wanted to use powers, but powers that it did not have. That was the point at which it became apparent to people that the powers that had been given to it under the legislation were no less and no more than those that reside with any local authority. In other words, as the hon. Member for Argyll and Bute said, if it wanted to buy a pocket handkerchief of land on which to build a school or community centre, it could do that. If it wanted to take over a swathe of land and contribute to its social and economic development, it could not; it did not have the powers to do so. I wish that I had been around at the time to investigate the reasons why that illusion was created in the public and political mind. Why were the people of Scotland told that the powers were being given to the HIDB—when someone at St. Andrew's house clearly knew that it was being given no such powers? It has never since had those powers.

Sir Russell Johnston: Before the hon. Gentleman leaves the chronology, may I support him in his views? He is absolutely right in saying that we all believed that the HIDB had the powers that he described, until well into the Green saga. Only latterly was it realised that it did not.

Mr. Wilson: I am grateful to the hon. Gentleman for his confirmation, which has destroyed the only argument advanced by Conservative Members—that the powers existed and were never used. In fact, the whole thing was a misunderstanding, an error of perception.

A few more years went by until, under a Labour Government, admittedly belatedly, the HIDB attempted to do something about the matter. Under the chairmanship of Sir Kenneth Alexander, it formulated proposals that would have allowed it to acquire powers similar to those that it had always been believed to possess. Those lesser powers would have allowed the HIDB to take over land if a community came to it or to the Government and said, "This land is grossly neglected and underused. We want it to be taken over, not by faceless bureaucracy but into a form of community ownership." The proposals were overtaken by the 1979 general election. The right hon. Member for Ayr (Mr. Younger) became Secretary of State for Scotland and they were thrown out.

That is the history of the HIDB and land ownership. We are merely trying to give the HIDB powers that it was intended to have and that the people of Scotland believed it had but of which it had been deprived by cruel deception and greatly to its cost.

The result has been that, in its 25 years, the HIDB has worked with one hand tied behind its back. It is an insult to anyone's intelligence to suggest that one can inherit a distribution of land ownership as grotesque as that which exists in the highlands and islands and superimpose development upon it. The communities and islands in question often have a scatter of people pushed by the forces of history to the edges of estates, from which, historically, they have worked to contribute to the wealth of the landowner. That is why people are on the fringes: the part of the community which should be supporting the people, enterprise and production was given over 100 years ago to the shooting of wild creatures. That is why people are huddled on the periphery, with thousands of acres behind them lying idle and unproductive.

It is absurd to suggest that one can impose development on such areas fully or comprehensively without first tackling the problem of ownership and all that flows from it. The HIDB, a Labour creation, supported by the Liberals for many years in the face of Tory opposition and hostility, has had many successes. The areas in which it is a failure and in which depopulation continues to be the norm are those in which the power of land ownership and the maldistribution of population are most severe—in other words, the peripheral areas.

Every time an estate comes on to the market, the land and the people are put into a great lottery. Will it be a philanthropist who buys them or a cruel person from Scotland—I make no racial distinction—or overseas? The nationality of who owns the estate does not matter. Most of the worst landlords in Scottish history have not been English, American of foreign. They have been Scottish. Perhaps that explains why no members of the Scottish National party, who like to pervert this aspect of the debate, have graced the Chamber this evening.

The press like the colourful manifestations of land ownership in Scotland. They like the colourful personalities. I would contend that the real ownership story of land in Scotland overwhelmingly involves——

It being Ten o'clock, the debate stood adjourned.

Ordered,

That, at this day's sitting, the Enterprise and New Towns (Scotland) Bill may be proceeded with, though opposed, until any hour.—*[Mr. Lightbown.]*

As amended (in the Standing Committee), again considered.

Question again proposed, That the clause be read a Second time.

Mr. Wilson: A front page in the *Daily Record* this week was devoted to a one-time soft porn queen whose billion-dollar divorce settlement from her elderly husband, a Mr. John Kluge, the richest man in America, is to include the keys to a £13 million Scottish estate beside Balmoral. Apparently that estate runs to 20,000 acres.

Most intelligent people on the Opposition Benches would agree that that is not a terribly sensible way to allocate the ownership of 20,000 acres of land. But over the years, it is not the American porn queens who have screwed the highlands and islands of Scotland. The kilted grandees who have been there for generations have done that. Give me a social-climbing stripper any day, if it is a choice between her and a Vestey or a Westminster.

Mr. Bill Walker: For the sake of accurancy, does the hon. Gentleman accept that the estate to which he has just referred is not in the HIDB area? If he thinks it is, he must accept that my constituency is in the highlands.

Mr. Wilson: The hon. Gentleman is a well-known geographer and I accept entirely what he says. We are talking about the HIDB area, which I would gladly extend to his constituency and to the area to which I have just referred.

The caricature example that I have just given is not the norm in Scotland. Neglect comes by and large from land-owners who have been in Scotland not for days or years but for generations.

I assure Ministers that there is minimal enthusiasm for Highlands and Islands Enterprise and LECs in the highlands and islands. It is an unwanted interference because people are overwhelmingly satisfied with the job that the HIDB is doing. That interference is a further example of the alienation between a political party that cannot achieve representation in the area and the people upon whom all this nonsense is being imposed.

If we must have Highlands and Islands Enterprise, it should have the powers to which I have referred. We do not expect to get those powers from this debate, but we will keep the issue on the agenda. The problem of land ownership in the highlands and islands is as real now as it was in 1965. Indeed, it is as real now in many areas as it was after the great war because the people in those areas and their successors have now disappeared from the land.

One of my predecessors, Archie Manuel, came from Morvern in Argyll. In the debate that set up the Highlands and Islands development board, he said that he hoped that the HIDB would

"create vigour and life throughout our Highland communities where at present we see, in certain areas, nothing but decay, depopulation and a gradually worsening situation.—[*Official Report*, 16 March 1965; Vol. 705, c. 1136.]

Over 25 years, the HIDB has done great work and in many respects it has justified the faith placed in it. The one respect in which it has been a disappointment to the people of the highlands and islands has been the failure to come to grips with the land question. It did not come to grips with the land question because it did not have the powers to do so. We say that, in future, it should have the powers to do so.

Mr. Lang: Nobody doubts the concern and affection of the hon. Member for Cunninghame, North (Mr. Wilson), or indeed that of the hon. Member or Argyll and Bute (Mrs. Mitchie), for the islands, but that concern and affection are not confined to the Opposition. Although I share hon. Members' views about the importance of the highlands and islands and their great qualities, I cannot accept their approach to the implementation of these measures as a way of seeking to advance economic development or success there.

When the hon. Gentleman referred to Conservative Members in the highlands being as scarce as capercaillies, I could not resist reflecting on the fact that, when electoral popularity was put to the test in the European elections last year, the highland seat was won not by a Labour Member or by a Liberal, or indeed by a Conservative. However, we moved from third to second. In the doughty person of Sir Albert McQuarrie, we thrashed Labour into third place, and the Liberals came last with less than 10 per cent. of the vote. I hope one day to see as many Conservative Members in the highlands as there are capercaillies.

We have made some progress in the debate. We have moved on from compulsory land purchase, to which the hon. Member for Argyll and Bute referred in Committee to land use. As my hon. Friend the Member for Dumfries (Sir H. Monro) said in his excellent contribution, we are all concerned about the most efficient and productive use of the land. There is no difference between us on the objective. The question is how we can best reach it. I know that the question of highland land use is difficult and long-standing. I recognise that it is extremely important. My noble Friend Lord Sanderson recently published a consultation paper on the future of Department of Agriculture and Fisheries for Scottish-owned crofting land in the highlands and islands. Effective use of the land is necessary, especially in more remote and peripheral areas. No doubt my noble Friend will read the report of this debate with interest and be able to form part of the consultation process.

We must remember also that the need for rural economic diversification exists, often away from land-based activities. We now have opportunities in fish farming and in tourism, with all that that means for crafts and for culture, which benefit many parts of the highlands in ways that we barely could have dreamed of even 20 years ago.

Sir Russell Johnston: Does the Minister of State agree that, in the past, there were examples of quite bad landlords in the highlands? If so, why will he not agree to do anything about it?

Mr. Lang: There are bad landlords in the highlands and there are bad landlords in the lowlands—there are bad landlords everywhere. There are legislative processes to protect some people from some of the activities of landlords. I do not believe that the compulsory powers that the party that used to proclaim itself the Liberal party would seek to impose—it is now the Liberal Democratic party, although this measure is illiberal and undemocratic —would solve the problem.

I could understand such an approach if the highlands were in decline—if there were clearances and depopulation —but that is not the case. There are signs of dramatic changes and improvements in the highlands. The population in the highlands has increased for the first time in more than 100 years—by 8 per cent. in the past 19 years. That has been widespread throughout the area. There are many factors behind that change, and the role of the Highlands and Islands development board is undoubtedly one.

Mrs. Ray Michie: I have queried the Minister of State's assumptions before. Perhaps he does not realise that, even if the population has increased, the indigenous population of the highlands and islands has not increased. People are still leaving partly because they are not able to get land and partly because they are not able to get houses. The population may have increased, but the people whom we are particularly concerned about are still leaving.

Mr. Lang: Surely it is not part of our purpose to compel people to remain in one part or another part of the country. This is the United Kingdom. The attractive point about the highlands is that it is attracting population into the area. That is creating economic growth and greater prosperity. The hon. Lady must know that that is happening on a greater scale than before.

The board already has wide powers to assist the land sector. Its development programmes for Skye and the north-west have attracted wide local support and have contributed to a revival of interest in and commitment to crofting in those areas.

Since 1979, the board has provided £30 million to support land development in the highlands and islands. That is in addition to the normal mechanisms of agricultural support that operate in the area. But I cannot accept that there is any justification for sweeping new powers that my hon. Friend the Member for Dumfries rightly described as draconian. They would introduce a

[Mr. Lang]

kind of corporatism and state intervention that is totally unacceptable, so I am unable to accept the hon. Lady's new clause.

If that is the case with her new clause, it is all the more so with the Labour new clause, which goes further and seeks to impose not only compulsory land use powers but compulsory purchase powers. That is completely unacceptable and incompatible with the economic growth and development that is being achieved in the highlands in response to Government policies.

Question put and negatived.

Clause 2

FUNCTIONS IN RELATION TO TRAINING FOR EMPLOYMENT ETC.

Amendments made: No. 1, in page 2, line 12, after '(1)' insert

'Without prejudice to section *(Encouragement of women, members of minority racial groups and disabled persons to take advantage of opportunities for certain work etc.)* of this Act,'.

No. 2, in page 2, line 35, after 'for' insert '(and types of)'.

No. 3, in page 2, line 36, leave out 'or'.

No. 4, in page 2, line 36, at end insert

'or to persons of any racial group (as defined in section 3(1) of the Race Relations Act 1976) which constitutes a minority within the population of Scotland'.—*[Mr. Lang]*

Clause 3

FURTHER PROVISION AS REGARDS FUNCTIONS OF SCOTTISH ENTERPRISE

Amendments made: No. 5, in page 3, line 36, at end insert—

'(bb) assist the establishment or growth of community enterprises or co-operative enterprises;'.

No. 6, in page 4, line 10, at end insert—

'(2A) In subsection (1)(bb) above—

'community enterprise' means a body corporate which—

(a) in the opinion of Scottish Enterprise contributes or will contribute to the economic and social development of a particular area of Scotland;

(b) by its written constitution admits to membership only—

(i) persons resident in, or employed in, that area (or both so resident and so employed); or

(ii) persons nominated by such persons as are mentioned in sub-paragraph (i) above; and

(c) by that constitution prohibits distribution of profits amongst its members; and

"co-operative enterprise means a body which fulfills the criteria specified in paragraphs (a) and (b) of section 2(2) of the Industrial Common Ownership Act 1976 (whether or not it has been certified by the Secretary of State under that section).'.—*[Mr. Lang.]*

Clause 4

FURTHER PROVISION AS REGARDS FUNCTIONS OF HIGHLANDS AND ISLANDS ENTERPRISE

Amendments made: No. 7, in page 5, line 1, leave out 'Subject to subsection (3) below,'.

No. 8, in page 5, line 4, leave out subsection (3).

No. 9, in page 5, line 19, leave out from 'of' to second 'the' in line 20 and insert

'safeguarding—

(a) the natural beauty of the countryside in;

(b) the flora and fauna of; and

(c) the geological and geomorphological features of special interest of,'.—*[Mr. Lang.]*

Clause 5

DEVELOPMENT AND IMPROVEMENT OF THE ENVIRONMENT

Amendment made: No. 10, in page 5, line 44, leave out subsections (4) to (6).—*[Mr. Lang.]*

Clause 7

GENERAL AND SPECIFIC POWERS

Amendments made: No. 11, in page 7, line 29, after first 'agent', insert

'(who, without prejudice to the generality of this paragraph, may be the Secretary of State)'.

No. 12, in page 7, line 33, at end insert—

'(ll) forming and registering societies, or joining with any other person in forming and registering societies, under the Industrial and Provident Societies Act 1965;'.—*[Mr. Lang.]*

Clause 8

POWERS OF ENTRY

Amendment made: No. 13, in page 10, line 25, leave out from 'least' to 'fourteen' in line 26.—*[Mr. Lang.]*

Clause 12

RESTRICTIONS ON EXERCISE OF CERTAIN POWERS

Amendment made: No. 14, in page 15, line 14, leave out 'and (l)' and insert '(l) and (ll)'.—*[Mr. Lang.]*

Clause 13

POWER OF SECRETARY OF STATE TO GIVE DIRECTION

Mr. Archy Kirkwood (Roxburgh and Berwickshire): I beg to move amendment No. 28, in page 15, line 43, after 'to', insert—

'(i) any additional subsidiary functions as he deems necessary for it to meet any needs which may emerge in the future; and

(ii)'.

I am conscious of the constraints of time and I assure the hon. Member for Dunfries (Sir H. Monro) with whom I am sharing a sleeper later this evening—[HON. MEMBERS: "Oh."]—in the same coach, but in different compartments—that I shall not take too long dealing with this issue.

The purpose of my amendment is to make a belated and brief attempt to persuade the Government to look again at the possibility of creating some additional functions when the new local enterprise companies are set up. It will come as no surprise to the Minister of State to hear that one new function which I believe will be worthy of consideration for Scottish Enterprise is a social function.

The Standing Committee, on which I was not privileged to serve, considered at some length the possibility of creating a social function for Scottish Enterprise, and I pay tribute to the way in which the arguments on that were adduced by my hon. Friend the Member for Argyll and Bute (Mrs. Michie). I do not wish to rehearse those arguments again, but the Minister will know that the Highlands and Islands development board has been strengthened in the recent past by having an explicit legal and social function, which it has used to great effect.

10.15 pm

The Government's rebuttal of the arguments of my hon. Friend the Member for Argyll and Bute was based on the assumption that, because the Highlands and Islands development board previously had certain powers, Highlands and Islands Enterprise should have those powers for that reason if for no other, but that the Scottish Development Agency did not have the social function previously, Scottish Enterprise should not have it in the future. That does not seem to be a positive argument.

The Minister must address his mind to why he is seeking to exercise blatant discrimination against the areas that I represent in the Borders and those represented by the Minister and his hon. Friend the Member for Dumfries. The provision of the social obligation on the HIDB has been a success. No one denies that. Geographical factors are more of a problem in the highlands than in the south-east or the south-west of Scotland. If the experiment has been successful in the highlands, and if there is now an opportunity to create a social function in Scottish Enterprise, it is incumbent on the Government to say why they will not countenance extending the social function now, never mind in the future.

My amendment seeks to address the need at some future date. It is a probing amendment, intended to draw the Government's attention to the existence of the social obligation. The Minister still has time in the remaining stages of the Bill in the other place to examine the positive arguments for creating a social oligation, and a legal right and title for Scottish Enterprise and the subsidiary local enterprise companies to have a social function.

If the hon. Member for Dumfries were here, I am sure that he would agree with me that the Scottish Development Agency did some splendid work in the Borders and in Dumfries. It was clearly moving in the direction of rural initiatives, which were achieving considerable success in the Borders. It was doing that by stretching its economic development powers to the limit. It would have been easier for the SDA to achieve even more success, and to carry out its village and rural projects with greater flexibility, if it had had explicit powers.

I have the highest respect for those involved in setting up the local enterprise company in the Borders. I am sure that they will do their best for the area, subject to the constraints of the legislation, but the company would be better able to serve the needs of local people if the two words in my amendment were added to its remit. When the Minister devolves power to local enterprise companies in the Borders and to those in south-west Scotland, will there be no social element in the contract? It makes sense to consider the special circumstances which surround local enterprise companies. The market forces in the Borders are completely different from those which apply in Strathclyde.

The Government ought to consider all the arguments again. The discretionary power could be used sparingly. It would not lead to the expenditure of a great deal of additional money. It would be pig-headed and bureaucratic of the Minister not to accept that argument. The Government's answer—they have used this argument before—will no doubt be that the Borders do not merit special treatment. The people in the Borders do not accept that argument; nor do those who are running local enterprise companies. The Minister should at least give the House an undertaking that he will consider again carefully the arguments for creating a new social obligation.

Mr. Lang: The hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood) was not a member of the Standing Committee which considered the Bill, so he was unable to take part in the debates on this issue.

The amendment would give the Secretary of State sweeping new powers and enable him to bypass Parliament. The reason that the hon. Gentleman gave for seeking to amend the Bill is unacceptable. A social function used to exist in the Highlands and Islands development board area. We gave a commitment that the HIDB powers would be incorporated in the new legislation. The social function is therefore maintained in the highlands and islands area. That reflects the difference between the highlands and islands area and the rest of Scotland, which in turn reflects the reason for having a separate board for the highlands and islands and a separate board for the south of Scotland.

It would not be in the interests of the effective delivery of what we plan through Scottish Enterprise or the Highlands and Islands development board for that social function to come through in the dominant way that the hon. Gentleman suggests. The delivery of employment and of the economic and training measures in the Scottish Enterprise area must not be diluted or vitiated by the inclusion of a social function. That would damage rather than improve its capacity to deliver successful schemes in the Borders and elsewhere.

The new bodies are economically driven and they will inherit the functions and powers of the previous bodies. A social function should not be added to the list of those activities. Worded as it is, therefore, I must resist such a sweeping amendment.

Amendment negatived.

Clause 16

PROHIBITION ON DISCRIMINATION IN PROVISION OF CERTAIN FACILITIES OR SERVICES

Amendment made: No. 15, in page 16, line 37, leave out subsections (1) and (2) and insert—

'in sections 16 of the Sex Discrimination Act 1975 and 15 of the Race Relations Act 1976 (prohibitions on discrimination in provision of facilities or services under section 2 of the Employment and Training Act 1973), there shall in each case after subsection (1) be inserted the following subsection—

"(1A) It is unlawful for Scottish Enterprise or Highlands and Islands Enterprise to discriminate in the provision of facilities or services under such arrangements as are mentioned in section 2(3) of the Enterprise and New Towns (Scotland) Act 1990 (arrangements analogous to arrangements in pursuance of section 2 of the said Act of 1973).".' —*[Mr. Lang.]*

Clause 17

DELEGATION OF CERTAIN FUNCTIONS AND POWERS

Amendments made: No. 16, in page 17, line 10, after 'below', insert

'and to section *(Monitoring of training for employment)* of this Act'.

No. 17, in page 17, line 11, leave out 'of this Act' and insert 'thereof'.—*[Mr. Lange.]*

Mr. Kirkwood: I beg to move amendment No. 29, in page 17, line 13, leave out

[Mr. Kirkwood]

'may be agreed between it and that person' and insert 'the Secretary of State may by order made by Statutory instrument provide'.

Mr. Speaker: With this it will be convenient to consider Government amendments Nos. 18 and 30.

Mr. Kirkwood: I wish to detain the House further, essentially on a constituency basis. I did not have the opportunity earlier to make a contribution to the Bill, which will have a significant effect in my constituency and in the borders of Scotland. The amendment is intended to set out the delegation powers that would be subject to parliamentary approval through a statutory instrument, which would have to pass both Houses. Clause 17, as unamended, would allow Scottish Enterprise and Highlands and Islands Enterprise to delegate functions and powers to others, except powers such as the compulsory acquisition of and entry to land, and the power to obtain information.

The amendment is a probing amendment. I want to see whether there is any scope for persuading the Government, before the companies take effect, to publish the set-up contracts between the Government and the local enterprise companies and to put them into the form of an Order in Council or a statutory instrument, which would be subject to the affirmative resolution procedure in both Houses. That would have the effect of allowing the House to consider in some detail the set-up terms for the local enterprise companies. A number of issues should be addressed in that procedure and in the statutory instruments, if the Government accept the amendment.

I do not ask—I hope that the drafting of the amendment is not defective in this respect—that every working contract entered into by local enterprise companies be subject to parliamentary scrutiny. That would take us back to a position far worse than the old nationalisation days. I seek to set out a procedure that would allow Parliament to scrutinise the original terms of reference within which the local enterprise companies operate as they are individually created.

There are compelling reasons for considering that proposal. The contracts should set out the terms under which the local enterprise companies will be accountable to the House of Commons and to the communities they seek to serve. The statutory instrument procedure, which I advocate in the amendment, would allow Members of Parliament to raise issues relating to particular local enterprise companies. In the debate on amendment No. 28, I adverted to some important aspects of the provisions affecting the Borders local enterprise company. I am also concerned with specific training functions. It might be possible, for example, to investigate the lack of a tourist remit for some of the other important local enterprise companies that may be set up.

I say that with more force in light of a recent survey into tourism training. It examined the position throughout Scotland and came to the conclusion that neither the quantity nor the quality of training in the tourism industry achieved a high standard of performance because of a combination of low demand from employers, a poor perception of tourism careers and the supply-driven nature of the existing provision of training. That is an example of an issue that we could examine through the statutory instrument setting up the individual local enterprise companies.

I should very much like to be able to scrutinise any provisions made in my local Borders LEC for rural areas. We heard the arguments about the possibility of a social obligation when we discussed amendment No. 28 and that is an important consideration, although that argument is now over. We should also want to consider the small business provision, for example, to ensure that the local enterprise companies embrace the needs of small businesses. Although I make no complaint about it, there is a feeling in my area that small businesses will not be properly represented in the constitution of the prospective board for the company that will run the Borders local enterprise company. We cannot ignore the proper concerns of small businesses, especially in rural areas. Scrutiny of such issues would be possible if we had the statutory instrument procedure.

10.30 pm

There is also the question of the amount of finance that is available to local enterprise companies. As far as I am aware, the amount of taxpayers' money in the pot is not subject to any direct or explicit questioning under the Bill as it stands. That is lamentable. I am not saying that that money will not be properly applied, but the House deserves the statutory right of scrutiny over the financial arrangements that are made by and the finances that are deployed by the local enterprise companies in the future.

The question focuses on how individual LECs are to be made accountable to their local communities. When the Bill is enacted, the Lowland LECs will have between £5 million and £70 million of taxpayers' money to deploy; and the highlands and islands area will have between £1 million and £5 million. We are talking about substantial sums of money. The House has the right to demand some machinery to scrutinise the details of how the money is spent. That could be achieved by the statutory instrument procedure.

We had an interesting debate earlier about the quality of training, which could be dealt with by setting up a system of parliamentary scrutiny. We require guarantees about a proper quality of training before the LECs have any chance of succeeding in performing the tasks for which they are being set up.

The statutory instruments that I am advocating could also relate to details of how LECs will be given the opportunity to earn additional funding. I was not a member of the Standing Committee and some of these matters may have been discussed in detail then, but I am worried about the prospect of the operation of performance bonuses. I have heard of a civil service discussion document suggesting that almost £6 million—nearly 2 per cent. of the current budget of the Training Agency's programmes in Scotland—should be spent on performance bonuses for LECs that exceed the stipulated minimum training targets. That was reported in *Scotland on Sunday* on 25 March 1990.

I apologise for repeating this point if the Minister dealt with it in Committee, but the House will want to know about it, because it is a basic point. As I understand it, the basis for some of the performance targets will be competition between LECs based on their efficiency to process people through YTS and ET schemes. The performance measures that are being talked about are

based on percentages of, for example, leavers of YTS and ET schemes who find jobs, go on to further education or become self-employed, or who achieve certain qualifications and credits towards those schemes. Some of those matters deserve further consideration and are the sort of thing that can be dealt with in a statutory instrument procedure.

Performance monitoring is a desirable concept, and I wonder why the Government did not look more closely at the scheme that was suggested by Community Business Scotland, which suggested in its original submission on the White Paper that monitoring could cover more broadly based factors such as the overall impact of the LEC; the quality of the board of directors; the LEC's breadth of coverage—especially in poorer areas—the extent to which there is a genuine partnership among the public, private and community sectors; the quality of the training provision; and the management of innovation.

The House needs further to consider the ability of the LECs to render themselves accountable to the communities that they serve. Some of the quotations that I have seen from Mr. Bill Hughes and Mr. Lex Gold are simply not good enough. They suggest that, as long as they are as accountable as the best private companies, that is good enough. I do not agree. I hope that the Minister will assure us that the House will have an opportunity to consider that before LECs are set up.

People in my area are worried that parts of the Bill will subvert the democratic planning permission process, as LECs will effectively be able to submit directly to the Secretary of State for approval proposals for development, redevelopment or improvement anywhere within their jurisdiction. I should be grateful if the Minister could bring me up to date on any development in that regard, if there have been any, since the matter was discussed in Committee.

The machinery that I have described may not be the best, but the House is entitled to better guidance from the Government about the legal terms in which powers devolved to LECs are couched. If none is forthcoming before LECs come into effect, the Government will be doing the House a great disservice and short-changing it in an important area of public policy that will have a dramatic effect in every constituency.

Mr. John Home Robertson (East Lothian): The hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood) said that the objective of the amendment is greater local accountability for LECs. I am sure that we all applaud that aim, but requiring guidelines for the work of LECs to be put to a Committee on Statutory Instruments is a funny way in which to achieve it.

I realise that this is a probing amendment, but what the hon. Member for Roxburgh and Berwickshire said about it and in the previous debate was entirely fair. There is a clear need for local considerations to be the driving force behind decisions on the development of training and enterprise in local areas. That is especially true of rural areas such as those that the hon. Gentleman and I represent.

One of the things that has been wrong with the work of the Scottish Development Agency recently is that so many decisions that would once have been devolved through the SDA seem to have been required to go across the Minister's desk. I have had some local cause for concern on that count recently in regard to the painful amount of time it has taken to process applications for assistance from the SDA for the valuable work of the Dunbar initiative, which is a joint operation involving private enterprise, local authorities and the whole local community, which want to redevelop a rural part of my constituency that has suffered considerably from a range of problems that I shall not go into.

I take this opportunity to thank the Minister in advance. I am advised that the SDA is likely to make a fairly substantial contribution to the project, but we could do without central decision-making. We want to get such decisions off Minister's desks and into the forum of local decision-making. I think that that is what the hon. Member for Roxburgh and Berwickshire wants. We want LECs to be genuinely locally accountable.

Mr. Lang: I shall have to disappoint the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood), because I cannot accept his amendment. I hope that he will forgive me for being brief, because of the hour, in my explanation of the thrust behind what we are seeking to do. We want to decentralise power, through Scottish Enterprise and Highlands and Islands Enterprise, to the local enterprise bodies.

The hon. Member for East Lothian (Mr. Home Robertson) put his finger on it when he said that the amendment runs counter to such an aim, as it would bring to the House, on the annual scrutiny basis, detailed accountability of the expenditure and budgets of LECs. There is also the practical point that it would be difficult to debate 22 different affirmative orders each year. Each would have to be debated separately, because each contract would be different. Whether he acknowledges this or not, that is what the hon. Member for Roxburgh and Berwickshire is calling for. The provisions of the amendment would be counter to our philosophy of decentralisation.

I accept that the scrutiny of expenditure is important. The structure that we are setting up, in which LECs contract with Scottish Enterprise, and have their contracts carefully monitored, will create greater accountability than exists through the SDA.

It is important to have performance targets and to reward the successful delivery of performance, but it is important to go for quality, not just quantity, and for that reason, the performance targets will embody a recognition of qualifications gained and of jobs secured. It will reward success.

It is our purpose that LECs should be answerable to the community. I shall send the hon. Gentleman copies of chapters 6 and 7 of the handbook for LECs, which sets out clearly the accountability procedures that we envisage operating. I think that that will answer his point.

I shall write to the hon. Member for East Lothian about the Dunbar initiative, to bring him up to date, and I am grateful to him for raising the subject.

For the reasons that I have given, I hope that the hon. Member for Roxburgh and Berwickshire will not press the amendment.

Amendment negatived.

Amendment made: No. 18, in page 17, line 15, at end insert

'and may (under section 7(1) of this Act) transfer to the person such of its property as it considers appropriate on such terms as may be so agreed.'.—*[Mr. Lang.]*

Clause 33

INTERPRETATION

Amendments made: No. 19, in page 26, line 45, leave out 'has the meaning' and insert

'and 'wholly owned subsidiary' have the meanings'.

No. 20, in page 27, line 4, at end insert 'and'.

No. 21, in page 27, line 6, leave out from 'Act' to end of line 8.—*[Mr. Lang.]*

Schedule 1

CONSTITUTION AND PROCEEDINGS ETC. OF SCOTTISH ENTERPRISE AND HIGHLANDS AND ISLANDS ENTERPRISE

Amendments made: No. 22, in page 29, line 24, after 'State', insert

'(regard being had to the principle that equality of opportunity should be promoted as between men and women)'.

No. 23, in page 29, line 30, after 'State' insert

'(regard being had to the principle mentioned in paragraph 5(a) above)'.—*[Mr. Lang.]*

Schedule 3

TRANSITIONAL PROVISIONS AND SAVINGS

Amendments made: No. 24, in page 37, line 45, leave out 'subsection (2)(c)' and insert

'paragraph (c) of subsection (2)'.

No. 25, in page 37, line 48, after 'land)', insert

'and that paragraph (a) of the said subsection (2) shall be disregarded'.

No. 26, in page 38, line 4, leave out 'paragraph' and insert 'paragraphs (a) and'.

Schedule 4

MINOR AND CONSEQUENTIAL AMENDMENTS

Amendment made: No. 27, in page 43, line 26, at end insert—

'Employment Act 1989 (c. 38.)

18. In Section 8(1) of the Employment Act 1989 (power to exempt discrimination in favour of lone parents in connection with training)—

(a) in paragraph (a), after the word 'training)' there shall be inserted the words "or under section 2(3) of the Enterprise and New Towns (Scotland) Act 1990 (arrangements by Scottish Enterprise and Highlands and Islands Enterprise in connection with training etc.);" and

(b) in paragraph (b), for the words "that section" there shall be substituted the words "either of those sections".'.—*[Mr. Lang.]*

Motion made, That the Bill be now read the Third time.

[Queen's Consent, on behalf of the Crown, signified.]

Question put forthwith and agreed to.

Bill accordingly read the Third time, and passed.

Automobile Industry

10.42 pm

The Parliamentary Under-Secretary of State for Corporate Affairs (Mr. John Redwood): I beg to move,

That this House takes note of European Community Document No. 10971/89, relating to the Community motor vehicle market; and supports the Government's view that it provides a useful framework for considering the detailed measures which will have to be implemented in the Community to bring about a Single Market in the vehicle sector.

The document before us says that the principle of free trade is at the heart of EC policy on motor vehicles. I hope that the hon. Member for Newcastle upon Tyne, North (Mr. Henderson) will welcome that, along with the other points that he welcomes about which I have already read in his press release. We seem to be in some agreement on the need to stand up for those Japanese motor manufacturers which have come to Britain to invest and are now European motor manufacturers. Some member states are unfairly biased against Japanese car manufacturers. The British Government strongly welcome them into the United Kingdom. They are Community-based assemblers, and should enjoy all the benefits of access to the open market of the 12 member states. Indeed, they are entitled to such access under the treaty of Rome.

There is no difference between a Japanese motor car company in the United Kingdom, a United States company in Germany or a Swedish company in France. We do not call Peugeot in the United Kingdom a transplant, and nor should we call Toyota a transplant; it would be pejorative. They are good European-based motor manufacturers.

We must ensure that European Community policy is based upon competition and not upon Euro-champions. There is plenty of evidence that the most successful export industries around the world have been based on strong domestic competition. The Japanese motor industry, for example, which has been most successful, has five major companies with many other smaller competitive businesses as suppliers. The same is true of the British pharmaceutical industry and the German chemical industry, which are major exporters which also thrive with a multiplicity of companies.

The Community document expresses some worries about some aspects of competition and seems to be worried about the superiority of the Japanese motor assemblers in some respects. That is why Britain is keen to welcome them into the United Kingdom so that there can be cross-fertilisation between the domestic industry and Japanese investors, because both parties have things to offer and we can learn from each other.

Japanese design times, for example, for new models are up to a third shorter than for some European manufacturers. I saw that for myself when cutting the ground for the new Nissan design centre at Cranfield earlier this week. Such investments expose how dangerous were the errors of those critics—some of whom were Opposition Members, but I notice that they are not present tonight—who said that Japanese investors here would only set up screwdriver operations. I think that has been well and truly knocked on the head by the commitment of the Japanese manufacturers to research and development and to design in this country.

The fortunes of the British motor industry show perfectly the difference in styles and therefore the results between the bad interventionist policies of the 1970s and the more recent open-market policies followed in the 1980s and 1990s.

Between 1974 and 1979, import penetration into this country doubled from 27·9 per cent. to 56·3 per cent. of the market. Import penetration has stabilised in the 1980s and is now destined to fall. Between 1974 and 1979, United Kingdom car production fell by 30 per cent. Between 1979 and 1989 it rose by more than 20 per cent. In the period from 1975 to its successful privatisation, Austin Rover lost £2·75 billion. Now that it is in the private sector, it is competitive and profitable.

From the bottom point of 900,000 vehicles a year produced in this country in 1982, we have now reached 1·3 million a year and we are on target to reach approximately 2 million, as forecast by the Society of Motor Manufacturers and Traders, at some point in the 1990s.

The progress is not just based upon the welcome investments from Japan. In 1978, for example, Ford sold 392,000 vehicles in the United Kingdom and made profits of £242 million. In 1988 it sold 583,000 and made profits of £673 million. Similarly, Vauxhall UK sold 261,000 vehicles worldwide in 1968, with profits of £1·6 million. In 1988 it sold 353,000 vehicles, with profits of £152 million, and has produced most welcome results today showing a further large increase last year to profits of £236 million. The figures speak for themselves about the profitable progress, new investment and increased output being achieved by many motor manufacturers in the United Kingdom, both the domestic and earlier inward investors, as well as the new inward investors, which we welcome.

Mr. Roger King (Birmingham, Northfield): Does my hon. Friend agree that one of the spin-offs of the enormous increase in productive capacity within the United Kingdom is the inward investment of component manufacturers coming to this country and the expansion of our indigenous components manufacturers? In my constituency several European, Japanese and American companies are coming in to set up businesses to produce components to an ever-higher standard, which can only be good news.

Mr. Redwood: My hon. Friend is quite right. There are many inward investments and domestic investments in related sectors. We expect to see that increase. We are looking at a major manufacturing revival based upon motor car assembly and the attendant activities which congregate around successful manufacturing plants.

Mr. Teddy Taylor (Southend, East): In view of that news and the further good news that the Minister has given, could he tell us before he sits down what is the balance of payments in the car trade with the EC?

Mr. Redwood: We have an adverse balance of payments in motor cars with the EEC. I do not have in mind the exact figures, but we have been importing considerably more in recent years than we have been exporting. I suggest that the increase in output and production that we are forecasting, and to which external forecasters are pointing, will make a great difference to that trade balance over the next few years. That will mean either import substitution in the domestic market or more exports from the United Kingdom. The Government are determined

[Mr. Redwood]

that all the manufacturers in the United Kingdom should be able to export fairly into the European market as well as the world market.

General Motors has recently announced a £160 million new engine plant at Ellesmere Port. Honda is to spend another £300 million on its engine plant at Swindon. It will be producing 100,000 cars a year by 1994. Nissan is already making 75,000 cars a year, and will more than double that output by 1993. Toyota is investing £800 million in car production facilities to make 200,000 cars a year. This week Rover announced 1,200 extra jobs at Longbridge to expand the production of its successful new models.

Mr. Hugh Dykes (Harrow, East): Bearing in mind the difficulties of recovery and of building up the industry in Britain, will my hon. Friend give us the figures for motor vehicle production in Germany and in Britain at this moment?

Mr. Redwood: I do not have those figures at the forefront of my mind. German motor production is a great strength within German industry, and it has been especially successful at exporting throughout the world, including the European Community.

The burden of my case is that we are well past the worst in the motor industry. Our industry had a terrible time during the 1970s, partly because of the policies pursued by the Labour Government. They threw money at the wrong causes and intervened to no good effect whatsoever. The policies of the 1980s and 1990s which have been pursued by this Government have encouraged the open market in Europe for motor vehicles, inward investment into the United Kingdom, and fair trade terms for our motor assemblers. They have transformed the picture, with the result that Britain is now the preferred location, even when compared with Germany, for many important investments. They are coming here because productivity, profits and enterprise are all thriving. The 1990s will be the decade of manufacturing revival in the United Kingdom. That will be based firmly and squarely on the motor car industry revival and all the attendant industries to which my hon. Friend the Member for Birmingham, Northfield (Mr. King) has referred.

I am sure that my hon. Friends will agree that the fact that Germany has been successful with some industries and has performed well in export markets in the 1980s does not mean that Britain is doing so badly. It does not mean either that we are unable to compete and prosper in the 1990s. I strongly believe that we shall be able to to so. On the basis of the policies that have been identified with our Community partners and the policies that are being pursued in Britain to back enterprise and success, I look forward to great success in the 1990s for the British motor industry.

Several hon. Members *rose*——

Madam Deputy Speaker (Miss Betty Boothroyd): Order. I inform the House that Mr. Speaker has not selected either of the amendments.

10.53 pm

Mr. Doug Henderson (Newcastle upon Tyne, North): I welcome the opportunity to debate the EEC's consultative proposals on the future of the motor vehicle market. Many reservations have been expressed in the past about the inadequacy of the way in which we deal with documentation such as that which is before us today. I urge the Government to report to the House on any final position which might be presented by the Government to the Council of Ministers on these matters. I ask the Government to accept that they should seek the House's approval of any final agreement on which future European legislation might be based. It would be more helpful if we had some mechanism, such as a European Grand Committee, to deal with legislation of this sort. Such a Committee could make an important contribution without having exclusive rights.

Mr. William Cash (Stafford): Is the hon. Gentleman aware that the Select Committee on Procedure has produced an excellent report that would take the House back into an earlier stage in the making of legislation? I speak as a member of the Select Committee on European Legislation when I say that we are increasingly concerned that the report was produced several months ago and that the European Community is moving apace in many extremely dangerous and difficult areas. The report should be considered, debated and decided upon in the House as quickly as possible.

Mr. Henderson: I do not disagree with the hon. Gentleman. I am sure that the business managers will consider those matters in the not too distant future.

The Opposition acknowledge that the Commission's communication is a useful framework for consideration of measures on the introduction of a single market for motor vehicles in Europe. The document covers many important issues, of which the most controversial and pressing, as the Minister said, is a common commercial policy, or what people in the country might understand as a trade policy.

Currently, we are a long way from free trade in automotive products, although the Minister argued that we have moved in that direction in recent years. Japanese and other foreign vehicles are subject to trade regulation by quota in many EC countries. The tough regimes of French and Italians are well known as the tough and, to some extent, partisan purchasing policies of their public and quasi-public institutions. The German market is more open to imports from outside the EEC, but that is based on historic strength and advantage, which was alluded to earlier by the hon. Member for Harrow, East (Mr. Dykes).

The United Kingdom market has suffered considerable penetration in vehicles and components from other EC countries and from Japan, although Japanese importers have been subject to controls.

In the long term, freer trade in vehicles world wide will not be achieved so long as there are great imbalances in the trade balances of the major producers and consumers of products such as cars. That fact is recognised by Japanese manufacturers. Pressures will inevitably lead to some protectionism, either overtly with quotas or tariffs or covertly through the purchasing policies of state organisations or other private-sector organisations over which the state has influence. Stability will be achieved only if regulation minimises the fluctuations in trading accounts. Regulation can allow each of the car-consuming

countries a share of the action in supplying their home markets and other third-party markets which do not have a car industry and depend on imports.

The EC must aim to free as many restrictions as possible on the importation of vehicles, but that will depend on whether the trade balance remains if not broadly in balance in the long term at least broadly stable. Periodic review will be a feature of future trade policy. External quotas, preferably voluntary, may be required from time to time.

Mrs. Edwina Currie (Derbyshire, South) So that my constituents who will be working for Toyota understand exactly what the Labour party proposes, when the hon. Gentleman says that external quotas will be needed in the future is he saying that he would support my constituents' home-made vehicles being subject to such quotas into any country in the world?

Mr. Henderson: I am not suggesting that for a moment. I shall deal with that point. I was attempting to establish that negotiations with other car producers will be necessary on the extent to which the EC market can be penetrated by vehicles manufactured outside the EC.

The second important issue in relation to trade—this relates to the point that the hon. Member for Derbyshire, South (Mrs. Currie) made—is whether individual countries' quotas on Japanese imports should be retained. The document acknowledges that there will have to be a transitional arrangement. I recognise and understand that, but 1992 is a process and not a deadline. Policies must allow for stable growth of the Community-wide car industry. The Community must negotiate an agreement with Japanese manufacturers to prevent the EC market from being flooded with a surge of Japanese-made cars. Under the rules of the general agreement on tariffs and trade, there must be an effective safeguard clause which can apply to those products.

The future of the British industry is inextricably linked to the future of Japanese-owned investors in the United Kingdom, such as Nissan and Toyota, and of joint venture companies such as BAe-Rover-Honda. All those cars are British cars. Nissan cars already have a higher British content than some of the models made by other manufacturers, such as the General Motors' Vauxhall group. United States companies such as General Motors and Ford locate in Germany because they believe that the central European location is a telling factor. Japanese companies are increasingly encouraged to locate in the United Kingdom because, among other factors, of the English language and the reasonable geographical location of potential plants such as Toyota in Derby and the Nissan plant in Sunderland. The locations are reasonable in terms of transportation, at least by sea to Europe, if not by rail, and action on the Channel tunnel would be an additional attraction to companies to locate in Britain.

The vehicles produced at Sunderland are north-eastern cars. At Longbridge, they are west midlands cars. The vehicles that will be produced at Derby will be east midlands cars. They must not count as part of any EC-imposed quota during a transitional period or beyond. If Britain loses this argument, Japanese companies would no longer have the same incentive to locate in the United Kingdom, and without Japanese investment the future of the United Kingdom car industry is bleak.

It is totally unacceptable to the Labour party that those cars should be included in any Japanese quota. We cannot allow the European Commission or other European Governments to ride roughshod over British interests in this matter.

Mr. Teddy Taylor: Although the hon. Gentleman, like my hon. Friend the Minister, says that it is totally unacceptable for such a thing to happen, what would be a Labour Government's policy if the Council of Ministers agreed by majority vote on such restrictions on British cars going to the continent for a transitional period of three or four years?

Mr. Henderson: I am grateful to the hon. Gentleman for raising that point. I was about to come to that, if he will bear with me. It is important first to point out that the Government must remember that if we cannot defend Japanese investment we cannot defend our automotive industry. If we cannot defend that industry, like the director general of the CBI I believe that we cannot defend our manufacturing industry. If we cannot defend that industry, we cannot hope to maintain the balance of trade in the long term. These matters must be considered in that context.

Mr. Roy Beggs (Antrim, East): Would the hon. Member go further and say that we could no longer justify being in Europe?

Mr. Henderson: I will not say that. I will move on to the point raised by the hon. Member for Southend, East (Mr. Taylor). The Government must take a firmer stance.

Mr. Teddy Taylor: What does that mean?

Mr. Henderson: Too often in the past the Government have pretended that they have had no option in Europe other than to be those who hold the jackets. The Minister said that the Government intend to be firm and resolute in negotiations in Brussels, and I welcome that. I hope that their actions will be consistent with the words that have been spoken in the Chamber this evening. The key factor, which relates particularly to the point raised by the hon. Member for Southend, East, is how the Government can make sure that they can deliver a reasonable deal for the United Kingdom in those negotiations.

Those in Europe are under no illusion how a British Government can do that. European manufacturing industry, particularly the car industry, is broadly divided between the northern producers, such as the Germans and the Dutch, and the southern producers who have more protectionist regimes, such as the French, the Italians and the Spanish. The balance of power in any of those talks will lie with the British Government, who are in a clear position to deliver on this matter. They can either make noises to try to reach agreement with the northern countries and carry a majority in that way or reach agreement with the southern countries. The Government have the power to act in this matter and I urge them to use it.

Mr. Cash: The hon. Gentleman talks as though the single market is a market among countries when the truth is that it is a market among companies. With a 70 per cent. trade surplus with West Germany—a 36 per cent. trade deficit against the United Kingdom—and the difficulties that the Seat employees and management are experiencing as against the Volkswagen management and work force

[Mr. Cash]

combined with their enthusiasm for the social charter in Dusseldorf, does the hon. Gentleman really believe what he has just said?

Mr. Henderson: That is a rather convoluted way of putting it, although I think that I get the hon. Gentleman's drift.

The hon. Member for Southend, East asked what we would do if a majority decision went against the British. The central point is that there is no reason why a majority decision should go against the British because on this matter the British Government are in a position to carry a majority of opinion in Europe. The name of the game is to achieve a deal which can carry a majority in Europe and at the same time protect British interests.

Mr. Cash: Absolute rubbish.

Mr. Henderson: The hon. Gentleman may think that that is not possible, but I believe that it is possible and that a resolute British Government can ensure in negotiation that a deal is struck. I am not about to tell the House what deal a Labour Government would place on the table. If the hon. Member for Southend, East and others wish to come back in a few months' time, the situation may have changed and they may be fortunate enough to be sitting on the Opposition Benches listening to a Labour Government's proposals.

If negotiations do not lead to a satisfactory conclusion for manufacturing in the United Kingdom, and if the British car industry is left exposed or sold short, the Government must shoulder the responsibility. They have the power to act and they should use that power in the interests of the industry located in the United Kingdom and the jobs and the cars that are manufactured.

Many other important matters are dealt with in the documents before us. I am mindful of the time, and I know that a number of hon. Members will wish to speak, but it is important at least to mention some of those matters, especially as I have been fairly generous in giving way.

Mr. Redwood: Will the hon. Gentleman give way?

Mr. Henderson: Now I shall be even more generous.

Mr. Redwood: The hon. Gentleman has been very generous. Hon. Members would like to make sure that they have understood what the Labour party is recommending in the event of the negotiations going wrong. What steps should the Government take?

Mr. Henderson: I should have hoped that the Minister would be sufficiently confident to ensure that negotiations will not go wrong. If he finds himself in difficulty, I shall be happy to have a private word with him, or to refer him to some of my hon. Friends who I am sure will be prepared to advise him.

Technical harmonisation is another important issue. There is clearly a need to achieve technical harmonisation to get the best practices adopted throughout the Community and give our industry a better chance to export to other EC countries. It is also important to introduce new cleaner emissions standards. The United Kingdom should be taking a lead on environmental standards if we hope to make spin-off gains in the component industry and begin to take on the United States market with the export of our vehicles and vehicle components.

State aids will also come into the argument. I believe that they should be incorporated into a framework which allows the less advanced sections of the European industry to develop. Regulations must be drawn up that are consistent with regional policy objectives. I am tempted to raise the recent Scania application to the Department of Trade and Industry for information about state aids that might be available. However, the Minister and I have already had lengthy correspondence about that and in view of the time I will let that matter lie today.

Research and development is another crucial issue referred to in the document. It makes clear that Japanese companies already spend more on R and D than all the European volume producers put together. It comes as no surprise that those Japanese companies can develop a car in Japan in two thirds the time it takes a European-based manufacturer to develop the same product.

Improved competitiveness begins with research and development. Europe should start now and I disagree with the Government in that I believe that we should agree to support European initiatives, not at the expense of initiatives in this country but as an addition to those initiatives. We should try to encourage those in the industry using catalytic public expenditure where necessary—there are already some interesting experiments in that regard—to develop technical centres which can provide information and background to component manufacturers.

We should also consider training in this debate. Once again, however, I am mindful of the time. Suffice it to say that we do not do enough training either in general or in the car industry in particular. If we are to become competitive, we must invest more of our resources in training the people upon whom the industry will depend. The document also refers to taxation policy, but I do not believe that that will be resolved, particularly in relation to the car industry. That is a wider issue and no doubt the House will return to it on another occasion.

This debate is only the beginning of a process that will lead to a new shape in the European car industry. If Europe is to speak with a strong united voice, policies must be adopted which give maximum stability to the industry. Stability must not be used as a cover for inertia. Competitiveness must be raised by better design, engine efficiency, safety standards and technical harmonisation. More resources must be committed to research and development and to training. Japanese manufacturers must come to understand, as they probably do, that trade regulation is necessary to balance trade patterns and European manufacturers must come to understand that if the single market is to be meaningful the automotive industry cannot be exempt from its provisions.

Britain has a special interest in protecting its inward investors who make exportable products and create jobs. We must not flinch from that responsibility. Europe knows, the car industry knows and the British people know that 1992 is on the line. If a satisfactory agreement cannot be reached on the vehicle industry and the vehicle trade, the whole of 1992 will be called into question.

11.17 pm

Mr. Teddy Taylor (Southend, East): The Minister has had a hard week and we appreciate his presence in the Chamber tonight. I know that he has a busy day tomorrow. However, I am sure that he will agree that it is an insult to the principles of democracy and to the hundreds and thousands of people whose jobs are dependent on the car industry that we should be debating this important plan for the future of Europe's car industry at this absurd hour.

Only a handful of hon. Members are present—fewer than 20. Sadly only two Labour Members are present and some of the minority parties are not represented at all, although as always we have splendid representation from the Ulster Unionist party whom we welcome. It is an outrage that these controversial plans which will fix the future of Europe's car industry should be debated at this absurd hour.

If we were debating the issue at this hour simply because of pressure on parliamentary time, we could understand it. However, there are gaps in the parliamentary programme next week that could have allowed us to debate the issue at a civilised hour. One almost suspects a deliberate ploy, as has happened so often before, to put controversial Euro-legislation into the anonymous late hours of the night at the end of the week.

Mr. Cash: Is my hon. Friend aware that this is the first time that we have considered any European legislation, with its impact on and importance for British industry and commerce, since late February?

Mr. Taylor: How right my hon. Friend is. I emphasise that I do not blame the Minister. I blame the Government business managers who know exactly what they are doing. They should be ashamed of themselves.

These Euro-plans are not meaningless political regulations. They are the basis of laws that will be imposed on the United Kingdom by majority vote, irrespective of the views of this Parliament. Every day we see how EEC laws affect us. Only today, Martin Galvin, a leading fund raiser for Noraid, who has been banned from Britain on grounds of security and public order for years, has had the ban lifted solely because he has somehow acquired Irish citizenship. There is nothing, it seems, that we can do about that, even though our Ministers and Government regard him as a threat to public order.

Trade in cars with Europe is, of course, vital for our balance of payments and for our jobs. Unfortunately, the Minister did not have the figures handy, but, from one of his own answers in the House of Commons, I can tell him that we had a deficit in trade in cars with the EEC last year amounting to £4·6 billion, with one of £3·1 million with Germany alone. In a nutshell, for every car that we exported to the EEC, we imported more than four in return.

I remind the Minister of another answer that he gave me just recently. Sadly, he pointed out that the deficit in trade in cars with Europe was equivalent to all our deficit. He said:

"In the first 11 months of 1989 the deficit in total visible trade was £4·6 billion. In the same period the deficit for manufactured goods was £4·7 billion."—[*Official Report*, 17 January 1990; Vol. 165, c. *308*.]

It is a serious issue which affects jobs. I hope that things will improve as the Minister says, but we have a trade disaster at present.

The creation of Japanese-owned factories in the United Kingdom to produce cars was our chance to reduce the deficit, to promote exports, to create jobs and to encourage further Japanese investment. "Come to the UK," he insisted, "and you can secure the access to the Common Market that you cannot secure from Japan because of EEC restrictions," but, sad to say, we may have conned them. The Euro-plan provides for the possibility of restriction on British cars produced by British workers in those plants for what is called a transitional period. But it would appear that the proposals are unlawful, discriminatory and acutely damaging to the United Kingdom and its investments. We must learn from the Government what they will do if such restrictions are imposed by majority vote.

That question was put by the spokesman for the Labour party, the hon. Member for Newcastle upon Tyne, North (Mr. Henderson)—I wish that we had this debate at a civilised hour so that the people outside the House could hear it—but the Minister did not want to answer. He hoped that things would work out satisfactorily. If the Government worked hard they could solve the problem. But from sad experience we know that, by majority vote, there is a likelihood that there will be restrictions on British cars produced from Britain by British workers. The people of Britain have to know from the Government what on earth they will do if that happens. I should love to know, as labour is now ahead in the polls, what a Labour Government would do. That is something that we are entitled to know. We are not talking about silly Euro-ploys; we are talking about British jobs and about the possibility of attracting Japanese investment.

Much as we respect the Minister, if he does nothing else tonight, will he please tell us what we do if the restrictions are imposed by majority vote? Will we just protest, will we waste time by going to the Euro-court, will we simply go down fighting, or will we retaliate against specified European producers? If we cannot get a simple answer to those questions tonight, we are wasting our time in Parliament.

The plan also proposes strict controls on the import of cars from Japan. A Euro-quota or possibly national quotas extended by means of a voluntary restraint agreement are proposed. Once again, Britain will be the loser. We restrict Japanese imports to about 11 per cent. a year. Italy and Spain permit about 3 per cent. If those basic controls are permitted to continue on a national level in 1992, 1993 and beyond, once again Britain will lose out.

Such restrictions will be welcome in Brussels, where the staff always favour more protectionism. But in relation to our duties under GATT, we cannot ignore the fact that while we levy an import duty of 10 per cent. on Japanese cars, they have no import levy on British cars or Euro cars.

The next plan is to harmonise VAT on cars in the EEC. That of itself will not promote free trade, because all cars are subject to the same VAT in every member state, although the rates vary. There is no question of VAT being charged at different levels for home or foreign-produced cars. The whole issue is bound up with the EEC's obsession with harmonisation and with usurping the powers of national Governments on taxation.

I remind the Minister yet again that the Single European Act passed through the House late on a Thursday night. Indeed, the debate went right through the Thursday night and into the Friday. The whole thing was an acute embarrassment to the Government because we

[Mr. Taylor]

debated it at a time when nobody knew what was going on. During that debate the House was given the specific assurance that changes in taxation and the harmonisation of taxation were subject to unanimity. Our veto, we were told, was firmly entrenched in the legislation.

Sadly, that is not the case, for the legislation says that we are committed to the harmonisation of VAT in so far as that is necessary to complete the internal market by 1992. The Minister will be aware from his contacts and the views of the members of the Commission that if we do not complete it by 1992, they believe that other measures can be taken.

Does the veto extend to these VAT proposals, which the Commission has described as being in advance of single market harmonisation? If the aim of the plan were free trade, I would rejoice. But free trade in the Common Market is a distant vision. Even those laws that have been passed have not been applied uniformly, and I have given the Minister examples from within his Department covering these issues.

The plans of the EEC, as set out in the document before the House, clearly discriminate against the United Kingdom. They will damage overseas investors whom we have tempted here with subsidies and promises. They will entrench the existing protectionism of the EEC. The Council of Ministers will make up its mind and this Parliament will have no say in the matter. What is decided there will be forced on us.

Even so, we can still ask questions. I have set out three simple, basic questions to which we are entitled to answers. EEC membership has played its part, as many of us knew it would, in undermining and partially destroying our manufacturing industry, and that process is still proceeding. Now our car industry will face the music of Brussels. Bearing in mind that hundreds of thousands of British families depend on the car industry for their jobs, income and livelihood—*[Interruption.]*

My hon. Friend the Member for Harrow, East (Mr. Dykes) may laugh, but he should realise that the appalling deficit in trade with the EEC is destroying jobs in Britain and is harming our prosperity and living standards. There may be other reasons, too. Perhaps they include our folly and the fact that we do not respond. All that is making the lives and living standards of the British people less secure.

If the proposed policy is to proceed, we must have answers to the three questions that I have posed. If we get them, at least we shall have served some purpose by this debate. In no sense do I criticise the Minister. He is part of a Government Department. But irrespective of the part that he and others play in the affairs of government, it is time that the British people were told what lies ahead.

11.23 pm

Sir Russell Johnston (Inverness, Nairn and Lochaber): If the British public do not know the views of the hon. Member for Southend, East (Mr. Taylor) by now, they must be stone deaf. He has repeated them often enough and, in my view, has remained consistently wrong for most of his political life.

Although the hon. Gentleman, at the beginning of his remarks, endeavoured to convey the impression that I was not here, I agree with him in what he said about the timing of debates such as this. They always seem to occur late at night. Even so, one is bound in the end to accept that if hon. Members are anxious to be here, even late at night —witness the abortion debate earlier in the week—they will come. That reflects not only the decisions of Government managers, but the mood of the House and Parliament's wish to debate certain issues at certain times.

The Minister said that the Government wished to encourage an open European market in motor vehicles; the hon. Member for Southend, East inveighed against all the disadvantages imposed on us by the Community. Will the Minister explain why British mortorists pay up to 93 per cent. more than those in other Community countries for some new cars? I dare say that he saw an article in the *Observer* on 4 March, which went into the matter in some detail.

The hon. Member for Derbyshire, South (Mrs. Currie) said earlier that she did not want her constituents who work for Toyota to be subject to prejudice. She is quite right.

I feel the same about my constituents in Inverness. Why should they pay £7,145 for a Toyota Corolla here when the price in Greece is only £3,788? The consumer has not been mentioned much tonight, but the consumer is very important, and in my view he is being swindled. A Nissan costs £7,944 in Britain and £4,440 in Denmark. Even the Metro—our own product—costs £6,109 in Britain and £4,041 in France. This is not a new argument, but I have never heard an adequate explanation. Why should a Fiat cost £5,000 in Britain and £3,000 in Holland?

Mr. Dykes: I agree with the hon. Gentleman: it is a grotesque national scandal which has never been properly explained. Is it not even worse that wages and salaries tend to be higher in the other countries that he mentioned, apart from Greece?

Sir Russell Johnston: That is often the case. The article does not mention Germany, but certainly wages tend to be higher in France. Tonight we have a real and, despite the hour, relatively live Minister: perhaps he can explain the price differential.

Mr. Roger King: There is a good deal of confusion about relative prices in Europe. It depends whether consumers are buying the same specification of car in the respective markets. In Germany, many Mercedes Benz cars are simply taxis; in this country, because of the way in which they are sold and the equipment with which they are fitted, they sustain a much higher price.

The hon. Gentleman should not fall into the trap of supposing that the prices that have been listed are those at which the cars are bought. He quoted a price of £6,000 for a Metro in this country and one of £4,400 or so in France. That same Metro could be bought here for about £4,800, but the buyer would have to pay 10 per cent. in special tax which he would not pay in France. The hon. Gentleman must get his facts right.

Sir Russell Johnston: They are not my facts; they are *The Observer's*. A respectable newspaper says that they are correct, but, if they are not, the Minister can tell me so. The cars involved are identical models. I am not sure whether the 10 per cent. tax differential relates to Britain as against some individual Community members, or applies across the board. That 10 per cent. leaves another 83 per cent. in price difference to be accounted for.

British motor car salesmen often offer discounts. The discount price may not be the printed book price. One may therefore be able to negotiate a lower price. However, there is a considerable price differential between cars offered for sale in Britain and in other European Community countries. I should like to know why. The full reason cannot be the special import tax.

There was a considerable trade in parallel imports for a while. Most of the companies that engaged in that practice have gone out of business. *The Observer* article says that mostly it was due to

"obstruction by manufacturers—sometimes apparently with the tacit consent of Government departments. Quadro Cars, of Southampton, one of the few remaining parallel dealers, claims that it faces continuing problems with Customs and the Department of Transport."

Mr. Chris O'Keefe, a director of Quadro Cars, said:

"Most people have packed up this business because of hassle and administrative threats."

I thought that this open-market Government were all against hassle and administrative threats. I shall therefore be interested to hear about the Government's attitude to parallel imports.

11-31 pm

Mr. Hugh Dykes (Harrow, East): This is an important debate about the future of the British and European automobile industry. I am grateful to the Chairman of the Select Committee on European Legislation for recommending that the subject should be debated. I am also grateful for the Government's response.

My hon. Friend the Under-Secretary of State for Industry and Corporate Affairs spoke skilfully for only nine minutes, whereas the Opposition spokesman, the hon. Member for Newcastle upon Tyne, North (Mr. Henderson), spoke for about 20 minutes but the substance of his speech was far less. Nevertheless, I was shocked that my hon. Friend did not know the approximate German motor car production figures, compared with the British figures. Perhaps he preferred to say nothing about them. The chilling reality is that the German figure is about 4·5 million and the British figure is about 1·5 million. That is lower than the Spanish motor car production figure, although Spain's population is only around 40 million.

All of us must hope that there will be a major recovery in the British motor car industry. It is a sad reflection that that will depend on the building up of foreign motor car production, with the arrival of the Japanese. We wish them well. We welcome worldwide competition and their entry into the British market and others. However, British motor car manufacturers ought to have done that.

The weakness of the British economy is very disturbing—writ large in terms of the motor car industry but also in terms of other sectors of British industry. We must unlock the mystery of that weakness before this country can ride high with the other three member states with similar populations that seem consistently to do better in the leading manufacturing sectors.

It was grotesque for my hon. Friend the Member for Southend, East (Mr. Taylor) to suggest that we have a unique motor car market and that the Commission ought not to impose restrictions on Japanese products. I agree that it depends on the contents of that manufacturing process being genuinely domestic, whatever its original provenance. However, my hon. Friend went on to say that although that is so important, there should be no indirect tax harmonisation, or VAT harmonisation in the internal market. The two go together. There should be harmonisation and unification of the market in both those respects.

The continued weakness of the Government's stance is that they say that their main priority is the harmonisation of the internal market, except on indirect taxation. They say that that is unnecessary. The Commission has proposed harmonisation bands. I hope that eventually they will lead to one VAT rate, or to a couple of bands of harmonised rates for different kinds of products. The British Government should respond to that.

I express appreciation—if that is not too risky in political terms—of what the Liberal spokesman, the hon. Member for Inverness, Nairn and Lochaber (Sir R. Johnston), said. I hope that my hon. Friend the Minister will have time to respond to his points and to mine. Let us consider Jaguar, for example, with all its boasting and hype about what a wonderful car it is now creating. I suppose that it is, because if we ride round in its cars, they seem to be agreeable motor vehicles, and they appeal to British executives and to some executives abroad. However, Jaguar produces only about 51,000 cars a year in comparison with Mercedes and BMW producing about 1·4 million expensive, luxury cars. That is a disturbing reflection of the relative weakness of the more expensive end of the British motor car industry.

The higher car prices in Britain compared with those in other countries are a scandal. Our economy is still truncated, despite a recovery in recent years and despite a lot of explanation from the Department of Trade and Industry about successes—some of which is, sad to say, a little exaggerated, but none the less welcome in so far as it can be based on statistics and facts. With a lower wage and salary structure in Britain in comparison with several leading continental countries—not all of them of course, because one excepts Greece from that—we see that car prices are fundamentally higher in this country than in other countries.

Mr. Cash: Will my hon. Friend give way?

Mr. Dykes: I do not know whether I have time. While I complete my next sentence, I shall reflect on whether I shall be generous enough to give way to my hon. Friend. Perhaps I shall in a moment. Time is short and these debates are always rather short.

The difference in prices is disturbing. The hon. Member for Inverness, Nairn and Lochaber was right to say that it has never been adequately explained by anybody, from the Government, to trade association spokesmen and individual dealers. No one has ever given us a proper explanation apart from saying "10 per cent. car tax" or that cars abroad may have different features, such as leather seats.

Mr. Cash: Will my hon. Friend give way?

Mr. Dykes: Yes, because I am in a good mood.

Mr. Cash: I am grateful to my hon. Friend who is a member of the Select Committee on European Legislation. I am sure that, because he is a member of the Committee, he will know from the report that BMW, Mercedes and other luxury cars in West Germany benefit enormously from the deliberately low tax regime provided in the home market by the West German Government for the benefit of improving the advantages that BMW, Mercedes and other luxury cars have at the expense of Jaguar. I am sure that

[Mr. Cash]

my hon. Friend knows that, and I am sure that because he is such a fair person who wants a level playing field and because he is such a Europhile, he will accept that point.

Mr. Dykes: I agree with my hon. Friend on one point. It may not be a mistake in this country occasionally to look carefully at what our continental friends are doing with various industries and saying that perhaps we should emulate some of their techniques, practices and tax regimes. It is not a weakness or a heresy to say that we should follow some of the foreigners' advice. We could do that with considerable profit. I know that that is regarded as problematical, but it would be a good idea so I am grateful to my hon. Friend for that suggestion.

The difference in prices has not been properly explained. It needs to be, and the Government should institute a major inquiry into United Kingdom domestic car prices to satisfy the consumer. I am disappointed that my hon. Friend the Member for Southend, East did not regard this point as important; it is far more important than his point. The consumers in this country want justice on United Kingdom car prices. They want lower car prices commensurate with their wages and salaries, which are lower than those in France, Germany and even Italy now. They want explanations and they must come primarily from the British Government.

11.38 pm

Mrs. Edwina Currie (Derbyshire, South): I join other hon. Members in gently chiding the Government for not finding a better time and more time for this important debate. It is important for two reasons. First, the developing British car industry will provide many of the answers to the questions that right hon. and hon. Gentlemen have put already tonight about the state of our balance of trade and about the state of the balance of trade of the rest of Europe with the rest of the world. Secondly, I should like us to have more time—and perhaps we shall on a future occasion—because I should like to pin down the Labour party on precisely what its policy is on trade, on the car industry, on subsidies and, especially, on Europe. Labour Members should bear in mind for starters that if it had been up to the Labour party, we should not be in Europe and Toyota would certainly not have been anywhere near my constituency. I hope that it can overcome its fears about socialism and continue its support for capitalism in the years to come.

It is now exactly a year since Toyota announced that it would move to my constituency. The site is now being cleared and we are hoping that building will begin on the site in early June. In two years, Toyota will be recruiting my constituents. We are expecting about 1,700 jobs in the first tranche and that about 3,000 people will be directly employed a short time after that. Three years from now, the plant will be close to commercial production.

I should like to put on record the fact that I have been very impressed so far by the Toyota company; by its courtesy; the amount of information that it provides both to myself and to other local people, and by its efforts in planning applications and its presentation to all of us—to my constituents—about what it is trying to do and about the factory. Toyota has made tremendous efforts to accommodate the worries and anxieties of local people and to change the plans in response to suggestions that have been made.

There is no doubt that Toyota is a very big spender. The budget for the Derbyshire site was announced as about £700 million, with another £100 million-plus for the engine site at Shotton in north Wales. There is no doubt that by the time the thing is up and running, Toyota will have spent over £1 billion sterling in investment in this country. That is not only the biggest inward investment that Britain has ever seen; it is the biggest inward investment that Europe has ever seen. It is one of the most significant events of recent years for this country.

We have a combination of Japanese money and Japanese expertise for a factory that is being built not in Japan, but in the heart of England. The work force will be British and we are hoping that the research and development will also be carried out locally. The suppliers will be British—indeed, many of them are already there. For example, Pirelli, down the road in Burton-on-Trent, is excited at the thought that it might be putting British-made, Italian-made tyres on those Japanese cars. There is no doubt that the cars that my constituents will be producing will be as British as Peugeot in Coventry; as British as Ford in Dagenham; as British as Nissan in Sunderland; as British as Volvo in several places in this country; as British as DAF and Iveco and as British as General Motors in Luton. In other words, the Toyota cars will be as British as Marks and Spencer, fish and chips and our weather, and it is about time that the rest of our colleagues in Europe recognised that and were keen to support a British—a European Community—industry of the highest level and standard that will show a clean pair of heels to the rest of the world.

Mr. Teddy Taylor: What if they do not?

Mrs. Currie: If my hon. Friend wants to intervene, I shall be glad to give way to him.

Mr. Taylor: What shall we do if they do not and if restrictions are placed on the superb cars that I am sure will be produced in my hon. Friend's constituency?

Mrs. Currie: Perhaps my hon. Friend will contain himself for two or three seconds because I shall tell him at the end of my remarks, which I should like to keep as short as possible.

It is a tremendous compliment to the people in Derbyshire that that factory will be established there. That is not because of some of the things to which the hon. Member for Newcastle upon Tyne, North (Mr. Henderson) referred; it is because we have a first-class work force of militant moderates. They do not like to go on strike. They defied Arthur Scargill with great determination and are now ready to go on, in the same kind of sensible, moderate, intelligent, hard-working way to work in this new industry in our area.

We shall be major exporters to Europe and we shall make a huge contribution to the British balance of payments. We shall also knock the competition for six in the European car industry—and they know it. Here we have a contrast, which I ask my hon. Friend the Minister to support, between a privately owned and privately funded British business and the state-owned, state-subsidised inefficient car industry elsewhere in Europe, especially in France and Italy.

My hon. Friend the Minister—I believe that it was he—sent out a lovely little glossy document earlier this week, entitled "Britain in the Community: Europe in the 1990s"——

Mr. Redwood *indicated dissent.*

Mrs. Currie: My hon. Friend is shaking his head; he will not accept responsibility for it. The very first sentence reads:

"Europe is growing up. It's a challenging time to be a European. In every way, the barriers are coming down."

Amen to that.

I am a keen European, unlike my hon. Friend the Member for Southend, East (Mr. Taylor)—but not according to the document that we are discussing. I should not have minded if the "Single Community Motor-vehicle market" document had been a bargaining document to help to get Japan to open its doors to British and European trade, but it is not a bargaining document. It is clearly a document that is designed to protect a weak industry. Paragraph 1, entitled, "The Outlook for the Motor-Vehicle Sector", talks about "signs of fragility" among European car producers. That is absolute rubbish as far as the British contribution—even now—is concerned. Vigour and energy are much better signs than fragility, yet the word "fragility" appears several times in the document.

We get the truth about what is going on in paragraph 3.4 (b), which mentions

"The growing scale of Community production of Japanese makes, which on top of present imports reduces the potential market share for older and less efficient factories."

At least the Commissioner has the grace to be honest about the tawdry business that he is up to. I think that it is an absolute, stinging disgrace. The document then says:

"The Commission is determined to ensure"—

not, "The Commission would like to ensure"—

"that Japanese vehicle exports do not grow to such an extent that they risk creating problems within the Community."

Frankly, I think that the Commission has got a nerve and that Commissioner Andriessen should be ashamed of himself. It is quite clear that somebody in the European Community has a fixation not about foreign makes or foreign marques, but about the Japanese. When one goes through the document line by line, one finds that West Germany is mentioned once, Korea is mentioned once, the United States is mentioned three times and Japan and the Japanese are mentioned no fewer than 23 times.

I have to say on behalf of all my constituents that I think that there is something particularly nasty and offensive about the Europan Community's objection to the Japanese and the way in which it seems to be trying to make special rules for Japan. It does not seem to feel that way about the Americans. In 1989, the European Commission approved a state loan of 98 million ecu—about £62 million—to Ford to build a factory in Portugal.

Despite the fact that so many Opposition Members' socialist friends are in the European Parliament, the European Community is not egalitarian about these things either. One of the other state loans to the car industry that was approved last year was for 28 million ecu—£18 million—to Ferrari, which no doubt will have a marginal effect on the pockets of next year's rather less-well-off Ferrari owners all over the world.

I would like, in the best possible tradition of the House having late-night debates, to chide my Front Bench for the approach that it is adopting. It does not seem quite good enough to respond, as the Government do in paragraph 17 of their explanatory memorandum,

"there is no question of the UK accepting any"

such arrangement. The motion states that the document is "a useful framework for considering the detailed measures". That is not good enough either. I know, and my hon. Friend the Minister knows, that the British Government have the right to go to the European Court. I hope that my hon. Friend will consider that as a possible measure, if necessary. Back British industry and make sure that my constituents and those of my right hon. and hon. Friends who are working in foreign investment businesses have the right to a free market in Europe in the future.

11.47 pm

Mr. Roger King (Birmingham, Northfield): I disagree with most hon. Members, who have said that this is not a relevant time at which to discuss the future of the British motor industry. Tens of thousands of people throughout the country are building cars in increasing numbers for the export and home markets. To some extent, therefore, we are showing solidarity with the large number of people now at work by debating the future of their industry in Europe.

Some hon. Members have spoken about car prices in Europe. Opening the European market will create a more open market in pricing. Until now, each European country has been considered as a separate profit centre, and the retail sector of the car industry has grown up differently in different parts of Europe. The British tend to part exchange cars, which involves extra overheads for retailers. The discount structure here is wholly different from that in France, for example.

Cars may be cheaper in some markets, but that may be the result of a proper marketing ploy by a manufacturer here. When seeking exports, a manufacturer may keep prices at a strong market level. It may be argued that one of the problems is the fact that the British industry is too keen to get business and reduces the price of its cars to make them more competitive with the indigenous product, but our export figures are hardly likely to grow if they do not adopt such measures.

We have discussed many aspects of the Community documents, and there is no doubt that the United Kingdom car industry has shown a dramatic upturn in profitability and output, as my hon. Friend the Minister said. By the year 2000, forecasters of the industry predict that annual output in the industry could be up by between 2·3 million and 2·7 million units a year. Looking even further ahead, some experts in the industry have predicted that in 15 to 20 years' time—not all that far away—we could be the third greatest car manufacturing nation outside the United States and Japan. In Europe, car manufacturing could be concentrated in Russia, Germany and the United Kingdom. There are tremendous opportunities for us to develop our industry as fast as we can.

The decision, recently announced by the Rover Group, together with its work force, to work towards a 24-hour production process on its engines and transmissions side is a clear sign that we have turned a corner. I lay the reason for this fairly and squarely on the Government's industrial relations policy and attitude over the past 10 years. We have overhauled our industrial relations, and no longer do the Red Robbos and the Moles of Cowley rule supreme.

[Mr. Roger King]

The tendency to call a stoppage at a blow of a whistle decimated the profitability of our car industry, but those days are gone, and there is a new working relationship between the work force and management.

There are sometimes setbacks. For example, investment that was to be made in Dundee was recently cancelled and there have been problems at Bridgend in south Wales. Despite those setbacks, overall we hope that the British motor industry will develop substantially.

Our country's economic future is almost uniquely dependent on this industry. It is the one that can haul us out of our import-export difficulties. The rebirth of one our basic industries is nothing short of an economic miracle.

The Japanese factories that have come, and are coming here, have done so because they recognise that this is a splendid place to make cars, and one that offers them not just a skilled work force, or one that can be readily trained, as we have seen at Nissan's Greenfields site, but the component manufacturers to feed the companies that are set up, and valuable European engineering expertise for products that have been inherently Japanese.

Mr. Cash: It is so important for us to be entirely realistic about what is going on in the European Community as we get on towards 1992. Did not the recent experience of Ford pulling out of Bridgend have a lot to do with trade union practices and the tendency for people to pay themselves more than the worth of what they are producing? The British work force, both management and employees, will clearly have to address themselves to that if we are to maintain the position of the British motor industry in the way suggested by my hon. Friend, whose experience and knowledge of this industry I acknowledge.

Mr. King: I agree with my hon. Friend's sentiment, but Ford is not pulling out of Bridgend. It has decided that the final phase of the new Zeta engine installation will not go ahead, partly because the changing engine requirement means that older units produced there are needed for a few more years. The company therefore needs capacity elsewhere and has decided to go to Germany. That is disappointing. I agree with my hon. Friend that if the work force returns to its previous attitudes, the investment that we desperately need will not be made.

The European document highlights a number of technical standard changes and harmonisations that the British motor industry needs to take on board, and which will help our industry in Europe. Vehicle emissions must be standardised, although we can argue, as we have in previous debates, about whether exhaust catalysts are the right way forward, or whether improvements in engine technology are not the fundamental requirement in producing a cleaner, more fuel-efficient and economical car. Undoubtedly, however, we shall have to support the majority viewpoint that catalysts have a role to play for at least the next 10 years.

We also want to harmonise taxation on cars. I have already mentioned the 10 per cent. special tax in this country. One wonders whether it is the United Kingdom Government's intention to phase out that element of taxation, which in my view is excessive and is only placed upon automobiles in this country, so that we harmonise the tax structure within the European motor industry. If that is the Government's intention, no one will welcome it more than I.

Dismantling internal barriers and encouraging the import of British-produced Japanese cars is the crux of the debate. Certainly, I support my hon. Friend the Under-Secretary of State when he tries to ensure that the Government get the best deal that they can. However, we are overlooking the fact that the document does not specify exactly what the transitional element comprises. It states that in some countries the importation of Japanese cars, whether they are made in a United Kingdom transplant factory or in Japan, is as low as 1·4 per cent. and in other countries it is as high as 44 per cent. I suggest that when the time comes to negotiate my hon. Friend or his colleague would be ready to hear what the transitional agreement could be. It could be exceedingly generous for the transplant factories if I may use that term, and by shuffling production and sales figures throughout Europe we may get by for two or three years quite successfully without bringing a hiatus to the Community. I do not know, but that is a subject for negotiation.

The new factories developing in the United Kingdom will not be up to full manufacturing capacity until the mid-1990s, so we have time to negotiate a workmanlike arrangement with the European Commission. We do not have to go in for a Mexican stand-off and have a high noon duel or shoot-out. A basis for negotiation exists. I think that the European Community will recognise that, given our balance of payment difficulties, we need this vital manufacturing capacity and we need to build up this vital investment and nothing must be done to jeopardise it.

It is not only the countries mentioned in the document which should concern us, however, because if the European Community takes an obdurate view the Japanese car companies may import their requirements from factories in the United States free of all restrictions. If we had a mind to, we could adopt as a negotiating stance the fact that Japanese companies such as Honda, Nissan and Toyota could simply import cars from the United States without let or hindrance.

We should also remember that German transplant factories are being set up in eastern Europe and other eastern bloc countries which are desperate for investment. What is the future of those companies and manufacturing units? One cannot consider the Japanese factories in isolation. We have to take into account the emerging requirements and productive capacity of eastern bloc countries. I hope that my hon. Friend will take due notice of that.

Britain faces a number of restrictions from the European Community which seem extremely one-sided. Recently there have been restrictions on airline deregulation. We are particularly good at that, but other European countries seem to be the opposite, so airline deregulation has been dropped. Road haulage is another area in which we are particularly efficient, but the Germans are not and are therefore blocking developments there. To achieve the free and open market that we all want, Britain cannot always give, give, give. We have to ensure that there is give and take in Europe and that there is genuine negotiation throughout all industrial and commercial sectors.

Mr. Dennis Skinner (Bolsover) *rose*——

11.59 pm

Mr. Redwood: My hon. Friend the Member for Harrow, East (Mr. Dykes) asked about figures, and I wanted to be sure that I had them right before I responded to his question. I did not want to quote them off the top of my head. The output of motor cars in Germany in 1988 was 4·3 million. My hon. Friend might like to know that the real gap emerged between British and German production during 1974 and 1979. Over that period, our production fell from 1·5 million to jut over 1 million while German production leaped ahead from 2·8 million to just over 4 million. Since 1979, there has been a slightly higher rate of growth in the United Kingdom than in Germany, but on a much smaller base. The figures that the Government and my hon. Friend the Member for Birmingham, Northfield (Mr. King) have been using imply that the British growth rate will accelerate considerably. I am sure that all of us in this place look forward to seeing the strengthening of the wider British motor industry over the next few years.

My hon. Friend the Member for Harrow, East asked also about the Government's attitude to taxation. We do not believe that tax harmonisation is a vital part of the open market in cars. Each country applies its own tax rates for sales, and there is free competition on that basis. It is far from the truth that our tax is uniquely excessive. Several other member states place much higher rates of tax and duty on cars, and they are equally nervous about harmonisation. It is not Britain alone which is delaying the possibility of tax harmonisation because it does not wish to see revenue loss. In Denmark, for example, VAT is levied at 22 per cent., and there is a high initial registration tax. In France, there is 25 per cent. VAT. There are other countries that have higher levels of tax.

My hon. Friend the Member for Southend, East (Mr. Taylor) asked whether we could block the proposals. I understand that the measure requires unanimity. Progress has been slow because many countries are worried about the tax proposals. My hon. Friend asked also about the trading deficit. Again, I wanted to ensure that my response was accurate. The deficit in passenger cars in the most recent year was £5 billion. My hon. Friend has already given the House figures specific to the European Community and Germany. As he implies, the worst part of the deficit lies in our trade with Germany.

The hon. Member for Newcastle upon Tyne, North (Mr. Henderson) rightly pressed me to say more about the negotiations and the deal that the Government think that they can get. I agree with the hon. Gentleman because I think that we can succeed through negotiation. We are negotiating strongly, and I have made it clear tonight that we intent to win. We take the view that the issue is vital for the nation and for new investors who have come here.

There are three stages in the process. I remind the House that there were rumours when Nissan first came to the United Kingdom that its cars would not be accepted into certain European Community country markets. Nissan cars are being produced, and I believe that there are no blocks on their exit from the United Kingdom into other European markets. That is in part because of the strong representations that the Government made successfully on behalf of Nissan.

I agree with my hon. Friend the member for Northfield that we have some strong points to make in the negotiations. The fact that Japanese cars could be imported from the United States without let or hindrance is an important factor to get across to other member states. Transplant factories, as the Community likes to call them, in other countries mean that positions are shifting as others benefit from transplant locations. Other countries are beginning to see the difficulty in making a distinction between a Japanese holding company, an American holding company, a Swedish holding company, or whatever country may be benefiting their country by inward investment.

As my hon. Friend the Member for Derbyshire, South (Mrs. Currie) implied, there is a good legal process that we believe we could use. We hope, however, that it will not come to that. If the negotiations went wrong for any reason, of course we would take the best legal advice that was available. We would pursue any case that we thought that we could mount, and with full vigour. Our current view is that the treaty position is clear. It gives transplant factory cars the right of entry into other Community markets. We would want to see that right upheld by legal challenge through the courts until we had what we needed for the car plants in the United Kingdom.

Several hon. Members referred to scrutiny. I have always favoured good and effective scrutiny in the House. Wherever there are issues that I am handling in the financial area, which is my remit, I try to ensure that the House is informed at an early stage and that we have the opportunity for an early debate on the proposals. The proposal before us, in so far as it relates to the important political points about the negotiations on quotas, voluntary restraint agreements and Japanese cars that are produced in Britain, is timely. Decisions have not been made, and the views of the House will be presented forcefully to the European Community by me and my colleagues to ensure that our position is strengthened by the fact that we have been through a proper democratic process and that the voice of the House has been heard clearly on an important national interest. I agree with the hon. Member for Newcastle upon Tyne, North about the work on technical standards, which we welcome, but more must be done by the European Community. That work will benefit our companies and those elsewhere in the European Community.

My hon. Friend the Member for Southend, East and the hon. Member for Newcastle upon Tyne, North asked about quotas. The hon. Member for Newcastle upon Tyne, North was a little mistaken, because only three European Community counties have quotas. Some others have VRAs, including Britain. I was not sure whether he was saying that it is Labour policy to impose quotas where they have not been imposed before. That would create problems, given the treaty obligations to free trade and the European Community's obligations through GATT. The Government believe that progress in the GATT round is vital to our interests. We therefore do not want people to talk of imposing new quotas and quantitive restrictions when we are making progress in the GATT negotiations.

I agree with my hon. Friend the Member for Southend, East that it is an important objective to create an open market. The Government will handle the negotiations as set out in the explanatory memorandum to ensure that that objective is achieved without undermining the British objectives that we hold so dear to heart.

The hon. Member for Inverness, Nairn and Lochaber (Sir R. Johnston) made a point not covered by the document about differentials in car prices. My hon. Friend

[Mr. Redwood]

the Member for Northfield provided some of the answers to those differences. One must consider the price without the tax element, the specification, the discount structure and several other complexities. The Director General of Fair Trading is closely considering recent evidence implying a widening of the differentials in car prices. If he thinks it appropriate, he will introduce measures to tackle the problems mentioned by the hon. Member for Inverness, Nairn and Lochaber and other hon. Members which account for those differentials in prices.

My hon. Friend the Member for Derbyshire, South was rightly concerned about the future of Toyota. She played an important role in securing its investment for her constituency and county, which we welcome. She is right that it is an example of dynamic private enterprise. It will do well as a result of its wise choice of Derbyshire and Britain under the Government's attractive pro-enterprise policies.

I agree with my hon. Friend the Member for Derbyshire, South that within the European Community we wish to avoid any sense that we are anti-Japanese. I opened the debate by making clear the Government's position that good Japanese investors are more than welcome. We are extremely positive about them because they have an important role to play in building our industrial future, improving our balance of payments and working with us in the manufacturing revival that is now so clearly under way. The document, which in some places has not worn too well in the translation from French, at times gives too much credence to member states that are anti-Japanese in spirit in some of their statements. The Government will endeavour to ensure that the European Community adopts as fair an attitude to Japan as it does to the other overseas trading partners that we value.

I found Labour's position on the document as unclear as its position on everything else. I can understand the difficulties of the hon. Member for Newcastle upon Tyne, North. The right hon. and learned Member for Monklands, East (Mr. Smith) made a speech in the United States about the wonders of the open market, competition and free enterprise, but we read that the hon. Member for Dunfermline, East (Mr. Brown) is busy adopting and endorsing Labour's policy review on industrial policy. The tensions are obvious for all to see. The Labour policy review is riddled with the failed policies of the 1960s and 1970s. More subsidy, more intervention, more Government meddling with business—those were the policies that demolished the British motor car industry so successfully between 1974 and 1979. Yes, it has taken some years to correct the position, because the dose of bad medicine that the Labour Government gave proved to have a deep-seated effect and to cause enormous trouble.

At some point, the House should return to the more general questions of how to achieve a thriving industry, which policies are best and whether the Labour party will back the right hon. and learned Member for Monklands, East in the free market views that he expressed in the United States or whether it will back the backward-looking views of the hon. Member for Dunfermline, East in his endorsement of the Labour policy review.

Mr. Roger Knapman (Stroud): Perhaps my hon. Friend will give the hon. Member for Bolsover (Mr. Skinner) a chance to answer that question.

Mr. Redwood: I should be happy to give way to the hon. Member for Bolsover (Mr. Skinner) if he can answer that question.

Mr. Skinner: First, the Minister did not ask the leave of the House to speak twice, so he obviously does not know the rules. Secondly, is he aware that there are anti-Marketeers on the Conservative Benches who stay up for these debates? At the end of this debate, I shall shout no, because I know where I stand on the issue. I hope that the hon. Member for Southend, East (Mr. Taylor) will join me as a Teller, so that we can divide the House.

Mr. Redwood: I am grateful to you, Madam Deputy Speaker, for giving me permission to speak twice.

Mr. Skinner: The hon. Gentleman did not ask for leave.

Mr. Redwood: I took it from your expression, Madam Deputy Speaker, that you had given me that permission. I noticed that the hon. Member for Bolsover immediately had to divert the issue from the important point of how industry can prosper and do well. On this, as on everything else, the Labour party has either no answers or the old answers that failed. I commend the motion to the House.

Question put:—

The House divided: Ayes 36, Noes 0.

Division No. 183] **[12.11 am**

AYES

Amess, David
Amos, Alan
Baker, Nicholas *(Dorset N)*
Boswell, Tim
Bowis, John
Brazier, Julian
Burt, Alistair
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Cash, William
Chapman, Sydney
Chope, Christopher
Coombs, Simon *(Swindon)*
Dykes, Hugh
Fallon, Michael
Favell, Tony
Garel-Jones, Tristan
Gill, Christopher
Goodlad, Alastair
Gregory, Conal
Johnston, Sir Russell
King, Roger *(B'ham N'thfield)*
Knapman, Roger
Lang, Ian
Lawrence, Ivan
Lightbown, David
Maclean, David
Neubert, Michael
Patnick, Irvine
Redwood, John
Renton, Rt Hon Tim
Stevens, Lewis
Waldegrave, Rt Hon William
Waller, Gary
Widdecombe, Ann
Wood, Timothy
Young, Sir George *(Acton)*

Tellers for the Ayes:
Mr. Tom Sackville and
Mr. John M. Taylor.

NOES

Nil

Tellers for the Noes:
Mr. Dennis Skinner and
Mr. Dave Nellist.

Question accordingly agreed to.

Resolved,

That this House takes note of European Community Document No. 10971/89, relating to the Community motor vehicle market; and supports the Government's view that it provides a useful framework for considering the detailed measures which will have to be implemented in the Community to bring about a Single Market in the vehicle sector.

Nuclear Missiles (West Germany)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Patnick.]*

12.23 am

Mr. Cyril D. Townsend (Bexleyheath): I am delighted to have this opportunity to raise the subject of the enhancement of short-range nuclear missiles in West Germany. I am most grateful to my right hon. Friend the Minister of State, Foreign and Commonwealth Office for being present to reply to this brief debate. My short-range missile was aimed at the Ministry of Defence and I am intrigued to find that it has been intercepted by the Foreign and Commonwealth Office.

The subject of my debate is topical. Tonight's *Evening Standard* carries a report on page 2 that begins:

"NATO is to scrap controversial plans to modernise short-range missiles in Europe".

The report quotes an unnamed NATO diplomat as saying:

"'There is now universal recognition within the alliance that we cannot deploy a new short-range missile that would hit democratic countries in Eastern Europe.'"

I have been saying that for months and have been howled down by the Government Front Bench for my pains. The report continues:

"'It is simply now a question of a formal decision and announcement to that effect. The outcome is not in doubt.'"

This is an extremely important topic for the United Kingdom and NATO. I have had the chance to question Defence Ministers on this subject in recent months and so far I have found their replies disappointing. The Government appear to be one beat behind the band. I hope for a more sympathetic and understanding response tonight from the Minister—one that leaves behind last year's briefing papers and faces the new realities in Europe.

In a nutshell, my case, which is supported by many of my hon. Friends, is that flexible response needs to be revised in the light of the much-reduced threat in Europe. If we fail to do so, or are slow to do so, we shall undermine Britain's nuclear policies in general, and our political opponents will seize on the fact, as they have done so effectively during recent Defence questions.

There is a constant job to be done by Ministers in putting over to the public at large why the United Kingdom and NATO need nuclear weapons in the 1990s. It is not good enough just to hold on to our supporters in this matter. We need to gain fresh supporters, particularly among those in their 20s and 30s. If, once again, defence is to be a strong card for the Government at the next general election, we need to convince the electorate that our defence policies are sound, realistic and, above all, up to date.

Eighteen months ago, I fully supported the need for NATO to modernise its short-range nuclear forces. The debate was intensively waged in the run-up to the NATO summit of May 1989. Alongside the wider debate within NATO, there was an intense debate within the West German ruling coalition, and the issue was regarded as one of great sensitivity which might affect the outcome of the West German election. Broadly speaking, the Christian Democrats and Chancellor Kohl favoured the retention of some short-range nuclear capacity after Lance becomes obsolete, and that is expected to be in the mid 1990s, whereas the Free Democrats and Foreign Minister Genscher were more inclined to accept the Soviet offer of a "third zero".

In view of that sensitivity, some senior members of our Government approached the subject without sufficient tact and diplomacy. It also seemed to some of us that British military opinion was less rigid on the subject than No. 10. Now, following the extraordinary and historic changes in eastern Europe—no Berlin wall, free elections in Czechoslovakia, Hungary, Bulgaria and East Germany, and an end to the Communist monopoly in the Soviet Union—undeniably there has to be fresh thinking.

Lord Carrington, who is uniquely qualified to comment on these issues, was reported in *The Daily Telegraph* of 21 November as saying:

"I would have thought there is no conceivable situation now in which short-range nuclear weapons which land on East German soil would be acceptable. That chapter, I think, is over."

I think that that chapter is over, too. Defence experts outside the Government ranks think that that is so. One purpose of this short debate is to find out whether the Minister now agrees, and, if not, why not.

The Lance is the only land-based nuclear missile deployed by NATO in Europe. It has a range of 110 km, so, from its present deployment positions in West Germany, it could reach only East Germany and Czechoslovakia. I cannot believe that the Germans, rushing towards reunification, could ever agree to any replacement being deployed on German soil. Why should they?

Formally, at least until this evening, the British Government have not changed their position. The arguments that we on the Government Benches used 18 months ago were being used until today, though in very different circumstances. On the surface, the Government have not responded to the changed public mood, and if the Minister thinks I am exaggerating I draw his attention to Defence questions on 3 April. It has been a political mistake not to have responded to that changed public mood.

We are told that the comprehensive concept of May 1989 still represents official NATO policy and that no further decisions have been taken by the alliance as a whole. These are complex matters needing widespread consultation, but Ministers, busy in their offices and at conferences, have forgotten the politics of it all.

We understand that the SNF issue is being studied intensively by the so-called high level group which is due to report to the nuclear planning group in Alberta, Canada, on 9 and 10 May. Modernisation was discussed by the Prime Minister and President Bush in Bermuda on 13 April. It was agreed that there should be a new NATO summit in the near future and that that meeting would address not only nuclear modernisation but such heavyweight subjects as the future status of Germany in NATO and, long overdue, the reintegration of France into some aspects of the NATO military structure. According to the *Sunday Times* of 15 April:

"Officials on both sides said Mrs. Thatcher had told the President she was prepared to abandon her insistence that NATO's ageing Lance short-range nuclear missiles be modernised, and had acknowledged that the Lance and remaining nuclear-tipped artillery shells would have to be taken out of the new Germany and transferred, probably to Britain."

Did British officials give any such guidance? If that report is true—and I hope that it is—it is high time that the House had an early statement, for it represents a major change in British defence policy.

[Mr. Cyril D. Townsend]

Meanwhile, decisions on the deployment phase in the United States are more immediate. Congressmen with whom I discussed the matter during the Easter recess told me that they would not allow any further funding. On 14 April, *Jane's Defence Weekly* reported that the Pentagon had told the United States army missile command not to proceed with tendering for the contract, apparently in anticipation of a decision by Congress. Congress would be wise to rule out any further funding.

It seems that, as in Britain, the top leadership has got out of touch with political and public opinion. It is also out of touch with expert opinion. For example, *Atlantic News* of 4 April reported a study for the John Hopkins foreign policy institute by Mr. Brezinski which recommended the abandonment of the follow-on to Lance. The same source on 18 April recorded a *Washington Post* interview with General Galvin in which he admitted that deployment was becoming unlikely.

While most NATO Governments have yet to comment, the Belgian Government have stated that Lance modernisation no longer makes sense. Lord Salisbury once remarked that it was a great mistake to hang around the carcases of dead policies. The British Government should now state clearly that the replacement of Lance is unrealistic and that, as a result, they will go for the development and deployment of new air-launched nuclear missiles. The NATO aircraft involved will be based not in Germany but in the four states originally earmarked for intermediate nuclear force deployment: the United Kingdom, Italy, Belgium and the Netherlands.

Following the recent talks between President Bush and President Mitterrand, it is possible that France will co-ordinate its own plans for an air-launched missile with NATO. That would be a welcome step forward. It is just possible that at some future time France will agree to house United States bases.

Of course, some people outside the House will say that such an SNF capacity is no longer required. That is going too far. The Soviet Union has already modernised its nuclear weapons in this category. It is thought to have 1,450 launches—a ratio of some 16 to one. Those weapons —at least for the time being—threaten key NATO facilities in the forward area, especially airfields and communication centres. They might be moved after negotiations, perhaps at the same time as the withdrawal of the Lance missiles, but that remains in the future.

The Government must update both their position and their arguments. I hope that it will not be long before the Secretary of State presents to the House a new policy along the lines that I have suggested: such a policy will carry conviction with Conservative Back Benchers, the defence community and the British public.

12.36 am

The Minister of State, Foreign and Commonwealth Office (Mr. William Waldegrave): I do not think that my hon. Friend will be surprised if I do not announce a new NATO policy tonight single-handed. Perhaps, however, I can give him an element of the updated position for which he asks—at least in relation to our general approach, which is, of course, fluid.

Dramatic and far-reaching changes in eastern Europe have created a new context and a new challenge for NATO. The prospect of German unification and the advance of democracy and independence throughout eastern and central Europe have revolutionary implications for the Warsaw Pact, and profound—but less simple —implications for NATO. The full agenda for NATO's defence and foreign Ministers will involve them in many meetings in the coming weeks. As my hon. Friend has said, we hope that it will be possible for a NATO summit to endorse the direction in which NATO must evolve in the 1990s. Indeed, there is great interest in NATO's future generally, and particularly in the role to be played by a united Germany.

I hope that there will be no question of undermining the core arrangements—collective arrangements—which have guaranteed the West's security for 40 years. Our position is clear, as is that of our principal allies. At the Königswinter conference in Cambridge, the Prime Minister listed what she considered to be the three essential conditions for continuing security. First, a united Germany should be part of NATO, as that would offer the best security for Europe as a whole. Strikingly, that is the view not only of the Federal Republic and the rest of NATO, but of several eastern European countries. Secondly, United States and other stationed forces should remain in Germany, albeit possibly at reduced levels. Thirdly, NATO should continue to deploy nuclear weapons where strategy dictated it, and that should include Germany. Those conditions will underpin NATO's deliberations in the coming months.

We have welcomed the ideas advanced by the United States to give NATO an increased political role. That role, however, must be a development of the underlying military role which it must retain. We need to preserve the essentials of military structure in the process of updating and re-evaluating NATO's future posture. Change and upheaval in the Soviet Union and eastern Europe bring uncertainty. We have seen it again in the last few weeks. We must not lose sight of the fact that the Soviet Union remains a super-power with a wide range of nuclear and conventional weapons. She has carried out the modernisation of her own short-range nuclear weapons and of her nuclear artillery. That capability, having been modernised throughout the 1980s, stretches potentially into the future and extends the Soviet Union's overwhelming numerical imbalance compared with NATO forces.

At the heart of NATO's achievement in the last 40 years is the collective will that it represents. The essence of its strength—often slow moving—has been that collective nature. That is particularly important in relation to the decisions about nuclear systems, which often take decades to develop. Planning is frequently slow and cautious—and rightly so. However, NATO is not blind to the changes in Europe. They will affect requirements in terms of numbers and the types of systems that underpin our continuing need, against the super-power to our east, for an effective nuclear deterrent strategy.

There are two complementary factors at work in determining the future composition of short-range weapons in west Germany and elsewhere. They reflect NATO decisions taken in the early 1980s. There is the need to preserve and, if necessary, to modernise NATO's overall nuclear capability in order to ensure a credible and sustainable deterrent. There is also the task of continuing to reduce and rationalise the nuclear stockpile without reducing security. On the first point, my right hon. Friend the Prime Minister and the President of the United States

reaffirmed in Bermuda a fortnight ago that NATO would continue to rely on deterrence, based on a mix of conventional and nuclear weapons, including SNF. They stressed that these weapons must be kept up to date.

My hon. Friend referred to the comprehensive concept of arms control and disarmament agreed by the heads of Government last May. The commitment to modernise weapons as necessary still stands, as does the formula in the comprehensive concept—that any negotiations on reducing the United States and the Soviet SNF would depend on substantive progress in the separate negotiations on conventional forces in Europe.

We shall need to assess how to achieve the second objective of reducing the NATO stockpile. NATO will consider the possibility of reductions in current nuclear forces. As my hon. Friend knows, since 1979 we have reduced the stockpiles by 35 per cent. We hope that the Soviet Union will take parallel action and will begin to match those reductions. The Soviet Union's reductions so far have been derisory.

The scale and nature of the future deployment of SNF and other military forces in west Germany and elsewhere will depend upon NATO consultations on which weapons systems will be required and on what reductions in existing forces are possible. That is part of our collective security and it is the principal point that I wish to put to my hon. Friend.

The message matters, but the medium matters, too—not only the substance of decisions but the means for arriving at those decisions. NATO would long ago have been reduced to a shambles of squabbling individual countries if each country had pursued its own political bent at any one time. The strength of the alliance over the years has been our commitment to collective decision taking.

Mr. Cyril Townsend: I happily concede that point, but ought not the Government at least tell the public about the direction in which NATO ought to be going? That has not been done in this particular area.

Mr. Waldegrave: It depends what we think the principal challenge to NATO is. I believe that the challenge for NATO, at a time of rapid transition and change, is to maintain coherence—not to take the role of commentator. That role is vital. So, too, is the Back Bencher's role. Surely the Minister's role is to judge at a particular time which is most important—to maintain the collective unity of decision-taking or to indulge in the role, which is a proper role for others, of exploring and kite-flying.

In the past few months, the period of transition, the Governments who have floated ideas from which they have sometimes then backed away and who have flown kites which have turned out not necessarily to be timely have not been those contributing most to the continuing solidarity of the alliance. It is important to see that the solidarity of the alliance, which at one time at the end of last year began to look rather frail, has been restored by the Americans' stalwartness and leadership in showing that they remained wholly committed to taking the decisions in the right format and at the right time.

That is not to say that we should not, at the right time and in the right format, move the great engine of the alliance forward, and doubtless we shall. Many of the arguments and many of the excellent analyses, including those offered by my hon. Friend will contribute to the next decisions as they come. In retrospect, it will not be seen to have been wrong that some at the heart of the alliance have argued throughout this period that the principal objective and duty of senior Ministers was to try to maintain coherence even against short-term political pressures. This House, this party and my hon. Friend have a record of which to be proud in standing against short-term political pressures to win the greater prize.

My hon. Friend will not be disappointed in the quality of analysis that will come forward over the next weeks of intensive inter-alliance discussion that we now face with the North Atlantic Council, with an extra summit and a whole raft of meetings at the highest level. Clearly, this will be a decisive year for NATO, for the alliance and for the west in terms of sketching out our defence strategy for the next period. However, it will not come to be seen as having been unduly hesitant for us to have waited and watched to see how developments turned out before rushing down particular routes.

The bottom line remains the maintenance of the trans-Atlantic alliance and the maintenance of the American commitment to Europe, with United States forces—and United States nuclear forces—in Europe, and with those forces in the right mixture and up to date. We have intensely difficult political pressures to try to handle, which are different in each country. The only hope of handling them in a way which produces a rational outcome is to do so collectively and carefully. NATO will collectively decide the next steps, and NATO will reaffirm the need for close trans-Atlantic co-operation. Like my hon. Friend, I should welcome any steps that the French may feel able to take to move closer to us. Their commitment to the trans-Atlantic alliance is in no doubt and has been reaffirmed by President Mitterrand in his recent talks with the United States president.

I urge my hon. Friend to be a little more patient. I do not know what the final outcome will be, but I believe that the method of decision-taking will be almost as important as the decision in the short term. The member countries of NATO must not show that when the immediate pressures are off we all rush down the easiest political path in the short term. We should try to maintain our collective will because that collective will, which has served us so well for the past 40 years and to which my hon. Friend is as committed as any in the House, may well be needed to serve us in the next 40 years.

Question put and agreed to.

Adjourned accordingly at eleven minutes to One o'clock.

House of Commons

Friday 27 April 1990

The House met at half-past Nine o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PETITION

Human Embryo

9.34 am

Mr. James Kilfedder (North Down): I want to present a petition on behalf of the Rev. Hilary Armstrong, the parish priest of St. Comgall's church in Bangor. The petition has been signed by the members of his congregation and reads:

We affirm that the newly-fertilised human embryo is a real living being.

Therefore we welcome the statement in the Report of the Committee of Inquiry into Human Fertilisation and Embryology . . . That "the status of the embryo is a matter of Fundamental Principle which should be enshrined in legislation", and its recommendation that the embryo of the human species should be afforded protection in law; And therefore we oppose all such practices as are recommended in the Report which discriminate against the embryo or violate his/her human dignity and Right to life. Wherefore your petitioners pray that the House of Commons will take immediate steps to enact legislation which *(a)* forbids any procedure that involves purchase or sale of human embryos, the discarding or freezing of human embryos, their use as sources of transplant tissue or as subjects for research or experiment (unless this is done solely for the benefit of the embryo concerned) and *(b)* forbids all forms of trans-species fertilisation.

My constituents hope that the House will reconsider its attitude to embryo research and pray that this petition is heeded.

To lie upon the Table.

Points of Order

9.36 am

Mr. Dennis Skinner (Bolsover): On a point of order, Mr. Speaker. You will recall that yesterday the Leader of the House, in his usual manner, made a business statement. It was very comprehensive and he outlined all the matters to be debated next week. Many of us raised other issues that we thought should be on the agenda, which is normal practice. This morning, we hear that the Government intend to change one of their major pieces of legislation passed in the past two or three years—the poll tax legislation.

In view of all the speculation and the Prime Minister's private secretary briefing the media about the massive change in primary legislation on the poll tax, I suggest that it is incumbent on a Minister to come to the House to tell us what changes are to take place and whether the Leader of the House will arrange business in a different manner for next week. It is high time that the House was properly informed about these changes. The Government have a penchant for going to the press and running to the television studios, telling the world about possible changes, but they do not come here to tell the House of Commons.

Some time today, you should be informed, Mr. Speaker, about the impending poll tax changes. The poll tax legislation is detested by the great majority of the population. It is high time that we dealt with the matter properly and not outside this building.

Mr. Speaker: Order. I also heard this on the radio this morning. I must tell the hon. Gentleman that I am one of those who was not briefed on this matter. I am sure that what the hon. Gentleman has said will have been heard by the Treasurer of Her Majesty's Household, who is part of the usual channels.

Mr. Andrew F. Bennett (Denton and Reddish) *rose*——

Orders of the Day

Road Traffic (Temporary Restrictions) Bill

Not amended (in the Standing Committee), considered.

New clause 1

TEMPORARY RESTRICTION OF MOTOR VEHICLES ON BYWAYS

'After section 14 of the Act there shall be inserted—

"14A.—(1) The power to make an order under section 14 of this Act shall, where the road is a byway open to all traffic, be exercisable for the purpose of restricting use of the road by motor vehicles, or by motor vehicles of any class, if the authority is satisfied that it is expedient so to restrict that use in order to avoid disturbance to the surface of the road or annoyance or inconvenience to other traffic using the road, including in particular pedestrians and equestrians.

(2) The power to make regulations under section 16 shall include a power to make regulations providing that objections to an order proposed to be made under section 14 for the purposes set out in subsection (1) above may be considered at a public inquiry or hearing held to consider objections to an order under section 53 or section 54 of the Wildlife and Countryside Act 1981 which would have the effect of showing that road as a byway open to all traffic in a definitive map and statement of public rights of way.

(3) In this section "byway open to all traffic" has the same meaning as in section 127 of this Act.".'—*[Mr. Andrew F. Bennett.]*

Brought up, and read the First time.

9.38 am

Mr. Andrew F. Bennett (Denton and Reddish): I beg to move, That the clause be read a Second time.

We have ahead of us a useful day's debate on road traffic matters. By tradition, if a statement is forthcoming, it will be made at 11 am. It would be far more helpful for the Government to ensure that there was a proper statement at 11 am so that we knew what was happening on the poll tax, rather than for some of us to have to raise the matter on points of order at 11 am, which I am sure that you would feel to be unhelpful, Mr Speaker. I hope that you will use your good offices between now and 11 am to persuade the Government that they must make a clear statement so that there is no continued speculation.

That is especially important as there are local elections and the poll tax is a key issue at those local elections. After the local elections, voters should have the first opportunity to know the Government's proposals. It would be grossly unfair to the general public if there were hints about changes that might influence their votes and they were disappointed. I hope that you will use your good offices, Mr. Speaker, to ensure that there is a statement at 11 o'clock.

I understand the problems for the hon. Member for Nottingham, South (Mr. Brandon-Bravo), being ninth in the ballot. It is a bit like losing £5 and finding 5p—one is not sure whether one has had success. Ninth in the ballot is not the best position. I do not blame him totally for choosing a Bill that came from the Department of Transport, but I am a little disappointed that he did not find out whether the whole country or merely the Department of Transport and local authorities would benefit from it. It is rather a pity that he chose a Bill whose sole aim is to help bureaucrats in the Department of Transport and in local authorities and is not designed to help the general public. In fact, it makes life much worse for the general public.

The National Farmers Union, the Automobile Association and the Ramblers Association are upset about the Bill. I make it clear that, although I have no financial interest, I am a member of the Ramblers Association and I often speak on its behalf. I shall say some things on behalf of the association this morning. The Ramblers Association gives me considerable assistance.

The ramblers are upset about one point in particular. There is a useful group called the rights of way review committee, which is chaired by the hon. Member for Saffron Walden (Mr. Haselhurst). It is sad that when the Department of Transport was bringing forward the Bill it made no attempt to consult the rights of way review committee to discover its views on the matter. I am a little unhappy about the way in which the Bill has come about.

As the proceedings continue, we may be able to negotiate some compromises, but it would have been far better if all the negotiations had taken place before the Bill was introduced for Second Reading. It would have been much more helpful for me if the hon. Member for Nottingham, South had got on with the negotiations before Easter, when I suggested that he should negotiate with the ramblers rather than leave it until the past day or two.

The problem is that, as Friday approaches and one must speak on a Bill on that day, one must do quite a bit of work. As one starts to dig into most pieces of legislation, one often finds that there is rather more in them than was thought and one begins to think, "Perhaps we should press this point and that point." The purpose of the new clause is to do that very thing.

The hon. Member for Nottingham, South should have put into the package something for the Department of Transport, something for local authorities to reduce bureaucracy, and something for the many people who walk in the countryside. He should have put in something for the farmers who look after the countryside, and he should have at least consulted major groups such as the AA.

The hon. Gentleman should also have been quite clear in saying that this is not a Bill to save money. The worry in my mind and in the minds of ramblers is that, with all the pressures of the poll tax, the Bill will make it easier for local authorities to defer repairing roads, replacing footbridges over rivers, and so on. Of course it would help if at this stage we knew a little more about the Government's proposals on the poll tax and whether the Government propose to keep the main thrust of their legislation, which is to discourage local expenditure—something that I find extremely worrying.

Mr. Roy Beggs (Antrim, East): Does the hon. Gentleman agree that not only are the Government endeavouring to dissuade local expenditure but we in the north of Ireland, where there is an entirely different rating system, have discovered that there has been falling expenditure on roads for many years and that central Government expenditure——

Mr. Deputy Speaker (Sir Paul Dean): Order. I realise that the hon. Member for Denton and Reddish (Mr. Bennett) is still on his preamble, but I am sure that he will stick to the new clause.

Mr. Bennett: I appreciate that, Mr. Deputy Speaker. I felt that it was important for the House to realise that it is not a narrow Bill and that there are major implications for expenditure. There is pressure to cut expenditure. I agree with the hon. Member for Antrim, East (Mr. Beggs). In Northern Ireland, and certainly in the north-west of England, expenditure on roads and footpaths has been cut. This measure would allow delay. There should be some opportunity for redress. The substantial problem that walkers and others come across is what is now referred to in horrible initials as BOATS.

Mr. Dennis Skinner (Bolsover): As what?

Mr. Bennett: BOATS—byways open to all traffic. *[Laughter.]* The Minister may laugh, but it is causing considerable upset to large numbers of people. Perhaps the most famous person who has been campaigning about the issue is Lord Denning, but I shall refer to that matter later. I hope that the Minister will tell us what the Government will do about the problem.

The aim of the new clause is to give highway authorities —that is to say, county council, metropolitan district councils and London borough councils—enhanced powers to make temporary traffic regulation orders to restrict or prohibit the use by motor vehicles of byways open to all traffic. In other words, we are talking about the green lanes and the ancient trackways which at one time had vehicles—usually horse-drawn vehicles—going over them. In recent years, horse-drawn traffic has ceased to go over such byways and they are now often used by horse riders. There are now people who want to ride motor bikes and drive off-road vehicles on them. The clause achieves its aim by inserting a new section 14A into the Road Traffic Regulation Act 1984. Section 14 is one of the sections to be amended by the Bill. The new clause states that where the authority thinks it expedient, it can put a temporary restriction or prohibition of motor traffic on a byway open to all traffic to

"avoid disturbance to the surface of the road, or annoyance or inconvenience"

being caused by motor vehicles to other users of the way, particularly walkers and horse riders. I am afraid that the measures must be temporary. It would have been much better to table an amendment that would impose a permanant restriction. Therefore, I use the new clause as a vehicle to ask the Government what they will do.

On 23 February, during the Second Reading debate on the Rights of Way (Agricultural Land) Bill, which was introduced by the hon. Member for Gainsborough and Horncastle (Mr. Leigh), there was a useful debate on rights of way. There were many comments about the problem that horse riders and walkers were suffering as a result of some green lanes or byways being used by off-road vehicle drivers and motor bike riders. The hon. Member for Ealing, North (Mr. Greenway), who is a regular attender on Fridays, said:

"I have seen groups of riders"—

by which he means horse riders—

"stampeding along bridleways and fast cars being driven irresponsibly. Drivers rev up their cars and wreck the whole spirit of the countryside, and the people and animals within it. It should be stopped immediately.—*[Official Report,* 23 February 1990; Vol. 167, c. 1201.]

I am pleased to see the hon. Member for Walthamstow (Mr. Summerson) in his place. He said:

"It is an anomaly that because a footpath or a bridleway has at some time been used by wheeled traffic it can be used for wheeled traffic today. In the past wheeled traffic might have been a horse-drawn wagon, a medieval bullock cart or even Boadicaea's chariot, but now it means that yobs can drive their wretched jeeps and beach buggies up and down the tracks and churn them up, charging into the crops and shattering the peace and quiet of the countryside. They can ruin the soil structure of those paths all too easily. Especially with clay, once the soil structure gets deflocculated it is very difficult to restore it."—*[Official Report,* 23 February 1990; Vol. 167, c. 1207.]

The hon. Members for Norfolk, North-West (Mr. Bellingham) and for Torridge and Devon, West (Miss Nicholson) also commented on the problem.

However, the person who has received the most publicity on this issue is Lord Denning. I believe that he got himself on "Wogan". Lord Denning has been running a substantial battle against Hampshire county council over the use of green lanes. Perhaps it was as a result of Lord Denning's pressure that Hampshire county council called a conference on the subject. About 300 people attended it and put forward a series of recommendations——

Mr. Skinner: I, too, have seen references to Lord Denning and his protest, which I believe was on a fairly narrow subject. My hon. Friend will correct me if I am wrong, but I got the impression that Lord Denning was concerned only about his own little path near his own big house. My hon. Friend's new clause is seeking to deal with places such as the High Peak and the Tissington trail and other such trails in Derbyshire and in the Peak district —not too far from the areas that my hon. Friend knows well from his rambling and mountaineering. Is not my hon. Friend trying to protect such trails and biking areas that have been sponsored and provided by the Labour-controlled Derbyshire county council, and not somebody's private drive?

Mr. Bennett: I thank my hon. Friend for his intervention. There is some strength in his view, although I am sure that Lord Denning would dispute that he is motivated merely by the problems at the bottom of his own back garden, which is not exactly the sort of back garden that most of us know about. Nevertheless, Lord Denning has identified a substantial group of people throughout the country who have properties on the byways that used to be peaceful lanes but which have not been churned up.

I agree with my hon. Friend that a substantial number of such lanes are to be found in upland Britain and that they have major problems. Over the past 30 or 40 years, many such byways have ceased to carry motor vehicles and have become quiet places for walkers and horse riders. Often in the upland areas stones have fallen off walls and have blocked the road. When horses and carts used to travel along them, people picked up the stones and replaced them on the walls, but more recently that has stopped.

The surfaces of such byways were often composed of crushed or pounded stone or clay. Such surfaces are not suitable for modern motor vehicles and are certainly not suitable for off-road vehicles, which quickly churn up the surface, turning it into mud. It is distressing that an

[Mr. Bennett]

authority such as Derbyshire county council, which has an impressive record of trying to restore footpaths and to ensure that they have good surfaces, should find that the byways are quickly destroyed by vehicles. We need some system by which we can keep vehicles off traditional routeways that are not suitable for them.

Perhaps as a result of Lord Denning's pressure—or perhaps as a result of other people's concern, which has been less well publicised—Hampshire county council and the Countryside Commission held a conference on this matter in Winchester last October, which suggested that there should be Government legislation. That is the motivation behind my new clause.

I could give the Minister a series of other examples and could quote what other people have said about the problems but shall refer briefly to only one example of an old Roman road at Betws-y-coed in north Wales——

Mr. Skinner: Near the Swallow falls?

Mr. Bennett: Yes, very close to the Swallow falls. It is Sarn Helen. It is supposedly a Roman road but as any old track was attributed to the Romans in the past, I suspect that it is, in fact, medieval. Until the 1950s, it was a metal road that ran from the Miners' bridge at Betws-y-coed to Pont-y-Pant at Dolwyddelan. In the 1950s, a substantial flood severed the road a little less than a mile from its start. As a result, it was impossible for the farmers in the area to reach their farms by that old road, which in the past had been the only way up. They found a simple compromise and used a forest road. However, once people started to use the forest road, which had a much more gentle gradient and was much easier to get up, the county council had no incentive to reinstate the missing section that had been worn away. That saved the county council a lot of money. As half a dozen farmers could still reach their farms. Why reinstate the road? One can see the county council's temptation.

Indeed, my worry about the Bill is that if it gives local authorities the right to defer reinstating a road for 18 months, at the end of that 18 months the authority could say, "We have not had much fuss about people not getting through or about reinstating it. Let's go for permanent closure." That example is worrying. If, as in this case, people can get access from the Forestry Commission, the Forestry Commission might rightly feel that a county council should make some contribution towards the upkeep of the road.

Sarn Helen has not been used by vehicles for about 20 years. Tarmac has not been laid since then and the top tarmac surface has gradually been eroded by water. It is a pleasant and fairly safe walk. People taking youngsters out into the countryside to practise their map reading encourage them to use it because it is not a route from which they are likely to be easily diverted. As I have said, it is an attractive walk, but in the past two years one or two people have decided that it is a nice place to drive their jeeps. One or two jeeps can turn what is a pleasant path to walk along in both summer and winter into a muddy path.

I shall not go on for much longer because I should like the Minister at least to give us the assurance that something will be done about byways which were used by horse and cart traffic in the past and which have not been used by motor vehicle traffic. I do not know whether the Minister will be able to see his way to amending the Bill in the House of Lords in an attempt to deal with those byways, but if he cannot do so I hope that he will tell us that, following the initiative taken by Hampshire county council and the others who are concerned about this problem, the Government will bring forward some permanent legislation as soon as they can and will deal with BOATS—byways open to all traffic.

I shall listen to the Minister with interest. I hope that he will start the day by making some helpful comments that may speed our progress.

10 am

Mr. Martin M. Brandon-Bravo (Nottingham, South): I am genuinely grateful to the hon. Member for Denton and Reddish (Mr. Bennett) for airing several issues that interest ramblers, people who ride horses and anyone interested in the open countryside. However, this modest measure is not a natural place for his new clause. As he said, I was ninth in the ballot for private Members' Bills. There is a golden rule that if one is outside the first seven, one should choose a very modest measure—I underline very modest—to have the remotest chance of successfully steering a Bill through the House. The House knows that one is not guaranteed a Second Reading. Indeed, it is most unusual, when one comes lower than seventh, to choose a measure that does not have cross-party agreement. One should choose, not a major measure, but a Bill to deal with a gap in existing legislation or a matter that everyone views as modest and uncontentious but which cannot find its way into the Government's programme of legislation.

The hon. Gentleman's monetary analogy was not quite right. I suppose that I was not sure whether I had a west mark or an east mark. The hon. Gentleman spoke about uncertainty. Having listened to him, I have a funny feeling that I have picked up an east mark this morning.

The hon. Gentleman has been less than fair to my hon. Friend the Minister and the staff of the Department of Transport. Having looked around for a modest measure, I was given their absolute assurance that all the relevant parties had been consulted. Much of the consultation was done in the middle 80s—in 1987 and 1988. The delay was in finding an hon. Member such as myself with an interest in transport who was prepared to adopt not a new Bill but an amendment to an existing measure because a gap in that legislation had been identified.

While it is true that the rights of way committee has not been consulted recently, it was consulted some time ago and there was no reason to believe that what was being done was contrary to its general wish.

Mr. Andrew F. Bennett: Will the hon. Gentleman give way?

Mr. Brandon-Bravo: If the hon. Gentleman will allow me, I shall continue for a moment. It also worries me that the hon. Gentleman spoke of local authorities in such a pejorative tone. The House is always being accused of imposing decisions on local authorities or not treating them with the respect that they deserve. We are told that we should give them the right to make their own decisions as far as possible. About 15,000 orders are made on this matter every year and it would be bureaucratic nonsense to involve the Department of Transport and the Secretary of State even in a minor way in matters that rightly come within the remit of local democratically elected authorities.

All that the Bill seeks to do is to tidy up sections 14 and 15 of the Road Traffic Regulation Act 1984. However desirable it would be to deal with the other matters that the hon. Gentleman outlined, what he described in his opening remarks would need a major piece of legislation. I agree with him that over the coming 15 or 20 years, our children and grandchildren will look for a much greener approach to politics and life in general. All the matters that he described will undoubtedly be part of a wider group of green issues, whether they come under the Department of Transport or the Department of the Environment. However, if the hon. Gentleman considers my Bill carefully, he will see that it simply seeks to clean up the present bureaucratic process of repetitious notices and applications. In no way do I seek to give local authorities powers that would undermine the hon. Gentleman's proposals, with which I assure him that I agree.

Mr. Andrew F. Bennett: The Ramblers Association was not consulted and it is not happy with the proposals. It was disappointed that although it got in touch with the hon. Gentleman before Easter, he did not feel that negotiations could start then. He said that we shall have to worry about green lanes for the next 15 or 20 years. That is true, but some green lanes have been crossed by 20 or 30 people on motor bikes or in jeeps or other vehicles and have had their surfaces destroyed. The surface had probably been there for 1,000 years. When that surface has gone it cannot be restored. It is not a problem that we can put off for ever.

Mr. Brandon-Bravo: I am not in dispute with the hon. Gentleman on that. However, the problem that he describes does not sit well in this amending legislation. The type of anti-social behaviour that he describes is indulged in not only by motor cyclists crossing bridlepaths or footpaths. I represent what is technically described as an inner city seat. Anti-social behaviour of motor cyclists unlawfully using footpaths is a well known and is a major problem for the police. We shall have to address it, but it does not sit properly with this legislation.

My hon. Friend the Minister may wish briefly to comment on the wider implications of the hon. Gentleman's remarks. I should be most unhappy if my modest amending legislation were widened into what would clearly be a major piece of legislation.

The Minister for Roads and Traffic (Mr. Robert Atkins): First, I wish to address the points made about consultation. The hon. Member for Denton and Reddish (Mr. Bennett) referred to the AA. I have checked and I understand that the Tapwork report—which has nothing to do with the water industry or dancing, but is the traffic and parking consultative working party—consulted a wide variety of people, including the AA. The AA expressed no anxieties. I wonder where the hon. Gentleman obtained his information.

In general, I support the remarks of my hon. Friend the Member for Nottingham, South (Mr. Brandon-Bravo) in support of his Bill. The new clause would extend the temporary restriction powers to matters which would not be proper for a temporary traffic order. The Bill already provides for temporary action to prevent serious damage to the road. Judgments about what constitutes disturbance to the surface or annoyance and inconvenience to others are highly subjective and would take us into different territory.

The hon. Member for Denton and Reddish and my hon. Friend the Member for Nottingham, South will be pleased to hear that I share deeply their respective anxieties about the activities of certain people in vehicles in rural areas. I represent a rural constituency and live in a rural area. I resent most strongly some of the activities of some of those people. I cannot be more firm in my response.

However, as my hon. Friend says, the Bill is not the place to deal with such behaviour. I appreciate the anxieties expressed about protecting the character of byways. Traffic regulation powers can already be exercised to address such problems permanently. Rightly, they involve the normal processes of consultation—public advertisements and so on—which apply to all permanent traffic regulation orders. There is no justification for allowing the more expeditious temporary order procedure to be applied.

Mr. Andrew F. Bennett: I understand that there are procedures available, but they do not seem to work. I am sure that the Minister is aware of how many green lanes are being destroyed. It seems that no action is being taken to protect them. Virtually everyone who has spoken has given examples of the problem. What does the Department intend to do about it?

Mr. Atkins: The hon. Gentleman is right to press me. I cannot be specific at this stage except to say that I hope that he understood from my view, which in this instance is purely a personal view, that I am endeavouring to do something about the problem.

Mr. Andrew F. Bennett: What?

Mr. Atkins: The hon. Gentleman must wait and see, as my grandmother used to say to me years ago. I know that my right hon. Friend the Secretary of State has been approached——

Mr. Tony Banks (Newham, North-West): I did not realise that Asquith was the Minister's grandmother.

Mr. Atkins: Perhaps my grandmother copied what Asquith used to say years ago.

I have sympathy with what the hon. Gentleman and my hon. Friend have said, but it is not right to include the matter dealt with in the new clause in what my hon. Friend correctly, but unusually described as a modest Bill.

I accept in principle the merits of considering traffic regulation powers when the status of a byway is to be conferred under the Wildlife and Countryside Act 1981. That makes sense. It would be wrong to confuse what are distinct statutory procedures. We are looking at the possibilities of operating the two procedures more closely for administrative convenience. To handle them jointly may require changes in legislation. It would be wrong simply to overlap them as the amendment proposes.

Although the hon. Member for Denton and Reddish has not achieved all that he wants—he made a fair case which my hon. Friend the Member for Nottingham, South and I are trying to recognise—I hope that——

Mr. Donald Thompson (Calder Valley): Like the hon. Member for Denton and Reddish (Mr. Bennett), I have many green lanes in my constituency. I came to the House in the hope of hearing that the Bill would deal with the

[Mr. Donald Thompson]

motorway that runs through my constituency and the temporary orders on it. Surely the two do not lie well together. Am I right on that?

Mr. Atkins: As usual, my hon. Friend has hit the nail smack on the head. I am delighted that he has found the time to leave his constituency today to come and make that point, if no other. He is absolutely correct.

For the reasons that I have given, I hope that the hon. Member for Denton and Reddish will understand that we cannot support the new clause and that he will withdraw the motion. I hope to assist the hon. Gentleman when we debate a later amendment because some of his remarks are more relevant to it.

Mr. Andrew F. Bennett: I am a little disappointed, but not surprised that the Government cannot even tell us what they are thinking about in terms of BOATs. The Minister could at least have explored some of the possibilities. I am sure that many people who are concerned about these green lanes would have liked to hear that the Government were trying to take a step forward. The Minister might have told us that the rights of way review committee was looking at the issue. I hope that the matter will be raised with it.

The debate has offered a market to their Lordships. Although we are not sure whether Lord Denning was speaking for his own or for others' interests, I hope that one or two of their Lordships may feel that they can return to this issue, if not to include the new clause in the legislation, at least to press the Government harder on what they will do about green lanes. As I said when I intervened, they are being eroded steadily. When the top surface of such a road is ripped away, the result is mud for years to come. Then the local authority must spend money putting down hardcore, and we know about the problems of priorities for local authorities and their reluctance to spend money on that.

In view of the Minister's comments and his suggestion that at least on one of the later amendments he can be, as he said, helpful—it may be better to say slightly helpful —I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New Clause 2

TEMPORARY RESTRICTION OF FOOT AND HORSE TRAFFIC FOR TRIALS OF MOTOR VEHICLES

'After section 14 of the Act there shall be inserted—

"14B.—(1) This section applies where an authority makes an order under section 14 above to restrict or prohibit the use of a footpath or bridleway for the purpose of avoiding danger to the public which would arise from the holding of a trial between motor vehicles authorised by the authority under section 33 of the Road Traffic Act 1988.

(2) The authority shall have power, as a condition of making the order, to require the person to whom the authorisation has been granted—

(a) to provide an alternative footpath or bridleway for the traffic which will be restricted or prohibited by the order; and

(b) to defray the expenses reasonably incurred by the authority in, or in connection with, the making of the order and the provision and signing of the alternative footpath or bridleway.".'—*[Mr. Andrew F. Bennett.]*

Brought up, and read the First time.

Mr. Bennett: I beg to move, That the clause be read a Second time.

I understand the disappointment expressed at the conclusion of the previous debate by my hon. Friend the Member for Newham, North-West (Mr. Banks). I share that disappointment because I have carefully prepared fairly lengthy notes which I might have been able to turn into a lengthy speech. However, in view of the possibility that the Government will offer us a minor concession, I do not want to take up too much time. I wish to find out what the Government are doing in one or two other areas and new clause 2 deals with that.

I admit that new clause 2 is fairly obscure. There were difficulties drafting it and a I pay tribute to John Trevelyan of the Ramblers Association for his ingenuity and for understanding the law in this area so well that he managed to draft the new clause. Its aim is to get the Government to throw some light on the use of public highways for sporting activities, particularly rallying with cars.

Earlier this year Humberside county council presented a Bill which would have given it powers to close some highways and roads within its area so that the RAC rally or one of the rallies could use them. There was considerable controversy about turning Birmingham into a legal race-track on one or two weekends a year. The fact that it seems like a race-track most days is another matter. People try to legislate for such events through private Bills, of which I strongly disapprove.

10.15 am

The question is what powers the Department of Transport has to close roads for rallies or sporting events? My information is that the powers are a little obscure. What responsibilities does the Department have to provide alternative routes for people on foot or on horseback? Obviously, it is difficult to do that. Substantial numbers of people watch the RAC rally and the organisers want to ensure that they can watch in safety. Clearly, if people are to watch in safety, it does not make sense to allow them to walk across the road on which the rally is taking place. Many people do not read the newspapers carefully and do not realise that a rally is taking place. They may go out for pleasure into an afforested area, which is where the vehicles go fastest and the race is most dramatic, happen to end up where the race is taking place and be distressed to find the road closed.

Can the Minister make a clear statement about the Department's powers to close roads for trials of one sort or another? When the Government close roads for such purposes, what powers do they have to make temporary diversions for people on foot or on horseback? In particular, will the Minister tell us why we still have this odd private Bill procedure? Are the promoters, such as Humberside county council, trying to do something of which the Department does not approve? If the Department approves of the activity, why does it not use its powers to close the roads temporarily?

I am delighted that Humberside county council, in the face of opposition from walkers and others, decided to drop the Bill and not to disturb the Yorkshire moors. Obviously, I am worried about what is going on in the centre of Birmingham and the controversy that is raging over that legislation.

Mr. Tony Banks: My hon. Friend and I dislike the private Bill procedure in many respects. Does he agree that

that procedure could allow the organisers of such an event to overcome local objections to it? It will not be the Department of Transport alone that is involved in road closures—indeed it may have no locus at all in that. It is more likely to be the local authority or, in London, the Metropolitan police, and they may have strong objections. As in other areas, the private Bill procedure is a way of getting round objections from the locality. That is the prime reason why we do not like the procedure.

Mr. Bennett: I agree with my hon. Friend. It is sad that the Leader of the House has not introduced proposals to deal with private Bills. I understand that one difficulty is that he is consulting a whole series of Departments, one of which is the Department of Transport. I sympathise with the Minister for having to be here on a Friday, but if he had to deal with all the matters now being dealt with in private Bills—all the rail Bills and many other proposals—he would probably be the Minister most involved in legislation before the House and spend most of his time in Committee, probably even forgetting where his constituency was, considering the pressures that that would involve.

Some consultation must be going on between the Department of Transport and the Leader of the House as to the Department's attitude to the private Bill procedure. No doubt one of the issues that the Department has been considering is temporary restrictions on access to footpaths and bridleways when used for some trial.

I walk around the Betws-y-Coed area frequently. The Forestry Commission has pushed through a series of forestry roads in that area and they make a pretty good surface on which to walk. Often the older footpaths, which run parallel to those roads or weave a somewhat similar route across the mountainous or forested areas, have fallen into disuse and we are left with a set of footpaths which are difficult to follow and a set of forestry roads which most people use.

The Forestry Commission can earn money by allowing the RAC rally and other rallies to use forestry roads. Because of that, a complicated situation arises as the commission's private roads, through custom and practice, are now used by people on foot or on horseback.

I hope that the Minister can clear up what the Department's legal powers are regarding allowing trials on those roads. I appreciate that the new clause is somewhat obscure, but I hope that it provides an opportunity for the Minister to define exactly the legal powers of the Department regarding rallying—I believe that the technical term is "trials of speed"—on public highways used by people on foot or on horseback.

Mr. Brandon-Bravo: I am not unsympathetic to the arguments put by the hon. Member for Denton and Reddish (Mr. Bennett). They are perfectly valid, but I have less sympathy for this new clause than I had for the laudable aims contained in new clause 1.

The hon. Member for Newham, North-West (Mr. Banks) made an intervention relating to the Private Bill procedure. From the public's point of view, I hope that he agrees with me that there is great distinction between the procedure and a private Member's Bill. In this House we understand the difference, but the hon. Gentleman's comments could be misconstrued by the public. It would be a great tragedy and a diminution of our democracy if individual Members of Parliament did not have the opportunity one day a week to deal with private Members' Bills.

Mr. Tony Banks: We know that the distinction between the two procedures is a good and clear one. A private Member's Bill is a public bill and is therefore totally different from a private Bill. My hon. Friend the Member for Denton and Reddish (Mr. Bennett) and I have already referred to the problems associated with the private Bill procedure. In 1988 we produced a report containing a series of recommendations about that procedure. As my hon. Friend has already pointed out, however, we are still waiting for the Government to provide an opportunity to vote on those recommendations so that we can do something about that procedure.

Mr. Brandon-Bravo: The hon. Gentleman, who is usually so amusingly articulate, has demonstrated why the public cannot understand—at the conclusion of his remarks I am sure that they still do not understand—what on earth the difference is between a private Bill and a private Member's Bill.

The hon. Member for Denton and Reddish spoke of the difficulty of drafting new clauses. Although I am not seeking to make excuses about the adequacy of my negotiations with outside bodies and the Department of Transport, I did not seek to resolve some of the issues raised by the hon. Gentleman before the Easter recess because of the difficulty in drafting. I did not want to spoil a useful clean-up exercise by trying to draft new clauses, especially given my lack of legal knowledge and drafting ability. I am sure that such clauses would have been unsuitable.

I do not claim to be an avid follower of motor trials and I have never been, nor am I likely to be, a participant in such trials. I live in a delightful village, Barton In Fabis, on the city boundary of Nottingham. Between our village and the city we have a superb farm—it is within the city boundaries—which happens to hold motor and cycle trials within its confines. I do not know whether those trials cut across bridleways and footpaths. We can certainly hear those trials when they are held once a fortnight and that is the closest I get to participating.

I do not believe that the issues that the hon. Gentleman has raised fit the Bill, which is designed to deal with current procedures relating to temporary traffic regulations. As a result of the Bill it will be possible to prescribe the conditions with which people must comply, and failure to do so will be an offence. That should satisfy the hon. Gentleman.

A single-event trial is likely to last for one day—or, at most, two or three days. In those circumstances, any regulations necessary could be met by a five-day notice. I do not believe that a traffic order would be required. That is a major procedure and could involve an 18-month delay. Clearly that is not what the hon. Gentleman intended. That is another reason why I feel that his remarks, valid though they may be, do not fit with this Bill. It would be wrong to accept a new clause which tries to cover an event lasting one or two days when that would not need a traffic order in the first place.

I do not believe that the new clause is necessary. Even if it were, I doubt whether the power to provide alternative routes, for example, would be welcomed. On whose land would such diversionary routes run? What would happen

[Mr. Brandon-Bravo]

about consultation and objections? The new clause attempts to cover too wide an area. The hon. Gentleman has already admitted that it is fairly obscure and narrow and I hope that he will agree that it has no proper place in the Bill.

Mr. Atkins: Unlike my hon. Friend the Member for Nottingham, South (Mr. Brandon-Bravo) and the hon. Member for Denton and Reddish (Mr. Bennett) I like to watch motor racing. I participate—or, rather, used to participate—at such occasions myself. I am an avid follower of grand prix and of various other motor racing activities. There is an important distinction to be made between such activities, which are properly controlled and marshalled organisations, and the sort of activity to which the hon. Member for Denton and Reddish earlier referred of uncontrolled interruption of rural surroundings by certain people who think that making a lot of noise in a powerful car is the answer to life's problems.

The Department of Transport has no powers in relation to the closure of roads for motor racing or trial activity. I hope that that clarifies the position unequivocally.

I agree with my hon. Friend the Member for Nottingham, South that the new clause appears to be somewhat tangential to the main purpose of the Bill—even the hon. Member for Denton and Reddish recognised that.

I appreciate that section 33 of the Road Traffic Act 1988 allows motor trials to be authorised that can make incursions on to footpaths and bridleways. As my hon. Friend has said, they are likely to be very short-lived affairs. I doubt whether section 14 orders would be pertinent. A short section 14 notice might be. However, it seems more probable that suitable warning notices, or the presence of race officials—as I said, such rallies and trials are normally extremely well organised for safety purposes and in a wide variety of other ways. It is unlikely that such provisions would be less than adequate in most cases.

Given the likely short duration of trials, it also seems questionable whether the provision of alternative routes should be necessary. Even if it were, the amendment seems to be unacceptable because it appears to give a summary power to provide alternative routes whether or not they are on land in the ownership of the authority.

Detailed provisions exist in law for the diversion and creation of rights of way, with provision for consultation, advertisement and, where appropriate, compensation to landowners.

10.30 am

Mr. Andrew F. Bennett: Does the Minister accept that if such a rally is held, particularly if there is a section through a forest, it can be difficult for people to cross the route? The organisers should make sure that it is possible for people who want to get through that part of the countryside, and happen to be there on the wrong day, to cross the route. As the Minister knows a lot more about such events than I do, he will realise that the cars proceed at fairly frequent intervals, so it is not feasible to allow people to cross the route between cars because one cannot be certain how soon the next car will come along or how quickly a person will cross from one side of the route to the other. The onus should be on the people organising the rally to make sure that there is ample opportunity for people to cross the route, particularly in places such as the north Yorkshire moors and north Wales.

Mr. Atkins: I understand the hon. Gentleman's point, and the objective of new clause 2, but frankly we have to apply a measure of common sense. As I said, such rallies tend to be short lived. Clearly if there is a rally involving cars travelling at speed, people cannot walk in front of vehicles as that would be dangerous and should not be encouraged. We have to ensure that the organisations running the events make sure that they are properly marshalled. On those occasions it may be dificult for people walking in the forest, or wherever the rally is held, to cross the route of a rally or a trial. There is an element of common sense, which becomes clear when we consider the issue.

Mr. Tony Banks: Just before my hon. Friend's intervention the Minister said that there is a well-defined procedure for extinguishing rights of way. Can he tell us whether what used to be a right of way through Downing street has been extinguished? If it has not, are members of the public allowed to walk through there, and if so, how do they get through those gates?

Mr. Atkins: My hon. Friend is tempting me into highways and byways down which I should not go. There was a rather delightful book by Ashley Cooper called, "Cricket Highways and Byways" which addressed the problems——

Mr. Tony Banks: Of test matches.

Mr. Atkins: No, he was not referring to tests, he was referring to the problems experienced by cricketers in rural areas in finding fields and places to play. I understand the hon. Gentleman's point about Downing street. It fascinates me as much as it fascinates him, and I shall make some inquiries, but I am afraid that I cannot give him an answer now.

Mr. Deputy Speaker: Order. After that out-of-order interlude, we should now return to the new clause.

Mr. Andrew F. Bennett: Perhaps the Minister cannot give me an answer now, but I am sure that by the time we reach amendment No. 2, which deals with penalties, and later amendments, which deal with temporary closures, his officials will have informed him what powers have been used to close Downing street permanently or temporarily.

Mr. Atkins: However tempting it might be, I refuse to be drawn. We should return to new clause 2. Information has arrived, but I shall return to it later as I cannot read the writing.

I know that you wish us to return to new clause 2, Mr. Deputy Speaker. For the reasons that I have set out, I believe that the new clause is deficient and tangential to the Bill. In the circumstances I hope that he will agree to withdraw it.

Mr. Andrew F. Bennett: Although some issues need to be further explored, I was delighted to hear the Minister say that he has no powers to make closures for speed trials on roads. We need more information about bridleways and footpaths, but I shall not press the new clause. Although my hon. Friend the Member for Newham,

North-West (Mr. Banks) is keen to vote on the matter, perhaps we could defer a Division until 11 o'clock if there is no statement.

I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

Clause 2

SHORT TITLE, CONSEQUENTIAL REPEALS AND AMENDMENTS, COMMENCEMENT AND EXTENT

Mr. Andrew F. Bennett: I beg to move amendment No. 2, in page 2, line 11, at end insert—

'( ) In Part I of schedule 2 to the Road Traffic Offenders Act 1988 (punishment of offenders) in column 4 (punishment) for the entry relating to section 16(1) of the Road Traffic Regulation Act 1984 there shall be substituted "Level 1 on the standard scale if committed by a pedestrian on a footpath, or a pedestrian, equestrian or pedal cyclist on a bridleway or byway open to all traffic (as defined in section 127 of the Road Traffic Regulation Act 1984), or a pedestrian or pedal cyclist on a cycle track (as defined in the Highways Act 1980), level 3 on the standard scale otherwise.".'.

I hope that the Minister will accept amendment No. 2. I realise that he has gone urgently to consult to find out about the closure of Downing street, but I hope that someone will make it clear to him that, if he cannot accept the amendment today, he should urge the other place to accept a similar provision. The amendment deals with the fines that can be imposed if one insists on walking down a road, bridleway or footpath where a closure notice is displayed. Obviously, the Minister has not found out what is going on in Downing street. We are all trying to find out about the closure of the road or footpath there and what is happening about the poll tax. Perhaps we could be enlightened on both matters later.

I understand that if a part of a motorway is coned off or if a major road is closed and some enterprising motorist who thinks that the cones are unnecessary and does not understand why the road has been closed simply moves the cones to one side and drives down the road, that could cause considerable danger, first, because the motorist may not be aware that the road surface is more dangerous than it looks and, secondly, because people might be walking along the road legitimately and might suddenly be faced by a car approaching at speed. There is quite a reasonable argument for motorists incurring a substantial penalty if they ignore a temporary closure notice.

However, I am rather puzzled as to why such a draconian penalty should be incurred by a walker who ignores a temporary closure notice. It could lead to an amazing situation. One might be walking along a footpath and suddenly see a temporary closure notice. If one continues along that path when it has been legally closed, one is committing a criminal offence and becomes liable to a fine of up to £400, although I am not too sure about the scale of fines. On the other hand, if one stops at the side and turns right or left and walks for 20 or 30 yards parallel to the footpath across open land, one is no longer committing a criminal offence. The worst one could be doing is trespassing, and such matters are pursued through the civil courts. It is odd that one should be liable to a heavy penalty for ignoring a footpath closure as if it were a road.

Will the Minister consider the matter and weigh up whether it is logical to impose such a penalty? In my view, it would be virtually impossible to enforce. In my experience of walking in north Wales, I was surprised to discover that recently the Forestry Commission has applied for temporary closure notices where trees are being felled. In the past the Forestry Commission relied on the common sense of the people who were cutting down the trees to shout and make it clear to anyone in the vicinity that it was a good idea to move out of the way when a tree was coming down. If they saw trees coming down, most people would be sensible enough not to walk under or close to them. It may be that insurers have told the Forestry Commission that such a common sense approach could land it in the courts, so it had better go for temporary closure notices instead, which it has been doing.

One of the major problems with temporary closure notices is that some of them disappear. I can think of one case in which the Forestry Commission worked conscientiously to put up five notices on possible paths approaching the piece of land that it was closing. The notices told people that the paths would be closed for two months, but soon after they were put up three of them disappeared. The Forestry Commission replaced them once, but then gave up.

Several people approaching an area that was temporarily closed have tried to get through and found that closure notices were in place. I know of one person who took the common sense view, took no notice of the notices and walked straight through. It was a Sunday and there was no sign of the Forestry Commission felling trees, although it was a little unpleasant to have to walk over some of the felled branches. I suspect that that person—if I read the regulations correctly—was committing a criminal offence. I am sure that he would argue if the case came to court that there were no proper warnings and that in any case he had deviated sufficiently from the footpath because of the fallen trees to have been committing trespass, not a criminal offence.

Many of the notices put up by the Forestry Commission get damaged by the elements and cease to be visible before the order has expired. Under this legislation the notices could stay up for 18 months, but that is ridiculous since they will not remain legible that long. I suggest that the Minister think carefully about whether it is necessary to impose the higher level of penalty on people who take no notice of these orders on footpaths and bridleways. He should also consider the problem of determining when someone is on a footpath or bridleway and when he is not. I am not sure whether the width of a footpath is defined in law, but if someone took no notice of an order and walked a few feet away from the old line of the footpath it would be virtually impossible to bring a criminal prosecution against him.

I am sure that the Minister would agree that it would be silly to include in the legislation fines and penalties that could not be imposed in the courts. If he is keen to get this measure through, he should at least reduce the penalties for offences on footpaths and bridleways—that is only common sense.

The Minister will say that it keeps the Bill simple if the penalties are all the same for all roads, bridleways and footpaths, but I suggest that legislation ought to reflect common sense, not simplicity for the Minister and his officials.

Mr. Brandon-Bravo: It is perfectly true that the present penalties apply to all traffic regulation order offences, but the hon. Member for Denton and Reddish (Mr. Bennett) is missing the point, which is that these are maximum

[Mr. Brandon-Bravo]

penalties. I cannot conceive of a magistrate failing to take account of the gravity of an offence or of whether it was committed on a quiet Sunday morning. It is equally true that temporary restrictions and prohibitions need not apply to all classes of traffic. Exceptions can be made for pedestrians and cyclists whenever appropriate. If only motorised traffic needs to be restricted, the orders can make that clear, so much of the illustration that the hon. Gentleman gave the House does not apply.

I know of no other road traffic laws to which the remarks of the hon. Member for Denton and Reddish would apply. These penalties are prescribed maximums. Surely it is the seriousness of the offence that matters, not by whom it was committed. If, in the opinion of a court, a pedestrian or a horse rider has committed a serious offence, the fact that he was walking or riding a horse does not somehow make it less serious; and merely because a person who commits a minor offence is behind the wheel of a car does not make it a major offence. It is the circumstances that count. I do not believe that most of the cases that the hon. Member for Denton and Reddish described would ever come to court.

Day after day, perhaps unwittingly, we may all commit criminal offences without realising it, but we do not all go to court and face the maximum penalty. So I ask the hon. Gentleman to live in the real world and to accept that all the Bill does is prescribe the maximum penalties. It is up to the courts to decide what level of penalty to impose, but I cannot believe that magistrates will say that the maximum is the minimum.

10.45 am

Mr. Andrew F. Bennett: Of course magistrates will use their common sense, but the whole idea of prescribing levels of fine is to give them some guidance on how Parliament thinks of the seriousness of particular offences. I accept that if someone walks along a motorway, there is a strong argument for hinting to the magistrates that he should be given the highest possible fine, but, in the case of footpaths and bridleways, the House should not be hinting that magistrates should consider the maximum. They should consider much lower fines.

Mr. Brandon-Bravo: I am afraid that I cannot agree. It would be wrong of the House to second-guess the circumstances. In most of our criminal law, this House sets the maximum penalties, not the minimum sentences. The Lord Chancellor's Department sets out certain guidelines for all our courts, but we set maximum penalties and allow the courts to decide the seriousness of an offence, and that is the proper way to conduct these matters.

Mr. Atkins: My hon. Friend the Member for Nottingham, South (Mr. Brandon-Bravo), in his usual way, has dealt cogently with the argument. There is clear disagreement between my hon. Friend and me and the hon. Member for Denton and Reddish (Mr. Bennett), for the reason that my hon. Friend has already enunciated, and I do not have a great deal to add.

It is a central tenet of the criminal law that penalties relate not to the status of the offender but to the nature of the offence. We are talking about maximum penalties. In my view and that of the Government, therefore, it would weaken the deterrent considerably if low penalties were imposed for offences committed by pedestrians, cyclists and horse riders. I hope that, in the circumstances, the hon. Gentleman will agree to disagree and will withdraw his amendment.

Mr. Andrew F. Bennett: I am disappointed with the Minister's reply. To give him the opportunity to sort out what is going on in Downing street, I think that we should divide on this issue.

Question put, That the amendment be made:—

The House divided: Ayes 7, Noes 27.

Division No. 184] **[10.48 am**

AYES

Hattersley, Rt Hon Roy
Powell, Ray *(Ogmore)*
Randall, Stuart
Rees, Rt Hon Merlyn
Skinner, Dennis
Spearing, Nigel
Wise, Mrs Audrey

Tellers for the Ayes:
Mr. Andrew F. Bennett and
Mr. Tony Banks.

NOES

Arbuthnot, James
Atkins, Robert
Batiste, Spencer
Brandon-Bravo, Martin
Brooke, Rt Hon Peter
Carlile, Alex *(Mont'g)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Couchman, James
Garel-Jones, Tristan
Goodlad, Alastair
Hill, James
Irvine, Michael
Johnston, Sir Russell
Kilfedder, James
Knapman, Roger
Leigh, Edward *(Gainsbor'gh)*
Lightbown, David
Lloyd, Peter *(Fareham)*
McCrea, Rev William
Nicholson, David *(Taunton)*
Norris, Steve
Renton, Rt Hon Tim
Taylor, John M *(Solihull)*
Thompson, D. *(Calder Valley)*
Waller, Gary
Wheeler, Sir John

Tellers for the Noes:
Mr. Graham Bright and
Mr. James Arbuthnot.

Question accordingly negatived.

It appearing on the report of the Division that 40 Members were not present, MR. DEPUTY SPEAKER *declared that the Question was not decided, and the business under consideration stood over until the next Sitting of the House.*

Mr. Edward Leigh (Gainsborough and Horncastle): On a point of order, Mr. Deputy Speaker. Would you consider having the Division called again? There has been considerable confusion. It is rare to have Divisions at 10·45 on a Friday morning and there was some confusion among hon. Members about what was going on. I spoke to an hon. Member who clearly had no idea what was taking place. When the Division was called, I was at the other end of the building obeying a call of nature. I managed to get back to the Chamber in time. I had been in my place earlier in the morning and I was aware that something might be happening. If the Division were called again, it is possible that the requisite number of hon. Members would pass through the Lobbies. It would be most unfortunate if the Bill, which has wide support, were to fall because of a confused Division. As there is bound to be some dispute about the Division, Mr. Deputy Speaker, will you call it again?

Mr. Deputy Speaker: I cannot help the hon. Gentleman in that way. There was no confusion in the minds of the Tellers and the Division was conducted in a proper manner. As fewer than 40 Members voted, it is inevitable, according to our procedures, that the business on the Bill will have to stand over to another day.

Mr. Skinner: On a point of order, Mr. Deputy Speaker. It is interesting that 40 Members were not present, bearing in mind that there is a Government majority of about 150 over the official Opposition.

Mr. Leigh: This is private business.

Mr. Skinner: Yes, it is private business, but we expect Members, especially Ministers, to be present. There is an absence of Tory Members and Ministers because the Government are in a shambles over their legislation.

You will recall, Mr. Deputy Speaker, that when the sitting began at 9.30 am I raised a point of order when Mr. Speaker was in the Chair about further poll tax legislation being suggested by no less a person than the Prime Minister's Parliamentary Private Secretary as a result of the current poll tax legislation being in disarray. Mr. Speaker did not comment on whether there would be a statement at 11 am.

I am sure, Mr. Deputy Speaker, that you expect Ministers to tell the truth at all times. Earlier this week Ministers of the Department of the Environment were asked whether any changes would be made to poll tax legislation and they stated—their answers appear in *Hansard*, and one of my right hon. Friends may refer to them specifically—that there would be no changes. It appears that when those questions were being answered in the House the Prime Minister's Parliamentary Private Secretary was running around Tory Members telling them that everything would be all right and that changes would be made. Is it not——

Mr. Deputy Speaker: Order. What is the hon. Gentleman's point of order?

Mr. Skinner: I am just coming to it, Mr. Deputy Speaker.

Mr. Deputy Speaker: What is the point of order for the Chair?

Mr. Skinner: I am just coming to it, Mr. Deputy Speaker. I ask you to be patient for a moment. This is an important issue.

You will recall, Mr. Deputy Speaker, that we had a business statement yesterday. You probably heard the Leader of the House announce the business for next week.

Mr. Hugo Summerson (Walthamstow): Will the hon. Gentleman give way?

Mr. Skinner: Now we are being told that the poll tax legislation is in ruins. It is high time the Government told Mr. Speaker that they intend to make a statement about the poll tax shambles. Let us get rid of it. People outside the House—in your constituency, Mr. Deputy Speaker, and in mine—are demanding that the poll tax be dropped.

Mr. Summerson: What about the roof tax?

Mr. Skinner: Let us have a Minister come to the Dispatch Box to tell us exactly what is happening.

Several Hon. Members *rose*——

Mr. Deputy Speaker: Order. Let me deal with one point of order at a time. There has been no request for a statement. The hon. Member for Bolsover (Mr. Skinner) must use his ingenuity to raise the matter on another occasion. I hope that he will not do so during private Members' time.

Mr. Merlyn Rees (Morley and Leeds, South) Further to that point of order, Mr. Deputy Speaker. I wish that I were able to do something to bring back before the House the Road Traffic (Temporary Restrictions) Bill, which has fallen for a number of weeks. I hope that there is some way in which it can be brought back quickly before the House.

This morning, I have been answering constituents' letters about poll tax. When I asked the Minister earlier in the week whether further changes were proposed to the poll tax system, the answer was no. Those who are writing to me are not those who parade in the streets. They write because they cannot afford to pay. What am I to tell them? Should I write, "Don't worry—there is going to be a change now because the Prime Minister's Parliamentary Private Secretary has spoken"? It is a serious matter and we must have a statement as soon as possible.

Several Hon. Members *rose*——

Mr. Deputy Speaker: I am sure that the right hon. Member for Morley and Leeds, South (Mr. Rees) will use his ingenuity and his very long parliamentary experience to find a way of raising the matter.

Mr. Andrew F. Bennett: On a point of order, Mr. Deputy Speaker. The item of business that we were considering prior to the Division fell because there was not a quorum. As my hon. Friend the Member for Bolsover (Mr. Skinner) has said, it appears that Conservative Members are more interested in talking outside this place about poll tax than in coming to the House to tell us what is happening. An item of business having fallen, we now have quite a bit of time. Would it not be possible for a Minister to use that time to tell us what the Government are doing about poll tax? The hon. Member for Nottingham, South (Mr. Brandon-Bravo) could no doubt negotiate with ramblers' organisations and other bodies outside this place and reach agreement with them. His Bill could then come forward on another Friday and get through on the nod.

It is an insult to the House for Ministers to arrange for information to be given outside before it is provided in the House. Surely we should have a statement now. Will you, Mr. Deputy Speaker, through the usual channels available to the Chair, impress upon the Government that the last moment for a clear statement on poll tax is next Monday? There are people outside this place who are involved in the local elections, in which poll tax is a major issue. They want to know what the Government are doing. It is not satisfactory for the people to be going to the polls with the hint that the Government will do something about the ridiculous poll tax but not having the benefit of a clear statement from the Government. There will be people who think that they will be had if there are hints of change rather than a clear statement.

Several Hon. Members *rose*——

Mr. Deputy Speaker: Order. There is nothing that I can add to what has been said already. I remind the House that we are in private Members' time. There are many private Members' Bills, and many private Members waiting to discuss them. It would be unfair on the House to continue with these points of order. I have given a ruling. I have told hon. Members that they must find other ways of raising the matter. We must now get on with the business before the House.

Mr. David Nicholson (Taunton): Further to that point of order, Mr. Deputy Speaker. There was an extensive debate on the community charge legislation on Wednesday, in Opposition time. It was marked by very successful speeches from both my right hon. Friend the Secretary of State for the Environment and my hon. Friend the Minister for Local Government and Inner Cities, and also by the absence of any alternative policy from the Opposition.

On the point about private Members' Bills, will you, Mr. Deputy Speaker think carefully about the precedent set this morning, when an excellent and well-prepared Bill was cut down and thrust back by at least a number of weeks through the calling of a spurious Division?

Mr. Deputy Speaker: I can only say that the Division on the amendment to the private Member's Bill was in order. If the hon. Gentleman wants to draw the matter to the attention of the Select Committee on Procedure, he is free to do so.

Mr. Stuart Randall (Kingston upon Hull, West): Further to that point of order, Mr. Deputy Speaker. The circumstances surrounding the shambles that the Government are in on their poll tax legislation are quite exceptional. Ministers have stated that there will be no change, yet there have been clear reports today suggesting that there will be a change. The poll tax is having a dramatic effect on, and causing great despair to, people throughout the country. We are close to local government election day and there are political ramifications. I beg you, Mr. Deputy Speaker, to ensure that everything possible is done to get a Minister to the House to tell us and the people outside exactly what is happening with the shambolic poll tax.

Several Hon. Members *rose*——

Mr. Deputy Speaker: Order. I will take the points of order, but they must be brief. I remind the House that this is unfair to hon. Members who have business on the Order Paper for today.

Mr. Nigel Spearing (Newham, South): On a point of order, Mr. Deputy Speaker. I assure the House that I feel much better than I sound. I have given due notice to a Conservative member that tomorrow I shall be campaigning in his constituency on behalf of my colleagues. I support the view expressed by my right hon. Friend the Member for Morley and Leeds, South (Mr. Rees) because I, too, have received letters about the poll tax and I know that tomorrow I will be asked about the current position. I therefore give notice that unless the Government make a statement at 2.30 pm, as they can and should do, I shall advise electors in that constituency that the Government have ambiguous policies, that Ministers apparently do not know what the policies are, and that I ——

Mr. Deputy Speaker: Order. What is the point of order for the Chair?

Mr. Spearing: It is that I support the point made by my right hon. Friend the Member for Morley and Leeds, South that the urgency of the matter is not confined to letters. That is why there should be a statement at 2.30 pm.

Mr. James Hill (Southampton, Test): Further to that point of order, Mr. Deputy Speaker. Surely hon. Members could go through the usual channels to get a Minister to make a statement, rather than resorting to what has happened this morning—a great deal of caterwauling from Labour Back Benchers who got themselves into a terrible position by calling for a vote which then lost a Bill that they wanted. Those are rather strange circumstances.

Whitehall has already stated that reports in the newspapers are based on pure speculation and I feel that that is true. People throw in red herrings and others are willing carriers of them. In the due process of time there will no doubt be a statement, so it would be wrong today to try to force the Government's hand to make a statement based on pure speculation.

Mr. Ray Powell (Ogmore): Further to that point of order, Mr. Deputy Speaker. I sympathise with the position that you are in this morning. You are trying to protect private Members' interests as the house is due to debate a number of private Members' Bills. I have a particular interest in the Sunday Trading Bill and I hope that the House will find time to discuss it today. I declare an interest as a Member sponsored by the Union of Shop Distributive and Allied Workers.

The general rumours and the statements in the media this morning make us suspect that there will be a change in the Government's poll tax legislation. Some of my hon. Friends have, therefore, drawn your attention to very necessary points, Mr. Deputy Speaker. As you are occupying the Chair this morning, I hope that you will consider taking the information already given to you by hon. Members to Mr. Speaker and to the Government and suggesting to them that even if the statement requested at 9.30 am could not be prepared for 11 am—the usual time to interrupt business—it should at least be ready by 2.30 pm so that the whole country can be told of the proposed changes.

I have made this plea to you, Mr. Deputy Speaker, because Labour Members who have advised their constituents not to pay the poll tax, and who have been criticised for that from all quarters, may now find that they gave the right advice. If the poll tax is changed during the current period, how will councils refund the poll tax already paid? Is it a guideline——

Mr. Deputy Speaker: Order. What is the point of order for the Chair?

Mr. Powell: It is not really a point of order for you, Mr. Deputy Speaker. I have a very high regard for you and I say publicly that when you are in the Chair hon. Members have more liberty to make important points, especially those who rarely rise on points of order. You believe that we have the right to raise these points. My plea to you is to exercise your authority by asking Mr. Speaker and the Government to come to the House before the end of business today and to make a statement on this crucial issue.

Several Hon. Members *rose*——

Mr. Deputy Speaker: Order. I have allowed hon. Members on both sides of the House a good run. The hon. Member for Ogmore (Mr. Powell) has answered the point for me by making it clear that it is a matter for the Government and not for the Chair. The points raised have been heard by Government Front-Bench Members. We must now continue with private Members' business.

Mr. Tony Banks: On a point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: Order. I am not taking any more points of order.

Mr. Banks: It is a point of order about the Division.

Mr. Deputy Speaker: No.

Entertainments (Increased Penalties) Bill

Not amended (in the Standing Committee), considered.

Clause 1

INCREASE OF PENALTIES: ENGLAND AND WALES

11.17 am

Mr. Graham Bright (Luton, South): I beg to move amendment No. 1, in page 1, line 24, at end insert

'and the term, condition or restriction which is contravened imposes a limit on the number of persons who may be present at the entertainment'.

Mr. Deputy Speaker (Sir Paul Dean): With this, we may discuss the following amendments:

No. 2, in page 2, line 3, leave out 'subsection' and insert 'subsections'.

No. 6, in page 2, line 40, after 'licence', insert

'and the condition is attached under section 41(3)(b) of this Act'.

Mr. Bright: During the passage of the Bill, which has become commonly known as the acid house party Bill, concern was expressed about its possible effects on genuine promoters of concerts, because my proposals would increase penalties not only for those who fail to obtain licences, but for non-compliance with the terms and conditions imposed by local authorities. The Bill is aimed at catching the organisers of unlicensed events, who often use unsuitable premises such as warehouses, marquees, and even private houses. By so doing, they jeopardise the safety of the many thousands of young people who participate in all-night dancing.

On Second Reading and in Committee, the hon. Member for Kingston upon Hull, West (Mr. Randall) argued that the Bill would create a dangerous loophole. I shall explain the implications of removing completely the provisions for imposing higher penalties on organisers who breach licensing terms and conditions. Once in possession of a licence, the organiser would no longer be liable to pay the increased penalty for not having obtained a licence, and he would be subject only to the existing penalties of a maximum fine of £2,000 or a maximum term of imprisonment of three months. That would mean reverting to the previous anomaly whereby the penalty was so derisory and the profits from the events so large that a fine of £2,000 would represent only an incidental expense. An organiser could obtain a licence and then flagrantly disregard all its terms and conditions, placing the safety of thousands of young people in jeopardy. On a Second Reading and in Committee, I promised to reconsider and to devise a formula to overcome that loophole.

I thank the hon. Member for Kingston upon Hull, West for his diligence in discussing the issue with me, and I also thank my hon. Friend the Minister and Home Office officials for their hard work in producing the amendments now before the House.

They restrict increased penalties to organisers who breach the attendance condition. When a council issues a licence, it will stipulate a range of conditions, and the increased penalties will still apply to breaches of any limit on the attendance. There is concern among some people that my amendments weaken the Bill to such an extent that it is not as good as originally drafted. Everyone knows that

[Mr. Bright]

I should prefer to leave the Bill as it was, but I believe that with the amendments proposed it will be just as strong as it was originally.

There is a temptation for organisers to breach licence conditions to make more money, by admitting more people than the licence permits. It may cover 2,000 people, but a warehouse could—if people were crammed in with a shoe horn—accommodate 10,000. Those additional 8,000 people at £20 a head would generate an extra £160,000. If the maximum fine for such a breach is only £2,000, it would be counted merely as incidental expenditure.

The amendments ensure that an organiser breaking the attendance conditions in that way would still be subject to the increased penalties of £20,000 or six months' imprisonment, or both. My right hon. and learned Friend the Home Secretary has said that he will be tabling an order to add to our amendments the power of confiscation. Therefore, if a person appeared to go legitimate by obtaining a licence, but then disregarded its terms and conditions, it would not prove so profitable for him—given that his additional £160,000 profit would be confiscated. He would also be subject to a fine and possibly to imprisonment. The Bill as amended remains strong and will undoubtedly deter the unscrupulous operator who is willing to jeopardise the safety of young people.

Concert promoters have expressed concern at the possibility of their being caught by the Bill, which led the hon. Member for Kingston upon Hull, West to advance their views in Committee. In my discussions with concert promoters, I sympathised with their arguments, and in Committee I said that there would have to be give and take on both sides. I have given way considerably, but there remains one possible point of concern for concert promoters.

If, due to circumstances beyond their control, they were compelled to breach the admissions limit, they might find themselves in trouble. For a major pop festival somewhere in the country 60,000 tickets may be issued—and even though provision is made for additional ticket sales on the day of the event, 1,000 people or more might be left without tickets outside the venue. If the decision was made by the organisers in consultation with the police to admit those 1,000 other people, because that would be safer than having them block the roads outside and risk public disorder, technically the organisers would be in breach of the limit on numbers. However, given that that decision would be made with the co-operation of the police and possibly of the licensing authority, it is inconceivable that the promoter would risk prosecution.

Mr. Tony Banks (Newham, North-West): Will the hon. Gentleman make clear whether he is referring only to all-ticket events or also to events for which there is only an estimated attendance, with the actual number of admissions being monitored by the police? Unless admissions are strictly registered and there can be no argument about the numbers attending, all kinds of difficulties might arise.

Mr. Bright: I understand that major events are usually all-ticket. The tickets are numbered and there are methods of counting people in through the gates. Therefore, there can be no dispute about the number of admissions. The majority of people buy their tickets some time before the event, but the organisers make a fair estimate of people just turning up on the day and reserve an additional number of tickets for them. However, if there is a miscalculation and more people without tickets turn up than has been anticipated, someone has to decide that, on safety grounds—provided that more people can safely be accommodated in the arena—it is possible to admit another, say, 1,000 or 2,000 people, to a large-scale event, rather than leave them outside, blocking the roads. Such a decision must be made on the spot by the police and the organisers.

The Local Government (Miscellaneous Provisions) Act 1982 says:

> "It shall be a defence for a person charged with an offence under this paragraph to prove that he took all reasonable precautions and exercised all due diligence to avoid commission of the offence."

If, even after all that, the local authority or the police, in co-operation with the organiser, allowed extra people in and an overbureaucratic person decided to take the matter further, there is, I am told by my legal advisers, adequate defence for that. That would occur only in extreme circumstances.

11.30 am

Rev. William McCrea (Mid-Ulster): Safety must be first and foremost in importance. If the change in numbers is not made on the ground of safety, it may lead to a disaster and calls for inquiries, with claims, arguments and the allocation of blame. That disaster would have caused a nightmare for so many homes. Such changes must be made only on the ground of safety.

Mr. Bright: That point is uppermost in my mind. I am sure that the hon. Gentleman realises that, during the passage of the Bill, and during the many inquisitions to which I have been subjected by the media, I have said that my driving force is to ensure the safety of young people. That is why the amendments home in on the one area in which safety could be jeopardised by unscrupulous operators, and that is why I insist that in this area we retain increased penalties in connection with the control of the number of people who can enter a particular area, whether an outside area or an inside area such as a warehouse or other temporary accommodation, being used for dancing.

Mrs. Audrey Wise (Preston): I take the hon. Gentleman's point about the concern for safety, which we all share. Nevertheless, it is possible for good intentions to result in bad law. I am still bothered by the question asked by my hon. Friend the Member for Newham, North-West (Mr. Banks) about proof of numbers and what happens if there is a dispute. I know that the last thing that the hon. Gentleman would want is for the Bill to become a matter of disrepute through errors and controversy. Will events covered by the Bill have to be all-ticket events? If not, which events will be covered? If there is a dispute about counterfeit tickets, what will happen? I am not clear about those points, which are central to this discussion.

Mr. Bright: If the hon. Lady were to look at the terms and conditions imposed by local authorities, I am sure that she would appreciate that I am merely increasing the penalties, not changing the structure of the law. The terms and conditions are imposed by local authorities and change according to the particular event that is being licensed. The terms and conditions are constructed by the local authority on the advice of fire officers and the police

so that provisions can be made for the safety of spectators and participants. The numbers allowed are based on safety —whether the building can be evacuated quickly, for example—and on sanitary arrangements. Even a village hall that is licensed for dancing has a maximum number imposed on it.

For large events, the local authority will usually stipulate clearly the way in which the numbers are to be monitored, either by numbered tickets or by having a correct way of counting people through turnstiles or gates. We are not, of course, talking about obtaining a figure accurate to one or two. With large events, the aim is to get it about right and no one would argue with that. With illegal parties, we are talking not about 1 or 2 per cent. extra people, but about doubling, trebling or increasing even more the number of people. We are talking about people being crammed in and their lives being endangered, with the promoters making a fortune in the process. That is what has been happening at the so-called acid house parties.

The large promoters have a code of conduct. They are drawing up a new code of conduct and they bear safety very much in mind—in fact, they are as concerned as we are. I know that there is general agreement from those promoters with what I am trying to do and that they are happy with the compromise that we have reached. I repeat to the hon. Member for Preston (Mrs. Wise) that the specific terms and conditions are and must be worked out by local authorities. The House could not dream up a law to cover all the eventualities of organising an event at local level, whether in a field, a warehouse or even in an existing place of entertainment. I know that the professional organisers believe that our compromise is the way in which it should be done.

Mr. James Arbuthnot (Wanstead and Woodford): Is not the point of the Bill that it would simply increase penalties for something that is already illegal and subject to penalties? The point of increasing penalties is to avoid their becoming merely an incidental cost—a flea bite compared with the huge profit that can be made from acid house parties.

Mr. Bright: That is absolutely true, as I have explained. The main thrust of the Bill is to bring everyone within the law and to ensure that people have a licence before they run an event. We shall hit their pockets if they dare to go outside that law. The problem to date has been that the fine of £2,000 has been wholly insignificant to people who can make £250,000, so such people have ridden roughshod over the law. They have not even tried to obtain a licence and have gone ahead without one. We shall be requiring everyone to obtain a licence.

I want to satisfy the House and my colleagues who have supported me that the amendment will not create the loophole that I was frightened that we might create when we debated the matter on Second Reading and in Committee. Reverting to the existing penalties on all terms and conditions with the exception of numbers is the right way. The only way in which the unscrupulous operator can make the cash to enable him to pay an insignificant fine is for him to allow more people to attend. We have buttoned that up by ensuring that that is one condition that he has to obey. If he does not, he will be subject to the increased penalty of £20,000 or six months' imprisonment and confiscation. It would not be worth his while to break the law and jeopardise the lives of young people. The bona fide operator has nothing to fear and there is a defence if more people have to be let in to an event on safety grounds, on the advice of the police.

Mr. Hugo Summerson (Walthamstow): My hon. Friend has spoken about penalising the organiser of such parties. Assuming that it is possible to find the organiser—and that may sometimes be difficult—it may be that the event has been organised by several people. If the organisers can be traced, I presume that the maximum fine of £2,000 could not be shared among them, but would be levied on each separately.

Mr. Bright: My hon. Friend the Member for Walthamstow (Mr. Summerson) knows that I am not a legal man. I take his point about catching people. The police are confident that the investigative side of their operations can pinpoint people. Much detective work will be needed, because one does not necessarily target the first person who looks as though he may be in charge. These chaps have a long record of hiding behind others.

The cloak and dagger method of organising such events is unbelievably sophisticated. I have witnessed several recently, and I noticed that, without the Vodaphone or the Cellnet phone, the organisers might have been in trouble. The police are collating evidence and information on a regional basis and they have every confidence that they will be able to pinpoint organisers. I do not know whether the organisers would be dealt with separately, but my interpretation is that they would all be subject to the same fine. My legal advisers are nodding that that is the case. I hope that that answers my hon. Friend's point.

The amendments will enable the Bill to proceed to the other place. Having carefully taken account of all the anxieties expressed in Committee, I commend the amendments to the House.

Mr. Stuart Randall (Kingston upon Hull, West): We are here today to increase penalties to help to stamp out acid house parties, which are generally illegal. I have not heard one dissenting voice against substantially increasing the penalties. Hon. Members seem to be in complete agreement on the need for tough action against the unscrupulous promoters of illegal acid house parties whose main aim is to make money, irrespective of the law.

In terms of increased penalties, at the heart of the debate has been the extent to which the Bill should distinguish between the actions of promoters of illegal acid house parties and the actions of traditional, legitimate promoters of musical events. As it stands, the Bill is unacceptable because it fails to target the real troublemakers. It massively increases penalties for legitimate promoters of musical events whose past performance just does not warrant such heavy-handed action. The Labour party shares the views of legitimate concert promoters who regard the Bill in its current form as not only unfair but unjustified. We do not see why legitimate concert promoters should be lumped in with the promoters of illegal acid house parties whose track records are nothing short of appalling and quite irresponsible. The amendments would correct the problem, and I welcome that move.

If an event is illegal—that is, with a promoter failing to obtain a licence—the promoter will be liable to enhanced penalties, which are six months' imprisonment and/or a fine of £20,000. If, however, a promoter goes down the

[Mr. Stuart Randall]

legitimate path and obtains a licence but, with prior intent, breaks the terms and conditions of the licence by admitting more people than he should—by printing and selling more tickets—he will also be liable to enhanced penalties. Exceeding the capacity of a venue in that fashion is the only way in which increased penalties can be triggered against a promoter who has obtained a licence. If violated, all other terms of the licence will incur penalties only at the existing level—that is, a £2,000 fine and/or three months' imprisonment.

11.45 am

My legal advice suggests that there could be an ambiguity in amendment No. 4. I should be grateful if the Minister would confirm that the amendment does what the hon. Member for Luton, South (Mr. Bright) intends. That is to provide that exceeding the capacity agreement in the licence will be the only violation for which enhanced penalties will be invoked, and that violations of any of the other elements of the licence will not invoke the enhanced penalties. My legal advice suggests that the amendment could be interpreted to mean that, if the crowd capacity agreement were violated, that, as well as any other violation in the licence agreement, would be liable to increased penalties. That was not the intention of the hon. Member for Luton, South in drafting his amendment, but I should be grateful if the Minister would clarify that point.

Mr. Bright: My intention is what the hon. Member for Kingston upon Hull, West (Mr. Randall) believes it to be, and that is that increased penalties would merely be for those who broke the numbers rule. If they broke the numbers rule and other rules, they would be subject to the lower fine—that is, £2,000. That is the purpose of the amendments. I appreciate the hon. Gentleman giving me notice of his concern. I am advised that the amendments do what I want them to do, and that is merely to trigger an increased fine for those who break the numbers rule and certainly would not take account of the increased penalties for breaking any other term or condition.

Mr. Randall: I am grateful to the hon. Gentleman for making that point about his intention. Our legal advice seems to conflict. I should like the matter clarified. If my advice on the interpretation of amendment No. 4 is correct, I would expect the error to be corrected, perhaps in another place. I look forward to the Minister's comments on this rather technical legal matter.

Mr. Arbuthnot: Before the hon. Gentleman leaves that point, will he explain precisely where the ambiguity arises, because I have not been able to find any such ambiguity in my reading of the amendment, untutored as it has been? I should be grateful if the hon. Gentleman would go into that point a little further.

Mr. Randall: The advice that I have received from lawyers is that the problem arises because of the word "include" in both the original Act and amendment No. 4. This is complicated legislation. That is why I am anxious that we take more advice and ensure that the legislation fulfils the desires of the hon. Member for Luton, South, with which I utterly agree. I should like to leave that as an open question, instead of suggesting emphatically and finally that the wording is either right of wrong.

The amendment is encouraging because in its intended form it is supported by the Concert Promoters Association, which represents the promoters of such events throughout the country. It is interesting that the association also supports the notion of increased penalties for promoters of illegal—I stress the word "illegal"—acid house parties. The association feels strongly about that. It is encouraging to see concert promoters behaving so responsibly and condemning the outrageous behaviour of some of the people we described in Committee as cowboys.

It is important to recognise that there are times when a promoter has to violate the conditions of the licence in the interests of crowd control. If many additional people simply turn up to an event, what does one do with them? Does one say, "Look, you have to stay outside", because if one does, those people might go to the nearest town and cause trouble in that community. That would be unacceptable. On the other hand, the group of people could be outside the fence and start kicking it down. That would mean further trouble. Careful judgments based on practical experience must be used in such matters and sometimes additional people, over and above the number agreed in the licence, should be allowed into an event to keep the crowd calm and in good humour.

It would be absurd for a promoter to be convicted in such circumstances. Although the licence would have been violated, the promoter would, in my view, and, I am sure, in the view of the courts, have been seen to be acting responsibly. In practice, I would expect a promoter to discuss potential crowd problems with the local police officer who would attend the event and with the local authority official who might also attend. I would expect them to reach an agreement that the terms of the licence could be exceeded in the interests of safety.

In the event of an unco-operative local official or police officer not agreeing to that, the promoter would have a defence in law if, without agreement from those officials, he had to violate the conditions of the licence. I hope that such circumstances would not prevail regularly. One hopes that there would be full co-operation. As the hon. Member for Luton, South said, part of that defence arises from the Local Government (Miscellaneous Provisions) Act 1982 in which schedule 1(12)(3) states:

> "It shall be a defence for a person charged with an offence under this paragraph to prove that he took all reasonable precautions and exercised all due diligence to avoid the commission of an offence."

Although I am not a lawyer—I note that lawyers are present—I take that paragraph as meaning that in extreme circumstances a promoter could allow extra people into an event because he could show that he took "reasonable precautions" and exercised "due diligence". Will the Minister confirm that he sees that provision as a defence in such circumstances?

Will the hon. Gentleman also confirm my research that a similar defence exists in Scottish law, in section 7(3) of the Civic Government (Scotland) Act 1982? There should be consistency in the law on such defences. It is important to note that no such defence would apply to events held in central London because the London Government Act 1963 does not contain such a defence. That means that promoters in London would have to rely on the discretion of the courts and the magistracy and that they do not have the defence in law that is enjoyed by promoters who operate in the rest of the country. Clearly that is inconsistent. I should be grateful if the Minister would tell

me whether he intends to take steps to overcome that inconsistency in defence and whether he knows of any legislative vehicle that might be passing through the House that could be used to deal with it.

Opposition Members believe that, if these amendments are accepted, they will appreciably improve the structure of the Bill. Accordingly, we shall give them our support.

The Parliamentary Under-Secretary of State for the Home Department (Mr. Peter Lloyd): My hon. Friend the Member for Luton, South (Mr. Bright) has explained, in his usual thorough and balanced way, the circumstances that have led him to propose that the increased penalties for offences against the entertainment licensing laws for which his Bill provides should, where the offences concerned arise from the breach of the conditions of a licence, apply only where the condition that has been contravened is one that imposes a limit on the number of people who may be present at the entertainment.

As my hon. Friend persuasively explained, he has tabled these amendments to meet the Opposition's belief that his Bill, as originally drafted, would, in providing for the same new maximum penalty for the offences of breaching the terms and conditions of an entertainment licence as for holding an unlicensed entertainment, unjustifiably lay open the organisers of perfectly legitimate, licensed events to harsh penalties for trivial or unintentional breaches of conditions and thereby put at risk the continuation of very many of the concerts and pop festivals that they now promote.

As the hon. Member for Kingston upon Hull, West (Mr. Randall) will recall, I made it clear in Committee that the Government supported the Bill as it stood and that we considered that it was necessary to provide for substantial increases in the penalties available for both categories of offence. As has been said, the need for increased penalties to deter the organisers of illegal, unlicensed acid house parties was never in question. We supported my hon. Friend the Member for Luton, South in his contention that it was necessary at the same time to provide for the same increased penalties to apply when the terms and conditions attached to a licence were breached. He considered, as we did, that without such a provision, the way would be open for an unscrupulous organiser to obtain an entertainments licence from a local authority and then flagrantly disregard conditions imposed, for example for reasons of public safety—which was a point that worried the hon. Member for Mid-Ulster (Rev. William McCrea) in his intervention—safe in the knowledge that the increased profits that he was likely to make would more than cover the fines under current legislation.

12 noon

As I said in Committee, the authorities will not prosecute for footling transgressions. The courts are well able to distinguish between major and minor breaches of the law and adjust penalties accordingly within the maxima. That is their job and they do it every day. In other areas, their competence in doing it is seldom questioned. However, as my hon. Friend the Member for Luton, South made clear, he is anxious to meet the fears that some promoters of legitimate licensed events sincerely hold. I believe that they are unjustified. My hon. Friend has perhaps gone further to accommodate them than the Government would have liked. For example, a breach of a licence condition that fixed the permitted noise level at an event will not, if these amendments are accepted, attract the higher penalties for which the Bill provides. If our anxieties about the possible loophole that would be created if the Bill did not provide for increased penalties for breaches of licence conditions are indeed justified this may in time prove a real weakness.

We share with my hon. Friend the Member for Kingston upon Hull, West and all other hon. Members who have spoken on the Bill, including the supporters and Opposition Members who have criticised this aspect of it, the view that the overriding need is to take effective action against unlicensed events. We also recognise the value of providing an increased penalty for a breach of a licence condition in cases where the licensing authority has imposed a limit on the number of people who are permitted to attend the licensed event. I assure the hon. Member for Kingston upon Hull, West that my legal advice is that such a measure would affect only numbers and not other conditions. As he requested, I shall satisfy myself again that the advice that I have been given is absolutely correct.

For the reasons that I have stated, the arrangement in the Bill is less than the Government advised. However, I realise that it is more than the hon. Member for Kingston upon Hull, West wanted. I have been impressed by the statesmanship that he has shown in agreeing to the compromise and the constructive ingenuity of my hon. Friend the Member for Luton, South, in producing it. In such an atmosphere of agreement and cordiality it would be churlish of me to withhold the Government's blessing, not least because, even if it is changed as proposed, the Bill will still be a great improvement on the law as it stands. It would greatly increase protection for party-goers and attenders of events as well as, most importantly, the general public. In that spirit I commend the amendments to the House. However, we shall keep a careful eye on breaches of other licence conditions. Should our earlier fears prove justified, we shall certainly take action of our own to remedy any deficiencies in the legislation.

I recognise the point made so well by the hon. Member for Kingston upon Hull, West about the absence of a "due diligence" or "best endeavours" defence in the London Government Act 1963 and the Private Places of Entertainment (Licensing) Act 1967 to match its reassuring presence in the 1982 Acts that govern public entertainment in Scotland and in England and Wales outside London. The absence of such a defence is not a great practical problem, because, as I said earlier, the authorities will not hasten to prosecute for footling breaches of the law where due diligence has been exercised or where a technical offence has been committed in the interests of safety. The courts are well able to assess degrees of culpability. The scope of the Bill does not, alas, present us with an opportunity to remedy that absence. The Home Office will examine what other opportunities there might be to do so. I can answer the request of the hon. Member for Kingston upon Hull, West affirmatively. I should be glad to discuss with him and my hon. Friend the Member for Luton, South the possibility of finding a remedy outside the debate.

I have no hesitation in saying that the Bill is a good Bill, even if amended in the way that my hon. Friend the Member for Luton, South proposes. I congratulate him on bringing it this far and I congratulate the hon. Member for Kingston upon Hull, West on his contributions from the

Opposition Front Bench. I know that the hon. Gentleman feels strongly on the matter. I am glad that he and my hon. Friend managed to come to a constructive agreement. I am sure that the Bill will be valuable and useful and I hope that it will have a speedy passage through this House and another place.

Mrs. Wise: I shall not detain the House for long, although before I heard the speeches that have been made so far I had intended to detain the House for longer. When I read the report of the proceedings of the Committee on the Bill I was much impressed by the criticisms of my hon. Friend the Member for Kingston upon Hull, West (Mr. Randall). I was not aware of the careful negotiations and alterations which had taken place. At first glance I did not understand the significance of the amendments, but now I do. They have reassured me.

Labour Members always find it interesting when Conservative Members have to understand that market forces are not necessarily the best regulator in all circumstances and that the untrammelled workings of free enterprise can be damaging. If we are considering people's welfare, we must always seek a balance between market forces and the overriding needs of the community. The Bill is a good example of an instance in which Conservative Members have understood that. There was a danger that they would go too far in their zeal and enter into a measure which, as my hon. Friend the Member for Kingston upon Hull, West said in Committee, would have had a detrimental effect on all sorts of festivals which we do not want to damage.

I never go to such festivals. I detest crowds. I am very sensitive to the problem of crowd safety. I had to stand back from the issue and remind myself that those who like such events must retain their freedom to attend them. The House must not simply impose its tastes and preferences on other people.

I came to the debate in a hostile frame of mind, having convinced myself that the Bill would restrict people's freedom. However, I am reassured by the fact that the Government are not keen on the amendments. That in itself commends them to me. I am reassured and impressed by the immense amount of work that clearly has been done by my hon. Friend. I congratulate the sponsor of the Bill, the hon. Member for Luton, South (Mr. Bright), on his willingness to accommodate genuine fears. It is much better if we can come to an agreement on these matters.

I continue to have some anxieties on proof of numbers. Of course, we understand the hon. Gentleman's answer on village halls and the imposition of restrictions on them. My scepticism arises because the need to take care about numbers causes problems with judging high numbers. Although I have not participated in pop or traditional festivals, I have participated in demonstrations and know that estimates of attendance, especially at outdoor events, vary wildly. I retain some anxiety about that, but, as my hon. Friend approves of the amendment, I am willing to accept that that has at least been considered carefully.

For once I sympathise with the Government, who are worried about noise levels. Noise causes anxiety, annoyance and distress to many people. I thought long and hard about this and concluded that if the numbers aspect was satisfactorily dealt with, it would have the spin-off of probably taking care of the noise element. Many hon. Members would be willing to look carefully at matters relating to noise in any sphere and in any legislation. I certainly feel that we have not found ways of doing enough to stop noise pollution. Although I am tempted to think that many of these events are noise pollution by their very existence, I must not give way to that view. For those reasons, I am willing to accept the assurances and the work of my hon. Friend.

I should like the hon. Member for Luton, South to deal with one point when he replies. Are we imposing extra work on local authorities? If so, do they have the wherewithal to carry it out? Labour Members are worried that the House is always so willing to impose duties and responsibilities on local authorities while, unfortunately, Tory Members frequently treat us to unedifying displays of hostility towards and criticisms of them. Yet on many issues, such as this Bill, the Government are willing to accept that the local authorities are in the area, understand the circumstances, and so will do the job. Generally speaking, I agree with that, but I am worried about our willingness to give them extra work without ensuring that they have both the staff and resources to carry it out. That is my one remaining anxiety.

Mr. Andrew Smith (Oxford, East): My hon. Friend rightly spoke of the burden that may be imposed on local authorities. Is not that particularly relevant, as acid house parties have often been held in premises or on airfields or places where it is doubtful whether contributions commensurate with the nature of the disturbance have been paid to the local authority in rates? In future the uniform business rate will apply. Local authorities could well incur costs which are not covered by contributions, particularly as these events often involve only occasional use. That can put such a promoter at an advantage compared with someone who regularly offers an entertainment in proper premises, and so pays the appropriate contributions to the local authority.

Mrs. Wise: I accept my hon. Friend's valid point. He explained it so thoroughly that I shall not repeat it. It illustrates the need for the Government to ensure that they provide adequate resources through grants for all the duties of local authorities. One cannot expect a local contribution for every eventuality, especially in the circumstances that my hon. Friend outlined. We must learn the lesson that local authorities are essential and the House must ensure that they have the necessary wherewithal. That is perhaps not so much the case on this occasion, but it certainly is on many others.

Mr. Arbuthnot: Is that not a bit of a red herring, because the Bill is only about increasing penalties?

12.15 pm

Mrs. Wise: Yes, the Bill is about increasing penalities, but from listening to the speeches I understand that it is also intended that people will apply for licences. I apologise if I have got that wrong. We want local authorities to do more work. We do not want the organisers of parties to relieve local authorities of work, as it were, by not applying for licences. I do not think that my remarks are improper or unduly protracted. There is a definite interface between the responsibilities and funding of local authorities, and it is legitimate to mention it.

I accept the intentions behind the Bill. The worries that occurred to me as I read the Committee proceedings have

been assuaged. I thank the hon. Member for Luton, South, for co-operating with my hon. Friend the Member for Kingston upon Hull, West.

Mr. Bright: I shall respond briefly. The hon. Member for Preston (Mrs. Wise) said that Tory Members must recognise the need to control market forces. I run a business in the food industry and I am more than aware that we must recognise the law and work within it, not simply respond to market forces.

This is a local authority-led Bill. Local authorities want increased penalties and have campaigned for them, and I have responded to their request. The Bill does not give them more work. It provides the increased penalties to enable them to say and mean no when they refuse a licence. People will not be able to ride roughshod over them. The hon. Lady also mentioned money. In Essex alone, 90 policemen must be employed at weekends to try to control acid house parties. If we get rid of the problem, it will help local authorities in both respects. I know that local authorities will be pleased if the Bill is passed.

Amendment agreed to.

Amendments made: No. 2, in page 2, line 3, leave out 'subsection' and insert 'subsections'.

No. 3, in page 2, line 5, after 'conviction' insert—

'(a) in the case of an offence to which subsection (3A) of this section applies,'.

No. 4, in page 2, line 6, at end insert—

'(b) in any other case, to a fine not exceeding level 4 on the standard scale or to imprisonment for a term not exceeding three months or to both.

(3A) This subsection applies to—

(a) any offence under subsection (1) of this section; and

(b) any offence under subsection (2) of this section where the terms, conditions or restrictions which are contravened or not complied with include one which imposes a limit on the number of persons who may be present at the entertainment.'.

No. 5, in page 2, line 27, at end insert—

'and the terms, conditions or restrictions which are contravened or not complied with include one which imposes a limit on the number of persons who may be present at the entertainment'.—*[Mr. Bright.]*

Clause 2

INCREASE OF PENALTIES: SCOTLAND 1982 c. 45

Amendment made: No. 6, in page 2, line 40, after 'licence', insert—

'and the condition is attached under section 41(3)(b) of this Act'.

Order for Third Reading read.

12.18 pm

Mr. Bright: I beg to move, That the Bill be now read the Third time.

I thank various people who have helped to get the Bill through the House. In particular, I thank the hon. Member for Kingston upon Hull, West (Mr. Randall) for discussing the problems with me so courteously. That we have come to this arrangement shows that the normal channels, which do not usually work for private Members' business, have worked on this occasion.

I thank the Minister and Home Office officials for their work. I thank my sponsors who have stayed with me, although I have amended the Bill. I thank my private office, for whom the Bill has meant a great deal of extra work. I thank my wife Valerie and son Rupert for allowing me out all night one Saturday to do various bits of research on what acid parties are and their effect on the community.

12.19 pm

Mr. Randall: First, I welcome the co-operation that has been evident during the passage of the Bill. As a result of that, we have a better piece of legislation.

No one in the House and certainly none of those Members who participated in the Committee are in any way against young people enjoying themselves. We want people to party, but we want to ensure that we protect the venues and that those who promote events do not feel that the risks are so great that they can no longer promote them. If that happened, we could lose a number of our traditional festivals.

The upshot of all this is that everyone has won except one group—the unscrupulous, nasty, illegal acid-house party organisers. They will lose as a result of the Bill.

I know that the Minister does not have too many powers on licensing, but that system must work effectively and properly. Having looked at some of the applications, I am convinced that there are no loopholes and that local authority action is effective, although not consistent throughout the country. I hope that the Minister will be able to send a note to local authorities to get them to gee up their licensing procedures where necessary so that we achieve consistency and effectiveness throughout the country.

I am glad to say that everyone has won—the country, the House of Commons and our people. Our young people will be able to enjoy themselves, but those who ought to lose out will do so.

Question put and agreed to.

Bill acccordingly read the Third time, and passed.

Agricultural Holdings (Amendment) Bill

As amended (in the Standing Committee), considered.

Order for Third Reading read—[Queen's Consent, on behalf of the Crown, and Prince of Wales's Consent, on behalf of the Duchy of Cornwall, signified.]

Motion made, and Question proposed, That the Bill be now read the Third time.—*[Mr. Alex Carlile.]*

12.21 pm

The Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food (Mr. David Maclean): The Bill introduced by the hon. and learned Member for Montgomery (Mr. Carlile) addresses a small but important aspect of the agricultural holdings legislation about which everyone thought there was no problem prior to the Bell *v.* McCubbin ruling in the Court of Appeal last July.

As I explained on Second Reading, the extent of the loophole revealed by the ruling has not been tested in the courts, but it has caused considerable concern to tenants as they fear that it could have widespread implications and reduce their security of tenure.

Agricultural holdings legislation is an extremely complex area and it is important to consider the availability of land in the landlord and tenanted sector and to encourage future development.

Since 1984 the amount of tenanted land has continued to decline, but at a slower rate than between 1976 and 1984. The June census data is supported by the Central Association of Agricultural Valuers annual tenanted farm survey that shows that, since 1984, there have been more re-lettings than in preceding years, but with a continuing overall decline. The Agricultural Holdings Act 1984 made letting more attractive than it had been since 1976, but it is still not sufficiently attractive to halt, let alone reverse, the downward decline.

It is important to consider the main factors that may have contributed to the decline of the tenanted sector this century. First, there are the socio-economic factors such as the redistribution of wealth, economic depression and changes in class structure. Secondly, it is important to consider the effects of capital taxation, as well as the value of vacant land. Thirdly, it is important to consider the legislation that has given increased security of tenure to the tenant. Different factors have, of course, assumed importance at different times.

A recent landlord and tenant survey conducted by the Country Landowners Association suggested that the main reasons for not letting land at the present time are, in decreasing order of importance, the agricultural holdings legislation, financial and estate management reasons, the political risk, and taxation. At present therefore, the lifetime security of tenure provisions in the Agricultural Holdings Act 1986 appear to be the main disincentive. A radical change is needed if the main aim is to increase the amount of land available for letting to stem, or often to reverse, the downward trend in the tenanted sector. Much greater flexibility in the options open to landlords and tenants would seem to be essential.

I recognise that it may be extremely difficult for landowners, aspiring young farmers and existing tenants to reach a consensus on any new proposals—I appreciate that that may not be possible. My colleagues and I will be looking for some signs of agreement on the measures to be taken as the debate unfolds in the coming months. Even more important is any proposal that genuinely addresses the problem and is likely to be effective in increasing the amount of tenanted land. That will call for flexibility and goodwill on all sides. I feel it should be possible to find such a solution on the basis that existing tenancy agreements are not affected. Only an effective proposal will be worth further consideration.

The Bill is important. Part I, schedule 3 of the Agricultural Holdings Act 1986 applies only to England and Wales and it sets out the circumstances in which a landlord can serve a case B incontestable notice to quit. Until now the vast majority of notices have fallen under case B(a)—that is, on the grounds that planning permission had been obtained to use the land for a non-agricultural purpose. Under case B(b) in the 1986 Act the notice to quit can be given on the ground that the land is required for use other than agriculture for which, otherwise than by virtue of any provision of the town and country planning enactments, permission is not required. It was widely held that case B(b) related only to the Crown. Therefore, it was thought to have limited use, but it was available, for example, to the Forestry Commission if it needed to obtain the possession of land for the purposes of afforestation.

On 13 July 1989 the Court of Appeal, in Bell *v.* McCubbin, ruled that under case B(b) a private landlord could recover possession of a farmhouse which had been sublet by the tenant for residential purposes to persons employed outside agriculture and was required by the landlord for his own non-agricultural use. Although the repercussions of the ruling are likely to be much more limited than has been suggested, we understand the tenants' concerns and we recognise the spirit behind the Bill introduced by the hon. and learned Gentleman. I was therefore pleased that officials within my Department and parliamentary counsel were able to assist the hon. and learned Gentleman to refine his original text.

The amended Bill before the House will, it is hoped, make absolutely clear the circumstances when an incontestable notice to quit can be served where land is to go for use other than agriculture. In effect, the Bill provides three circumstances where an incontestable notice to quit can be served under case B. The first is where planning permission has been obtained. That is the same as under existing legislation. The second deals with cases where Parliament has given an effective permission for a particular development. It seems clear that the current Agricultural Holdings Act 1986 also covers the use of land for which an Act of Parliament not dealing generally with town and country planning grants planning permission. That is where the developer does not have to obtain planning permission from the local authority. Those circumstances, together with Crown immunity, are covered by the 1986 Act.

The Bill therefore covers circumstances in which an Act gives planning permission. It provides for private and local Acts as well as the various ways in which Parliament may, in Acts or parliamentary orders not forming part of the general town and country planning legislation, remove the need for a planning application.

As I have already said, we wish the Bill a fair wind. I am glad that my officials have been able to co-operate with the hon. and learned Gentleman in the measure. I hope that the Bill will reassure tenants, and I commend it to the House.

12.29 pm

Mr. Alex Carlile (Montgomery): I start by thanking the Minister and his ministerial colleague the hon. Member for Skipton and Ripon (Mr. Curry) for all the assistance that they and officials in their Ministry of Agriculture, Fisheries and Food have given with the Bill. Although a good attempt was made to draft a Bill which would stand scrutiny in the courts, I am sure that because of the amendments which were made in Committee as a result of the intervention by Ministers it is now a much better Bill.

Agricultural holdings legislation is always subjected to lawyers' microscopes. I feel reasonably sure that they will see a clear image when they apply their microscopes to the Bill. I am also grateful to the National Farmers Union which has given me a great deal of support in the preparation of the Bill and in ensuring that it met the need that the Minister explained a few moments ago. I am also particularly grateful to tenant farmers in my constituency. There are many small tenant farmers in Montgomeryshire in various sectors of farming. They have supported me and expressed their concern about the issues that gave rise to the Bill.

I was grateful to the Minister for his more general remarks about the tenant farming sector. I agree wholeheartedly with him, as I said on Second Reading, that a thorough-going review of agricultural tenancy law is needed. I shall do what I can to encourage a reasonable and constructive view of that issue far and wide in the farming industry, with which I have a close connection, partly because of the nature of my constituency, which I believe is pro rata the most agricultural in the entire United Kingdom, and even more agricultural in employment terms than that of the Minister's constituency of Penrith and The Border.

Agricultural tenancies need to be available on a more flexible basis if we are to have more agricultural tenancies, as we must if the industry is to retain a career structure which entices the ablest young farmers permanently into the industry rather than into what may be better paid employment. With those points in mind, it gives me great pleasure to express my thanks to all involved with the Bill.

Question put and agreed to.

Bill accordingly read the Third time, and passed.

Horses (Protective Headgear for Young Riders) Bill

Order read for resuming adjourned debate on Question [20th April] proposed on consideration of Bill, as amended (in the Standing Committee).

Clause 1

CAUSING OR PERMITTING CHILD UNDER 14 TO RIDE ON ROAD WITHOUT PROTECTIVE HEADGEAR

Amendment proposed: No. 23, in page 1, line 5, to leave out the words

'Except as provided by regulations.'—*[Miss Widdecombe.]*

Question again proposed.

12.32 pm

Madam Deputy Speaker (Miss Betty Boothroyd): We are now dealing with amendment No. 23. Mr. Gary Waller has the floor.

Mr. Gary Waller (Keighley): I do not intend to press the amendment. I beg to ask leave to withdraw the amendment.

Madam Deputy Speaker: I understand that the hon. Member did not move the amendment, so I shall have to put the Question.

Amendment negatived.

Mr. Waller: I beg to move amendment No. 13, in page 1, line 7, leave out 'on a road' and insert—

'in a place prescribed by subsection (2A) of this section'.

Madam Deputy Speaker: With this it will be convenient to discuss the following amendments:

No. 26, in page 1, line 7, leave out 'on a road'.

No. 14, in page 1, line 22, at end insert—

'(2A) Subsection (1) above applies to horses ridden in the following places—

(a) on a road, and

(b) elsewhere than on a road when ridden as part of a riding school which is open to the public.'.

No. 6, in clause 3, page 2, line 24, leave out from 'Wales' to end of line 25 and insert—

'means any highway and any other road other than a bridleway, to which the public has access and includes bridges over which a road passes.'.

No. 7, in page 2, line 26, leave out from 'Scotland' to end of line 26 and insert—

'means any way other than a waterway, bridleway or footpath, over which there is a public right of passage, and includes any bridge (whether permanent or temporary) over which, or tunnel through which, a road passes.'.

No. 18, in page 2, line 27, at end add—

'(c) includes all bridleways, tracks and rights of way.'.

Mr. Waller: The amendments are concerned with the scope of the Bill and define areas where children under the age of 14 will be required to wear protective headgear when riding a horse. Amendments Nos. 13, 26 and 14 would extend the scope of the Bill considerably from its present form and would make it an offence to ride in fields, riding schools or places other than a road without protective headgear.

While I recognise that there are dangers in riding anywhere without protective headgear, it remains a fact that there would be grave difficulties in extending the Bill in that way. For it to be enforceable the police would have

[Mr. Waller]

to be given powers of entry, for instance, and my hon. Friends who tabled these amendments might consider that it is undesirable to grant such powers for this purpose. It is also important to bear in mind that a child rider should wear protective headgear on the road because accidents there tend to be more serious than those in a field, because riders may well come into contact with traffic. There are many bad collisions between vehicles and horses on the roads, and people and horses alike can be badly injured.

Amendments Nos. 6 and 7 would exclude bridleways from the legislation. There is usually no traffic on bridleways unless there is special provision, which is rarely allowed, for a motor rally, and it is highly unlikely that children would be riding horses during one of those. In almost any circumstances one could think of there will be no vehicles on a bridleway, so it would appear consistent with the objectives of the Bill to exclude bridleways.

There could also be confusion in the minds of people who were not sure whether they were on a bridleway or in a field, whereas it would be quite clear to them that they were on a road on which traffic was being driven. That is why I am keen to see amendments Nos. 6 and 7 incorporated in the Bill, and I am glad to know that my hon. Friend the Member for Ealing, North (Mr. Greenway) finds that acceptable, as, I understand, does my hon. Friend the Minister for Roads and Traffic.

The form in which the amendments have been tabled may be defective, but I trust that they will be accepted in any case. If they need further amendment to include footpaths—I understand that footpaths can, in certain circumstances, be considered roads under the Road Traffic Act 1988—I am sure that it will be possible to effect such amendments in another place.

Mr. Harry Greenway (Ealing, North): First, I thank my hon. Friend the Member for Keighley (Mr. Waller) for the spirit in which he moved the amendment and for the compromise that he has outlined, which I am happy to accept.

Amendments Nos. 13, 26 and 14 deal with the circumstances in which it would be a legal requirement for a child to wear protective headgear. As amended in Standing Committee, the Bill limits the offence to riding on a road as defined in the Road Traffic Act 1988—a highway or other road open to the public. The amendments would have the effect of requiring the wearing of headgear anywhere. The amendments tabled by my hon. Friend the Member for Hendon, South (Mr. Marshall) would extend the offence to apply to riding schools, but the reason for limiting the offence to causing or permitting a child to ride on a road without protective headgear was the grave difficulty of enforcing the requirement to wear protective headgear on private land unless the police were given powers of entry that were considered unacceptable. I certainly regard them as such.

It is also more important that children wear protective headgear when riding on the roads because accidents on the roads tend to be more serious than those in fields. There is no doubt that the head is in much greater danger from hitting a hard road than from hitting a field, most of which are soft because they are cushioned by grass.

The main purpose of the Bill is not compromised by this limitation as children will have to have appropriate hats available. I am happy to accept the compromise position outlined by my hon. Friend the Member for Keighley in amendments Nos. 6 and 7. However, the amendments would effectively restrict the requirements to roads other than bridleways and hence exclude the requirement for children to wear headgear on bridleways.

Mr. Edward Leigh (Gainsborough and Horncastle): Does my hon. Friend have any statistics on the number of injuries to children on bridleways and footpaths as opposed to roads?

Mr. Greenway: I do not have such statistics, but I accept their relevance. Statistics about accidents to young riders are collected broadly and generally, and we well know that about 75 per cent. of such accidents occur on roads. That is a rough estimate, but in view of my long experience in these matters I ask my hon. Friend to accept it.

Mr. Waller: It may interest my hon. Friend to know that a study carried out by Dr. Michael Whitlock in the west midlands in 1986 found that 17 per cent. of accidents involving treatment of victims took place in stables, 43 per cent. occurred in fields, 23 per cent. on roads and only 4 per cent. on bridle paths. Therefore, it appears that stables and fields are much more dangerous places than bridle paths.

Mr. Greenway: I think that we are talking about different things. I know Dr. Whitlock and I also know that the statistics which he has collected relate to accidents to children with horses, but not necessarily riding them. My hon. Friend the Member for Keighley and other hon. Members will know that people do not ride horses in stables, except when leaving the stables. Many of the accidents that have occurred in stables have not involved children on horse or pony back. That is why I said that about 75 per cent. of accidents occur on roads, and I stick to that percentage.

The Bill as amended in Committee is already narrower than the Bill as presented. Many parents quite sensibly encourage their children to ride on bridleways rather than on roads. That is wise, but bridleways are not always available to children, especially those in urban areas, as I well know, and that must be taken into account. The Bill does that. There is less chance of an accident off the road because of the absence of motor vehicles. However, there is still the risk of an accident if, for example, the horse is startled by a bird or by a child falling from the horse. In such cases there is a risk if the child is not wearing protective headgear. However, in the interests of compromise I accept the prime danger of accidents being likely to occur on roads and in that spirit I accept my hon. Friend's amendments.

Mr. Andrew Smith (Oxford, East): The debate on this important matter should be informed by the evidence that is available on accidents. Perhaps the promoter of the Bill could give more details about it, because it is enormously relevant.

I was interested in the figures given by the hon. Member for Keighley (Mr. Waller) about the west midlands study carried out by Dr. Whitlock. The hon. Gentleman adduced those statistics in support of his argument and it is interesting to note that 43 per cent. of accidents happened in fields, 17 per cent. in stables, 23 per cent. on roads and 4 per cent. on bridleways.

There is a danger that the Bill is being excessively liberalised. Where there is doubt about the degree of protection that will be afforded in the light of the available statistics on accidents, we should err on the side of caution and afford maximum protection to young people rather than go the other way and unduly loosen the requirements of the Bill. That would needlessly expose young people to additional accident risk. Unless I have detailed figures that lend support to the contrary argument, I shall be inclined to make the Bill as rigorous as possible, not to make it more liberal.

12.45 pm

It is understandable that many people's perception of this important Bill will be based on experience of rural areas, where most riding takes place. I shall be interested, however, to hear evidence and argument on experience in urban areas, or urban fringe areas, where a certain amount of riding takes place, and where I can well imagine that the risks to young people will be considerably greater. That applies to footpaths as well as roads. I shall be grateful for a response to that point.

There is a world of difference between a footpath across a field in the middle of open space and a footpath adjacent to or running through an urban or industrial area. I know from examples in my constituency where riding is not uncommon in such areas. It often gives rise to certain conflicts between residents and riders. If the wearing of helmets was not obligatory for young people, they would be exposed to particular dangers. I hope that these matters will be borne closely in mind.

The general public will be expecting us to afford the maximum protection to young people. I do not think that they would support the argument that an infringement of liberty is involved. Indeed, they would expect, in the interests of young people, the maximum protection to be afforded to save young people from accidents that can be serious and tragic. That would surely be their view when the safety precaution of the mandatory wearing of protective headgear of a suitable sort would minimise the risk of serious injury.

Mr. Leigh: I support the amendment. I have considerable experience of riding in the countryside. A clear distinction must be drawn in the minds of children, and those who look after children, between the importance of encouraging people to ride as much as possible on bridleways and the dangerous practice of taking children on the public highway. There is no doubt in my mind that it is extremely dangerous in the modern world to ride a horse on the public highway. I know that it is necessary sometimes because it is not possible to get on to a bridleway without travelling the public highway first. Nevertheless, it is a dangerous practice. Children should use the public highway for riding as little as possible. If the amendment were not inserted in the Bill, that distinction would not be as clear.

Figures that have been produced by the British Horse Society show that the main danger to horse riders comes from other vehicles. The society tells us that 41 per cent. of accidents are caused by horses being frightened by a vehicle and then being hit by it. It appears that 6 per cent. are caused by a horse being frightened by one vehicle and being hit by another. Only 13 per cent. are caused by a horse shying from a shadow or a bird. Apparently 3 per cent. involve no other vehicle. It would seem that the main danger comes from other vehicles, and we are not likely to find other vehicles on a bridleway.

There is a difficulty with enforcement. I am sure that we would all like children to be encouraged to wear hats at all times when riding. All the stables that I have visited make it mandatory to wear a hard hat. Indeed, adults should wear hard hats at all times. A great deal more work needs to be done.

Some adults at the stables that I use do not wear hard hats. I do not know why. I always use a hard hat—indeed, I would not want to ride a horse without one. However, some adults never wear a hard hat and, indeed, actually hate wearing them. That is why my hon. Friend the Member for Ealing, North (Mr. Greenway) changed his original intention of having a much wider Bill. If we tried to apply the Bill to public bridleways, it would run up against the problem of enforcement, and a clear distinction would not be drawn. I am delighted that it appears that my hon. Friend is prepared to accept the amendment.

Madam Deputy Speaker (Miss Betty Boothroyd): When I put the Question, I hope that the hon. Member for Ealing, North (Mr. Greenway) will make his position clear.

Amendment negatived.

Mr. Waller: I beg to move amendment No. 8, in page 1, line 24, leave out '2' and insert '1'.

The amendment would reduce the maximum penalty for the offence from £100 to £50. It would make the penalty point one on the standard scale, rather than point two. However, I understand that the Government intend to alter the standard scale and link it to the incomes of convicted defendants, so in future defendants with substantially larger incomes than other defendants might be subject to a larger penalty than £50.

There should be consistency between the offence in this Bill and that in the Motor Vehicles (Wearing of Rear Seat Belts by Children) Act 1988. The penalty for that offence is point one on the standard scale. As I think that the offence in this Bill is of a similar order of magnitude, it would be right to have a similar penalty.

Mrs. Audrey Wise (Preston): I oppose the amendment. Indeed, I am surprised that it has been introduced because a penalty of £100 is by no means excessive, especially as it is the maximum and would not necessarily always be fully imposed. We have been told of the dangers of allowing a child to ride without wearing a hard hat. We should not say that it is important for the safety of children that they should wear a hard hat and then trivialise the offence by setting a maximum of £50. I do not accept the reasoning of the hon. Member for Keighley (Mr. Waller) about bringing the penalty in line with that for not wearing rear seat belts. His analogy falls down on at least two points.

Although Parliament made it compulsory for children to wear rear seat belts where they are fitted, they are not required to do so in other circumstances. It is not mandatory to have rear seat belts fitted, so many children do not wear them. As a child cannot be compelled to wear a non-existent seat belt, no transgression or penalty is attached. That is why the fine was fixed at a low figure. It would have been wholly unreasonable unduly to penalise car owners who are public-spirited and sensible enough to install rear seat belts in the first place, perhaps even when the child itself had loosened the belt. Heavy penalties in

[Mrs. Audrey Wise]

such cases when it is not mandatory to fit rear seat belts at all would discourage people from fitting them. The House took a logical approach in that instance, but the same arguments do not apply in respect of riding safety.

The young horse-rider is in charge of the vehicle, as it were, whereas the child passenger in a car is not. The youngster at the age of daring should be given maximum protection. The case of the 12-year-old horse rider is very different from that of the six-year-old who undoes his or her seat belt. There is much more onus on the owner of the horse, the parent, or the other responsible persons mentioned in the Bill to ensure that a hard hat is worn, because that is the only determining influence that they can exert. Once the child is on the horse, he or she is in control.

The analogy drawn by the hon. Member for Keighley with children in the back seats of cars is therefore wholly inappropriate for at least two reasons. If we reduce the penalty, we shall be belittling the Bill quite unnecessarily. I feel sure that the penalty suggested by the promoter is reasonable. I do not like unrealistic penalties being fixed because that leads to the law falling into disrepute. In this case, I believe that the generality of people would approve of the fine proposed.

I am not impressed by the argument that the basis of the scale of fines may be changed soon anyway and made commensurate with people's ability to pay. We can discuss that if and when such a change is made, and not spoil the Bill for the sake of a hypothetical situation. I hope that the promoter will persist with his original proposal and resist the amendment.

Mr. Leigh: I urge my hon. Friend the Member for Ealing, North (Mr. Greenway) to persist in his view. I must say to my hon. Friend the Member for Keighley (Mr. Waller) that the hon. Member for Preston (Mrs. Wise) has shot his arguments to pieces. We are discussing the serious matter of putting a small child in charge of a vehicle that one cannot necessarily stop when one wants to, as I know to my own personal cost.

1 pm

The Bill is good. We should insist that a child is fully protected. To set a derisory penalty of £50 for not ensuring that a child is protected would be dangerous. The arguments of the hon. Member for Preston in convincing the House that the position is not analagous to that of a child sitting in the back of a car were valid. All of us who have children and who try to strap them into their seats in the back of a car know how difficult it is to keep them in the straps, and they sometimes get out. That must have been considered by Parliament when it set the low penalty. I urge my hon. Friend the Member for Ealing, North to persist and I hope that my hon. Friend the Member for Keighley, after listening to the argument, will not press the amendment to a vote.

Mr. Roy Beggs (Antrim, East): I concur with the remarks of the hon. Members for Gainsborough and Horncastle (Mr. Leigh) and for Preston (Mrs. Wise). I am interested in the matter, having had four children and many more ponies at times at home. I know only too well how unpredictable ponies, let alone horses, can be. For that reason, we must stress the seriousness with which we address the issue. We are concerned that parents and all those involved in encouraging young people to engage in riding and horse jumping should ensure that young people have the maximum protection at all times.

I urge the hon. Member for Keighley (Mr. Waller) not to press the amendment. In Northern Ireland we take great pleasure and satisfaction in the numbers of young people who, during the week and especially on Saturdays, participate in pony gymkhanas and games. It is clearly understood that no one can participate in those events without being properly prepared and equipped for their own safety and also for the sale of the organisers' insurance. For that reason, and for the good reasons already expressed, I urge the hon. Member for Keighley not to press the amendment.

Mr. Harry Greenway: I thank the House for a good debate. We have heard most persuasive speeches from the hon. Members for Preston (Mrs. Wise) and for Antrim, East (Mr. Beggs), and from my hon. Friend the Member for Gainsborough and Horncastle (Mr. Leigh). The hon. Member for Antrim, East seemed to be saying that horses are less reliable than ponies and more likely to be skittish or difficult. I sometimes think that it is the other way round and that the smaller they are, the more difficult they can be. Like me, however, the hon. Gentleman is experienced in these matters and has his own experiences.

The amendment seeks to reduce the maximum penalty from £100 to £50. I chose the penalty of £100 to reflect the seriousness of the offence and to be consistent with the penalty for other offences, such as the maximum penalty for allowing a child to travel unbelted in the front seat of a car, which is also £100. That would enable the court to take a serious view if any adult should cause, as opposed to permit, a child to ride without protective headgear.

I am anxious to make progress and I should make it clear to the House that I have had a discussion with my hon. Friend the Member for Keighley (Mr. Waller) before this debate. I hope that he will accept the arguments of the House, which are persuasive and which persuaded me. However, I have agreed with him in advance that if he persists with the amendment I shall accept it on the understanding that the matter will be reviewed within a year in light of the way in which the Act is working. Although I hope to carry him with me to a £100 fine, on which I have strong views, to get the Bill off the ground, which is of the greatest importance, I am prepared to compromise if necessary.

Amendment agreed to.

Mr. Waller: I beg to move amendment No. 4, in page 1, line 24, at end insert—

'(3A) In proceedings against any person for an offence under subsection (1) it shall be a defence for him to show that he has used all due diligence to enforce the execution of this Act and of any regulation made thereunder.'.

Madam Deputy Speaker: With this it will be convenient to discuss amendment No. 22, in page 1, line 24, at end insert—

'(3B) In proceedings against any person for an offence under subsection (1) it shall be a defence to show that the child, or any person who has responsibility for the child, had a well founded religious or conscientious objection to the wearing of headgear specified in regulations made under this Act.'.

Mr. Waller: The amendments are concerned with defences. Amendment No. 4 is concerned with due diligence. The fact that an accused person has used due

diligence is often regarded as a defence to a charge against him. Thus, under this legislation an adult would not normally be liable because at the time he permitted the child to ride he did not know that the child would ride hatless. In similar legislation in which the offence of allowing something to happen exists, it is normally judged that the accused would not be liable. However, I am a little concerned about the word "normally". There could be circumstances in which an individual who was charged with allowing a child to ride hatless might be convicted even though he was innocent of any offence. Nevertheless, I do not wish to press the amendment to a vote, but I hope that my hon. Friend the Minister will consult further with his legal advisers to see whether any possible change is needed in the other place.

The Minister for Roads and Traffic (Mr. Robert Atkins): To hasten progress on the Bill, I give my hon. Friend that assurance.

Amendment negatived.

Clause 2

REGULATIONS

Mr. Waller: I beg to move amendment No. 9, in page 2, line 15, at end insert—

'(1A) Before making regulations under subsection (1), the Secretary of State shall consult any body which he considers to have an interest.'.

Madam Deputy Speaker: With this it will be convenient to discuss amendment No. 17, in page 2, line 16, leave out subsection (2) and insert—

'(2) No statutory instrument containing regulations under this section shall come into force until it has received an affirmative vote in each House of Parliament.'.

Mr. Waller: Amendment No. 9 is concerned with consultation as a requirement before the regulations are brought in by my hon. Friend the Minister. Amendment No. 17 is concerned with the form in which the regulations should be passed by the House. I shall be prepared to accept an assurance from my hon. Friend the Minister that he will be able to consult with all parties. Consultation is often a requirement in relation to legislation of this kind, and there are many precedents. I am sure that, if my hon. Friend is willing to give that assurance, it will be acceptable.

I should have liked to have seen the regulations subject to the affirmative procedures rather than the negative procedures of both Houses. There are particularly good reasons why that should be the case. We are entering into a new area of legal prescription, and, in publicising the new offence, it would be useful to have a requirement for a debate to take place, albeit probably at a late hour.

Also, many people who already have protective headgear or riding hats may be required to scrap them to obtain new ones that meet the requirements in the regulations. It may be helpful for hon. Members who have manufacturers of protective headgear in their constituencies to have an opportunity to debate the matter fully. Again, publicity would be useful in that regard. It would be unfortunate if the only way of ensuring a debate in the House were for an hon. Member to pray against the regulations. I realise that there are difficulties in affirmative procedures, but, when regulations were introduced for the wearing of seat belts, there was a requirement for them to be subject to the affirmative procedure. That is laid down in section 195 of the Road Traffic Act 1988, which stipulates that regulations applying to seat belts should be subject to the affirmative procedure. Therefore, there are good reasons why we should use the affirmative procedure. Again, I shall not press my amendments, but I hope that my hon. Friend the Minister will reconsider whether an amendment might be tabled in another place.

Mr. Atkins: My hon. Friend has made a persuasive case and I understand his point. He has been considerate enough to recognise the difficulties that are presented by the procedure to which he has referred. I assure him that, as we shall consult extremely widely, the difficulties that he has mentioned will be removed. I therefore urge my hon. Friend not to press his amendment on the understanding that we shall consult in those terms.

Mr. Harry Greenway: I assure my hon. Friend the Member for Keighley (Mr. Waller) that, from my discussions with the Department of Transport, I can confirm that, as my hon. Friend the Minister has said, it is clear that the Department will discuss widely before implementation. I know that the Department has already made contact with all sections of the horse world. The House knows that since 1973 I have been a member of the council of the British Horse Society, which is this country's governing body for everything to do with horses, except for horse racing. Therefore, I know that there have already been wide consultations and I assure my hon. Friend the Member for Keighley that, as the Minister has said, those consultations will continue. On that assurance, I hope that my hon. Friend will withdraw his amendment.

Mr. Waller: Although I hope that the form in which the regulations are presented will be given further consideration, on the basis of the assurances that have been given, I am happy to beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 3

INTERPRETATION

Amendments made: No. 6, in page 2, line 24, leave out from 'Wales' to end of line 25 and insert

'means any highway and any other road other than a bridleway, to which the public has access and includes bridges over which a road passes.'.

No. 7, in page 2, line 26, leave out from 'Scotland' to end of line 27 and insert

'means any way other than a waterway, bridleway or footpath, over which there is a public right of passage, and includes any bridge (whether permanent or temporary) over which, or tunnel through which, the road passes.'.—*[Mr. Waller.]*

Order for Third Reading read.

1.12 pm

Mr. Harry Greenway: I beg to move, That the Bill be now read the Third time.

In this brief speech, I should like to thank all those hon. Members who have given my Bill such close attention both in the House today and previously. I am pleased and grateful that we have been so well supported especially since it has taken a considerable time for the Bill to achieve

[Mr. Harry Greenway]

its Third Reading. As it is a crucial Bill, I should like to say a few words about why I have been so persistent in this matter.

Before doing so, I thank the Government, the Department of Transport and its officials for helping me to draft amendments and for many other kindnesses. I also thank my hon. Friend the Minister for Roads and Traffic who has been kind and helpful. In that vein, I should also like to thank my hon. Friend the Member for Gainsborough and Horncastle (Mr. Leigh) for his great kindness and especially for being prepared to stand in for me today if I had had to leave for another engagement as seemed all too likely at one time.

There will be those who will argue that riders should stay clear of roads as much as possible. I agree with that, but as the hon. Member for Oxford, East (Mr. Smith) has pointed out, it is impossible in many areas because there is not enough countryside left for all riders to stay off the roads. Indeed, there are now over 3 million regular riders in this country. However, I assure the House that many riders keep entirely clear of the roads where they are able to do so in wonderful areas such as Exmoor, Dartmoor and other areas where there is still sufficient countryside. Riders must be able to get to open land, bridleways or private land on which they can ride safely, away from motor traffic, but often the only way of getting to such land is via the roads.

Horse riding is not new. It is perhaps the most ancient sport in Britain and indeed in the world. Horses were ridden on roads before roads became populated with cars. The House has not passed any legislation to take away horse riders' rights. Horse riders continue to have equal rights to use all-purpose roads. I remind motorists of that fact as they often seem to think that they take precedence over horses and it is wrong for them to think that. That is not the legal or moral position. The horse and rider and horse user have as much right to be on the road as any motorist.

Horse riding is not a declining pastime reserved for the rich. The signs are that riding, particularly among young people is becoming more and more popular. The British Horse Society estimates that about 3·5 million people ride regularly—probably weekly. It is difficult to know how many of them become casualties in road accidents because unfortunately comprehensive information is not collected. One study in 1988 suggested that there may be about 1,500 road casualties requiring medical treatment every year. That is about four per day. Not surprisingly, accidents on roads tend to be more severe than accidents in fields or stable yards.

Among those who ride today are about 200,000 adults who learned to ride as children through a scheme for ordinary children and disabled children that I introduced in London schools while I was senior housemaster at the Sir William Collins school in King's Cross in 1964. I took boys from that school who lived in high-rise flats in King's Cross and had no contact with animals because they were not allowed to keep pets—even mice—in their homes.

The then London county council and subsequently the inner London education authority allowed me to set up a scheme to take children out riding.

Mr. Tony Banks (Newham, North-West): It was marvellous.

Mr. Greenway: As the hon. Gentleman says, it was marvellous. I shall never forget it and it continues. We brought riding to disabled children who had no other recreational pastime. Their education was often greatly facilitated by riding. for example, riding is often an incentive for the autistic child to increase its vocabulary to express its reaction to what is happening and to understand more in the way of instruction.

Mr. Banks: The hon. Gentleman knows that I have supported his Bill throughout. I wish him well in his endeavours. In view of what he said about his scheme—I know something about it—is he not sad that he voted in favour of the abolition of ILEA?

Mr. Greenway: I must not go down that road. As one who served the London county council for three years and ILEA for 20 years and later in a part-time capacity, naturally I was sad to see what was in many ways an excellent employer disappear. However, I believe that the new arrangements that have been made should and can be made to work well. In some ways ILEA failed children——

Madam Deputy Speaker: Order. The hon. Gentleman promised me that he would not go down that road.

Mr. Greenway: I am being led astray, Madam Deputy Speaker.

About a third of all riders are children. That means that more than 1 million children ride regularly, because there are 3·5 million regular riders. It is estimated that only 80 per cent. of child riders wear safety helmets or hats. That leaves one in five—perhaps 200,000 children—completely unprotected when riding. That is a serious situation. About 80 per cent. of children who wear riding hats or protective helmets may wear sub-standard or badly fitting hats. A sub-standard hat, perhaps one that does not confirm to any British safety standard, can offer only limited protection, if that. To wear a helmet that is not properly secured is pointless. It will fall off before the rider hits the ground if the rider falls from his horse or pony. The Bill addresses that important matter head-on, as it should.

Helmets may not prevent death—a rider may suffer multiple injuries—but they reduce the severity of head injury and prevent minor head injuries. Even a seemingly small bump to the head may cause considerable complications. Recovery may never be complete. I have known people who have fallen from a horse become comatose for years. One lady, Jean Sansome, who served the British Horse Society, had an unexplained accident and was comatose for five or six years. She was visited daily by her elderly mother. It was sad to see and I do not want others to suffer in that way.

As time passes I hope that the Bill will have an ever-widening impact. Children who have been required to wear a riding hat will acquire a habit which is vital to their continued success and safety as riders. They will continue to wear one as they grow older. That is the value of the Bill. Children who wear helmets on the road will continue to wear them off the road. I hope that the Bill will increase awareness among adults of the need for protective headgear while riding.

I wear a riding hat regularly. This morning, for the first time, I wore a new protective helmet——

Mr. Leigh: In the House?

Mr. Greenway: No, in Hyde park. It was comfortable, felt safe and gave extra confidence to this rider, as I am sure that it could to everyone else. I commend the Bill to the House.

1.21 pm

Mr. Waller: I shall be as brief as I can. I am glad that it has been possible to have a debate on this matter because there was no debate on Second Reading and only a brief one in Committee. Today's debate has been successful because we have had an opportunity to discuss some of the main issues. It is important that there should be debate in the House so that those outside may know that shortly the law will be changed.

I recognise that my hon. Friend the Member for Ealing, North (Mr. Greenway) feels strongly about the matter. Hon. Members will be aware that we disagree to an extent. However, we do not disagree about the rightness of children and adults wearing safety headgear on horseback. Our only disagreement is about whether the law should intervene and make it a legal requirement. At all times I am in favour of avoiding using the law unless it is absolutely necessary. There is still scope for personal responsibility. I am certainly against the nanny state. On the basis of this legislation, it would be possible to extend the law into many other areas concerning prescription affecting the responsibility of the individual.

Nevertheless, I recognise that the arguments relating to children are different. It can be argued that sometimes children need protection against irresponsible parents or guardians, and I agree with my hon. Friend to that extent. The case for legislating for children is different and certainly stronger.

We must consider priorities. Every day there are many accidents on the roads that require medical help. Sadly, 161 involve pedestrians, 71 pedal cyclists, 117 motor cyclists and 468 car users compared with four involving horse riders. The Department of Transport has said:

"resources have to be directed at the major road safety problems."

Bearing in mind that publicity, quite apart from legislation, can have a good effect, it would in my view be better to confine legislation to areas where there are large casualty totals.

I am sure that my hon. Friend the Member for Ealing, North is aware that if there had been Divisions in the House today it might not have been possible to obtain a quorum. I hope that he will recognise that a certain amount of goodwill has been expressed today and that compromise is in the air—invariably that is a good thing in the House. I wish him well with his Bill.

1.25 pm

Mr. James Arbuthnot (Wanstead and Woodford): I agree with my hon. Friend the Member for Keighley (Mr. Waller); I had similar reasons for objecting to the Bill being given a Second Reading without any discussion several weeks ago. Since that time, many sensible representations have been made to me and many sensible amendments have been made to the Bill.

I agree that children are in a different category from adults and that, in many cases, they should be protected from themselves. For that reason, I wish the Bill well.

An important message should go out from the House today: all riders, not just children, and not just those riding on roads, would do well to wear a hard hat at all times. If that message is sent out, we will have done well.

Question put and agreed to.

Bill accordingly read the Third time, and passed.

Sunday Trading Bill

Order for Second Reading read.

1.26 pm

Mr. James Couchman (Gillingham): I beg to move, That the Bill be now read a Second time.

Given that my Bill is number five on the Order Paper for today I am delighted that I have some time to bring this important matter to the attention of the House once again. The Sunday trading laws have been debated in the House for almost two centuries and it is fair to say that they have always been controversial. I have no doubt that those who oppose my proposals will seek to speak today.

People who believe that this subject will go away should venture out on a Sunday to visit the busy garden centres, do-it-yourself superstores, video shops and convenience stores. They should also consider what is happening in our courts. The owners of small neighbourhood shops are being prosecuted for selling toilet rolls and a video shop run by a husband and wife was fined for renting a film that could be legally seen at a cinema or broadcast by a television company. A garden centre has been prosecuted for selling garden furniture. Now we are witnessing the personal prosecution of company directors and I have heard it said that they should go to prison, but for what? Merely for selling to the public what the public want to buy in shops and stores that never existed when the basis for our present restrictions was approved by the House 54 years ago.

Matters in the courts have been further complicated by a recent judgment handed down by the European Court on 23 November. Some claim that that judgment has clarified the issue, but leading lawyers, and now judges, disagree. What is more, judges are beginning to complain that they are being required to interpret legislation that should have been reformed by the House long ago. I fear that they will hand out different judgments in different cases because we have failed to grasp the issue. It has become increasingly clear that we may face a constitutional problem in our courts as they struggle to interpret law that the House has failed to reform.

I hope that the House will forgive me if I read out the recent opinion of learned counsel which is important:

"I consider that the court's judgment does impose material legal constraints on the application of the Sunday trading provisions of the Shops Act 1950. The national courts will first have to determine whether the application of the Shops Act in the instant case"—

the case before the European Court—

"would have any effect on imports of goods from other member states. If there is such an effect it must then proceed to the following considerations; it must then decide, as a matter of English law, what are the objectives of the relevant provisions of the Shops Act legislation. That may well be a complex exercise, at least in the first few cases and any subsequent appeals, although eventually, no doubt, clarification will be established. The courts will then have to consider whether in the instant case the adverse effect of the Sunday trading laws on EC imports is disproportionate in the sense that the adverse effect on such imports could be reduced or eliminated altogether by other legislative provisions which would no less effectively meet the relevant objectives. That may be a complex exercise which may produce different results for different products and different types of retail outlet. Again, although a body of decisions may evolve over time, the process will be longer and more complicated. Lastly, the court may have to consider the motive for the prosecution. A discriminatory prosecuting policy could also render a prosecution contrary to Community law."

Evidence has often been put before the House that the laws that restrict Sunday trading have never been observed and certainly have never been properly enforced. Figures put before the House by my hon. Friend the Minister of State for the Home Department show that in 1988 there were only 444 prosecutions. There are 514,000 shops in England and Wales, according to an examination of the returns made by valuation officers at the Inland Revenue. Research shows that on average, at least 12 per cent. or 60,000 of those shops are open for business every Sunday, with almost all of them selling some or most of their goods illegally under the present law.

There are 401 local authorities with a statutory duty to prosecute and as a handful of those authorities take out several prosecutions against single companies it is easy to conclude that there is not an average of even one prosecution per authority per year.

Local authorities such as the city of Coventry admit that between 400 and 500 shops are open and trading illegally—or 15 per cent. of the total number of shops. The local authority said that many of those shops "stock non-permitted goods", yet it admits that in 1989 it prosecuted only eight traders covering 11 shops and stores. Although 15 per cent. of the shops in Coventry are open, only 2 per cent. of that number were prosecuted.

The city of Cambridge, having prosecuted a large do-it-yourself superstore, while ignoring a large garden centre next door, and after it was pointed out that councillors had decided to open shops at Addenbrooke's hospital, has now decided to prosecute those shops with a view to closure. Yet the council is still prosecuting only a small proportion of the more than 11 per cent. of its shops that are open and breaking the law.

The city of Southampton, having decided to employ a full-time enforcement officer, finds that he has prosecuted shops on a new quayside development which was developed for the sole purpose of attracting tourism to Southampton. The shops were opened to meet tourist demands. If those shops have to close, no doubt tourists will be less inclined to make Sunday visits. Yet Southampton still prosecutes only a small proportion of more than 150 shops that are open and trading illegally.

Mr. Andrew Smith (Oxford, East): Does the hon. Gentleman accept that as long as that is the law, it should be obeyed? Moreover, local authorities are obliged to enforce the law in a fair, thorough and even-handed fashion, and, where that is not happening, it is regrettable.

Mr. Couchman: I cannot take issue with the hon. Gentleman's comment that local authorities should be prosecuting in a fair, open and even-handed manner. However, that is not what is happening. Local authorities are seeking to make an example of particular large companies which they feel may be more susceptible to conviction than small shops, and they do not wish to offend those people who keep small shops and trade illegally. Of course I wish to see the law upheld, but the law is not being upheld at present. It comes ill from Opposition Members who have a substantial number of colleagues who do not wish to obey the law in regard to the community charge to hold forth about upholding the law.

South Somerset district council——

Mr. Ray Powell (Ogmore): You have just admitted yourself that the shops that are open are blatantly breaking the law. When you referred to the community charge——

Madam Deputy Speaker (Miss Betty Boothroyd): Order. I remind the hon. Gentleman that he should speak to the hon. Member for Gillingham (Mr. Couchman) through me. He should not accuse me of all these things.

Mr. Ray Powell: I am sorry, Madam Deputy Speaker. In the hon. Gentleman's reply to my hon. Friend the Member for Oxford, East (Mr. Smith), he suggested that some Opposition Members might refrain from paying the community charge. It may prove in due course that their advice is right, because it appears that the Government are going to change their mind about the community charge.

The question is whether shops—large, small, grocery or corner shops—should infringe the Shops Act 1950. I know of the hon. Gentleman's regular and loyal support for the Prime Minister, who has often preached from the Dispatch Box that we should not break the law, so he, she, and all Tory Members should be upholding the Shops Act. The fact that many shops are breaking the law and that not many local authorities are prosecuting does not justify breaking the law.

Mr. Couchman: I suspect that the hon. Gentleman's long intervention allows us a clear insight into his views, for which he is well known and well respected. I am not advocating breaking the law. My Bill seeks to change a law that is obsolete, in disarray and in disrepute, by virtue of the fact that so many of our shops open with apparent impunity against its enforcement. I am seeking to introduce a Bill that would sensibly alter, in a compromise fashion, the basis of Sunday trading——

Rev. William McCrea (Mid-Ulster): The hon. Gentleman has expressed his opinion that the Shops Act 1950 is held in disrepute. Is he aware that on 23 November 1989 the European Court of Justice upheld the validity of that Act, which certainly does not suggest that it is held in disrepute?

Mr. Couchman: The hon. Gentleman may not have been in his place when I mentioned that judgment; I said that it was held in some quarters to have clarified the law, but the lawyers are already disagreeing about whether it has. We could have a fruitless but long-winded argument about whether lawyers ever agree on anything.

South Somerset district council—Yeovil, to those who do not know where it is—has taken out 100 prosecutions in three years against two traders. Some of the summonses were issued without the council even bothering to collect evidence—yet South Somerset collects rents from five shops that it owns which break the law every Sunday and which have never been prosecuted.

Furthermore, when taking a decision to prosecute another trader, councillors were given incorrect advice by their officers. They were advised that comments by a Crown court judge in Northampton were a judgment, binding upon local magistrates, from the Court of Appeal.

I give hon. Members these details from four local authorities to show just how complicated and unfair the position has become. We have a duty to find a balance between the reasonable needs of the consumer, the desire of traders to open their shops and stores, the wish of shopworkers to work and the wish of some to keep Sunday as a special day with a different rhythm from other days of the week.

In 1984 the House gave a majority of 120 to a motion accepting the Auld committee report, which came down firmly in favour of sweeping away all restrictions, thus giving England the same basis of law as Scotland has enjoyed for many a long year. However, less than two years later the House rejected the proposals put forward by the Government in their Sunday Trading Bill which was intended to give legislative power to those recommendations.

Mindful of that decision, many of us think that it is possible to strike a compromise between all the different points of view. I accept that a compromise is never satisfactory, but the present crazy situation that I have described cannot be allowed to continue. Equally, the attempts by some people to create a re-hash of the existing law will lead to the widespread closure of shops and stores that are now open. That will be to the inconvenience of shoppers and will cause inescapable harm to workers, who will lose jobs and wages.

My Bill is based on a series of principles that can be supported by many people on both sides of the divide. First, the law should reflect today's pattern of life which has changed dramatically since the passing of the current Act in 1950 and very substantially since the principles were first put into legislation in 1936. Any change should take the form of deregulation and liberalisation of the present law to reflect what is actually happening rather than to apply further restrictions which might in any case become unenforceable in the same way as the present Act.

The special nature of Sunday should be respected by maintaining some limits which would deter many shops from opening, thereby meeting only the observable needs of people rather than trying to define them. The interests of employees should be protected. That is important both for those who want to work on Sundays and for those who do not. The emphasis should be on the smaller family and community shop rather than allowing the opening of all the shops on the high street.

The first provision in the Bill is to allow all shops to open between 12 noon and 6 pm. That achieves three objectives. First, it keeps the morning free from commercial activity. Secondly, it will of itself limit the number of shops that will find it viable to open and thirdly, it still leaves plenty of time for the shops that are open to satisfy consumer demand. From my examination of the statements of many leading retailers, I am confident that there would be only a limited demand for opening during that period. We would quickly find the adoption of the pattern that pertains in Scotland where the total absence of restrictions has found its own level. Many shops and stores open on three or four Sundays before Christmas in response to consumer demand, but they remain closed on Sundays for the remainder of the year. Research shows that about 23 per cent. of all shops in Scotland avail themslves of the opportunity to open throughout the year.

The second aim of the Bill is to amend the tourist provisions. It proposes that we take away the limits and allow local authorities to decide which shops may open under orders that they make. The provision in the current Act severely limit what can and cannot be sold, with the result that orders are clearly not observed or enforced. In addition, the Bill allows for the number of Sundays to be extended from the present 18 up to a maximum of 35. That

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should cover the season for most resorts. In many areas of the country such an extension would be of tremendous benefit to local economies and to tourists.

I am especially impressed by the submissions from the English tourist board and the British Tourist Authority which show conclusively that tourists would spend much more in shops if opportunities were available. For example, areas such as Covent Garden which attract many home-based and foreign tourists could freely open their shops. At present such shopkeepers risk prosecution, largely as a result by an orchestrated campaign of complaints by the Union of Shop Distributive and Allied Workers.

Rev. William McCrea: Hear, hear.

Mr. Couchman: I am grateful to the hon. Gentleman.

The Bill's third provision is primarily concerned with smaller shops. That is a most important area because such shops represent 98 per cent. of those that are currently open on Sundays. They range from tiny newsagents to moderately sized convenience stores.

Mrs. Audrey Wise (Preston): The hon. Gentleman talks about 98 per cent. Is he referring to turnover or to numbers of establishments?

Mr. Couchman: Numbers of establishments.

I appreciate that to many people a floor area of 3,000 sq ft may seem large, especially when compared wth the shops that existed in 1950 or, more particularly, in 1936. If the House is to make good law, however, it is necessary to observe the reality of what happens today. Well over half of all shops that open on Sundays and break the current law are in excess of 2,000 sq ft. To set any size below that would automatically eliminate them. Furthermore, the demands of the market place are pushing many more businesses to convert to that size. That is especially so for petrol filling forecourts where there has been a tremendous growth in the number of shops that are open for long hours, to the great convenience of the consumer. Size is important, and any size limitation will always produce borderline cases. I am assured by those who run businesses that their assessment is that 3,000 sq ft will be adequate to meet the demands of today and of tomorrow.

It is necessary to retain some listing of goods, and we find that 85 per cent. of all shops are below 3,000 sq ft. Observation of what the large convenience store is selling shows that most of the items listed in paragraph 5 of schedule 1 are included. There are also specialist shops such as those that rent video cassettes. I understand that about 2 million video cassettes are rented every Sunday, three quarters of them from specialist shops, nearly 5,000 of which open every Sunday. The remaining quarter are rented from convenience stores, corner shops and garage forecourt shops.

The Bill makes provision for taking certain types of shop out of the reckoning altogether. It appears that garden centres are non-controversial. Even those who oppose Sunday trading seem willing to allow them to open. As they are so varied in both size and the range of items that they sell, it seems sensible to take them out of any restrictions whatever. Similarly, there are the specialist shops that cater for all forms of recreation activity, including caravanning, boating, cycling, flying and plain driving. It seems important to deregulate them entirely by taking them outside any restrictions. They meet observable needs and demands.

There are other areas that are related to recreation and tourist activities, including churches, cathedrals, galleries, museums, historic houses, gardens, caves, caverns, zoos, aquariums and sports centres. They all cater for those wishing to undertake leisure and recreation activities in the home or in the garden, for social gatherings, for travelling and visiting and for pleasurable activities that are associated with the entire family being together.

The protection of shop workers is a controversial issue. I understand why the hon. Member for Ogmore (Mr. Powell), who sits on the Opposition Front Bench, with his long opposition to the opening of shops on Sundays, views the protection of shop workers as one of the most important factors to be set against the proposals that are contained in the Bill. What does the Bill have to offer? If we are to allow relaxation of our laws and allow shops to open and to trade on Sundays because we observe the needs of customers, we must ensure that the granting of that freedom does not intrude into the lives of shop workers and their families. First, we must ensure that those who now work on Sundays have conditions that ensure that they do not have to work for seven days a week. It is proposed in the Bill that no worker should be asked to work for more than five-and-a-half days a week, and that when they do work on Sundays they receive premium payments and-or time off in lieu.

Mr. Donald Thompson (Calder Valley) Will my hon. Friend comment on the fact that it is only shop workers who are deprived of the opportunity to work at the rates of time-and-a-half or double time? Engineers and anyone employed in manufacturing industries, who are, spuriously, so dear to the Opposition, can work on Saturdays and Sundays, Sunday evenings and Monday mornings. Those employed in the transport industry, which is, spuriously, so dear to the heart of the Opposition, work day and night. Why is it that shopkeepers should be deprived of an opportunity to earn extra income in a range of ways?

Mr. Couchman: My hon. Friend makes an extremely good point. I understand that shops that currently trade on Sunday have no difficulty in finding staff who are keen to earn additional money. That is important.

Mr. Roy Beggs (Antrim, East): Does the hon. Gentleman accept that shop assistants are among the lowest-paid workers and that there is exploitation of the need of, for example, some mothers to earn any money in addition to their income, especially those on the lower income levels, to support and sustain their children? What assurance will there be for those shop assistants who have very strong conscience grounds for not working on Sundays? What protection will they have if an employer unfairly dismisses them?

Mr. Couchman: I am glad that the hon. Gentleman asked that question because it makes it clear that his opposition to the Bill is not based on a reading of it. Had he read it, he would know that schedule 2 is devoted to a code of practice that will ensure that shop workers are not discriminated against. In particular, paragraph 3(f) refers to those who have strong religious grounds for not

working on Sundays. The schedule provides a well-argued code of practice to protect shop workers against exploitation and discrimination.

Mr. Beggs: I do not wish to damage the hon. Gentleman's opportunity to proceed, but I assure him that I have read his Bill. My experience of codes of practice is that they are not necessarily sufficient to protect employees.

Mr. Couchman: A code of practice such as that in the Bill would protect workers against discrimination. I have no doubt that if an industrial tribunal were faced with a case of someone who had been discriminated against in the way suggested by the hon. Gentleman, it would without any doubt find in favour of the employee.

Several Hon. Members *rose*——

Mr. Couchman: I must make progress. When I have finished, there will be time for other hon. Members to make their speeches. I have been generous in giving way.

I have said that those who work on Sundays must not be expected to work for seven days and that they must be adequately paid by premium payments or by time off in lieu. We must ensure that no one can be forced to work on a Sunday, or that if they do refuse that they cannot be discriminated against.

The problem must not be exaggerated. Many who now work on Sundays are Sunday-only workers. The proportion varies from shop to shop and store to store. There is evidence that the number who work only on Sundays can be as high as 80 per cent. I have spoken to senior executives in multiple stores north and south of the border that open on Sundays.

Mr. Andrew Smith: There are many problems with the suggested code of practice. I wish to press the hon. Gentleman on two points. First, what about the position of those applying for a job? What guarantee is there that they will not be asked, "Will you work on a Sunday", and that if they show any reluctance they will not be told to look for work elsewhere? Secondly, what about promotion to senior positions? We are concerned about all shop workers, including managers who will be obliged to turn out on Sundays. How will the code of practice protect their fair chances of promotion? It is in the nature of shop supervision that a senior person will need to work on a Sunday. Will not those people be badly affected?

Mr. Couchman: The hon. Member for Oxford, East (Mr. Smith) probably knows that I run a business that operates seven days a week perfectly legitimately and legally, because it is part of the licensed trade.

Mr. Tony Banks (Newham, North-West): I thought that the hon. Gentleman was meant to be a Member of Parliament.

Mr. Couchman: I shall not go down that path. The hon. Member for Newham, North-West (Mr. Banks) should know better.

When people come to me for a job, I point out to them that they will normally be expected to work on Sundays because a seven-day trading week operates in that business. People who apply for such jobs will obviously know that shops that open on Sunday may well expect them to work that day. One cannot protect job applicants in the way that the hon. Member for Oxford, East suggests.

It is hard to imagine there not being some discrimination between the potential manager who is prepared to work on Sundays and the potential manager who is not prepared to do so. In organisations in which the normal working week includes Sunday, employees who are willing to work that day are almost bound, by the nature of things, to receive preference when promotions are being considered. One cannot protect against that.

Mr. Andrew Smith *rose*——

Mr. Couchman: No, I shall not give way to the hon. Gentleman again.

The code encompassed by schedule 2 offers protection for people who do not want to work on Sunday in their present jobs. If the Bill receives its Second Reading, which I suspect it will not, I should like to see added to it a provision requiring local authorities to make observance of the code of practice a precondition of allowing Sunday opening under the wider provisions of the Bill. In other words, I want a system of local authority licensing for shops opening on Sundays, which would provide an easy method of policing and enforcing the new law.

In 1986 I supported the Government in their attempts to implement the recommendations of the Auld Committee. A number of right hon. and hon. Members had meetings with Church people and others who opposed the Government's proposition. I well remember a meeting at a church in my constituency on 14 February 1986, attended by 200 people. Although it was St. Valentine's day, love was not really in the air.

I began by inviting my audience to indicate whether on Sunday they shopped at their corner shop, bought Sunday newspapers, or used petrol stations, restaurants, or pubs. I asked which of them, being short of a pot of paint, would not visit the local do-it-yourself superstore so that they could finish the job in hand. I asked whether they expected workers in the emergency or transport services, for example, to work on Sunday.

By the time that I finished my market research on that occasion, every hand in the room had been raised at least once, and many hands were raised several times. It as clear that those people were happy to see others working on a Sunday if it was to their convenience. At the end of the evening I was told, "You have won the argument, but unfortunately one cannot be rational about some things and one takes an irrational decision." That told me a great deal about the motives of those who seek to perpetuate the existing anomalies and unenforceable provisions of the Shops Act 1950.

I am dismayed by some of the disinformation that has recently come from the Keep Sunday Special campaign. Its glossily produced spring leaflet states:

> "Mr. James Couchman, MP introduced a Private Member's Bill on 8 January in a renewed attempt to sweep away all legal restrictions on Sunday trading."

I am said to have been a strong supporter of the Government's attempts to amend the law in 1986. It is a shame that the Keep Sunday Special campaign should sell its argument short by putting out what is a blatant untruth. At that time the Bill was neither published nor printed and was in an early draft form. The organisation cannot have known what was contained in the Bill and those who have read it for today's debate will know that

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far from seeking to sweep away all regulations on Sunday trading, it seeks to put in place a sensible framework for shops to be allowed to open so that willing sellers can sell goods to willing consumers. Although I am a realist and realise that today's debate will probably not proceed to a Second Reading vote, I wanted to put——

Rev. William McCrea: Will the hon. Gentleman refer to a letter from the Keep Sunday Special campaign on 30 March 1990? Will he refer to the third paragraph, which says:

"There is therefore the likelihood that the Sunday Trading Bill will get a debate and although it is not, at this stage printed, our understanding is that it will follow the 1989 Bill tabled by Mr. Steven Norris MP."

Surely that is a wholly different reading of information from the one that the hon. Member for Gillingham (Mr. Couchman) gave to the House a moment ago.

Mr. Couchman: I am grateful to the hon. Gentleman. I do not possess the letter of 30 March from which he has just quoted. I quoted from the Keep Sunday Special campaign update of spring 1990. I am afraid that the Keep Sunday Special campaign is obviously putting out different information at different times to different people, and that is confirmation of what I have just said.

I want other hon. Members to have the chance to speak before the end of this brief debate, but I want to illustrate to the Government that it is possible to find a package of compromise proposals that will meet the needs of those who want to open shops, work and shop on Sundays, and will take account of those who have genuine concerns about the nature of Sunday. To that end, I want to report to the House that even in the brief time since the Bill has been printed, the proposals have received backing from a substantial number of important organisations that are involved intimately in the question whether shops should be allowed to open on Sundays. I instance the following: the British Incoming Tour Operators Association, the British Videogram Association, the Consumers Association, the Horticultural Trades Association, the National Association of Shopkeepers, the National Federation of Consumer Groups, the Garden Centre Association, the Video Trade Association, the National Consumer Council, qualified support from the newly-formed OPEN—Outlets for Providing Everyday Needs, support from the Petrol Retailers Association, the Camping and Outdoor Leisure Association, the National Federation of Consumer Groups and the Federation of Sports Goods Distributors. That is the result of having talked with those organisations briefly this week. I wrote to them and received confirmation that they support the Bill. I urge my hon. Friend the Minister to persuade his colleagues that the Bill or something close to it would enable them to carry out the Government's election manifesto commitment in an honourable way which will give equal weight to the interests of consumers, workers and traders.

It will be necessary for me to leave the Chamber a few minutes before the end of the proceedings at 2.30 pm because my wife is very unwell and I have to take her to her hospital appointment. I hope that the House will forgive me for what might otherwise be taken as a slight.

2.3 pm

Mrs. Audrey Wise (Preston): I am sure that the whole House wants to express to the hon. Member for Gillingham (Mr. Couchman) our best wishes for the health of his wife and we are sure that he regrets having to leave our proceedings. No one will criticise him for doing so.

The hon. Gentleman referred approvingly to the Auld committee which came down in favour of complete deregulation of shopping. The Union of Shop Distributive and Allied Workers which sponsors me, although, I hasten to say, with absolutely no personal benefit to me, when giving evidence to the Auld committee was disposed to try to reach compromises on the matter. The union's willingness was thrown back in its face and it became absolutely clear that the supporters of Sunday trading wanted total deregulation and nothing less. Although the hon. Member for Gillingham has come to the House with sweet talk about balance, his Bill is the thin end of a very damaging wedge. He could have made a similar speech if we were asking for total deregulation.

The hon. Gentleman referred to legislation dating back 50 years and told us how things had changed since then. "We have new kinds of shops—video shops, for instance," he said. Of course we have new kinds of shops. Of course there have been changes. Some changes have made the reason for our Sunday trading law even stronger. Not only do we have different kinds of shops but there have been vast changes in shopping hours and in conditions faced by shop workers. I make no apology for speaking vehemently in support of continued protection for shop workers.

At present, unlike in 1950, shop workers can be required to work very late in the evening. There are no adequate transport facilities. They are told that it is just tough if they have difficulties late at night. Shop opening hours have been extended in such a way that it is impossible to check exactly how many hours many shop workers are working. They are expected to be wholly at the disposal of their employers. If it suits an employer they will work part-time and their part-time hours will be cut to keep them outside the Employment Protection Acts. Conversely, if it suits employers, they will be expected to work as many hours as the employer sees fit. Since 1950, shop workers' conditions have deteriorated in material ways.

Hon. Members may not know that although we do not have 24-hour shop opening, we have a good deal of night shift work in shops. The hon. Gentleman talked about shop workers' wishes. I know of shop workers who work all night filling shelves in supermarkets. The hon. Gentleman might think that they wish to do that, but they work then because they can work at no other time—for example, because of lack of child care. Many women look after their toddlers during the day, fill shelves all night, and look after their toddlers again the next day. Of course they do not do that every night of the week. Who could? Women, even the women members of USDAW, are not superhuman. To do that work two nights a week, which is quite common, is an extraordinary burden to bear.

The hon. Gentleman talked about shop workers' wishes. I shall believe him when the Government do something to give real protection to shop workers.

Mr. Tony Banks: Does my hon. Friend agree that Conservative Members who support Sunday trading have seriously undermined their own case by supporting

Government moves to weaken the ability of the wages council to protect the interests of shop workers? The sentiments that we heard from the hon. Member for Gillingham (Mr. Couchman) would be okay if he had not been in the Lobby supporting the Government's attack on the wages council.

Mrs. Wise: Yes, I agree absolutely with my hon. Friend and thank him for his intervention, which is relevant to some of the points that were raised by the hon. Member for Gillingham about protecting workers. The wages councils used to be able to protect workers on matters such as bank holidays and customary holidays, but that protection has been stripped from them. A Government who do that—and hon. Members who support that—cannot be taken seriously when they talk today about protecting the rights of shopworkers.

The hon. Member for Gillingham has included a code of practice in his Bill, but it applies only to "subscribing employers". I have read his Bill carefully, but I have not seen any requirement for shops which would open on Sundays to be "subscribing employers". The Bill states that a "subscribing employer" is

"an employer who has expressed in writing to the Industrial Society that he subscribes to the Code of Practice and whose name appears, for the time being, on a list of subscribers kept by the Industrial Society".

That is an inadequate form of protection. We read the hon. Gentleman's code of practice, only to find that it is voluntary, to an extent that tops all other ideas of voluntary codes of practice——

Mr. Couchman: Towards the end of my speech, I said that I should like some form of licensing by the local authorities of those shops which are to open on Sundays so that the local authority could impose the code of practice on anyone who was to be given such a licence.

Mrs. Wise: I am pleased the hon. Gentleman would like that to happen. Although I noted his point, I had previously read his Bill and his wishes are not reflected in it. Who better to get his wishes incorporated in his Bill than the promoter? The hon. Gentleman may well have such desires, but they must be somewhat less than firm because if they were not, they would already have been encapsulated in the Bill.

Mr. Couchman: If, by some chance, my Bill were to be given a Second Reading today, I should wish to see such amendments made in Committee.

Mrs. Wise: The hon. Gentleman does us and himself no credit if he thinks that we would be willing to go down that road. The purpose of a Second Reading debate is to give a preliminary fair wind to the provisions that are before us —those in the Bill. If hon. Members other than the promoter say that they will seek to move such amendments in Committee, we shall take them seriously, but if the promoter has not felt sufficiently strongly about a point to include it in the Bill when it is drawn up, we can say either that his desires are not firm or that he has found some snag in his proposals, which is why he has not included such a provision. The parliamentary draftsman might have said, "No, you cannot include that in this Bill." If the hon. Gentleman had wanted to include such a provision, he should have included it in the Bill in the first place. I am not interested in pious hopes.

In any case, the hon. Gentleman's code of practice has other flaws. He wants to give protection to young persons, and who does not want to do that? Opposition Members certainly want to do that, but the Government do not, and neither does the hon. Gentleman. I served on the Committee that considered the Employment Act 1989, which stripped existing protection on young people's hours of work. Young people now have no protection as to the hours that they work. They may work any hours of the day and night, including any type of shift work, and on any day—their only protection relates to Sundays.

Mr. Beggs: Does the hon. Lady agree that the absence of such protection for young children has a damaging effect on their education and creates endless problems for teachers?

Mrs. Wise: To be fair to the Government—although I agree with the hon. Gentleman that the protection of children is inadequate—the protection to which I referred, which has been removed altogether, relates to young people over school-leaving age. However, they may be as young as 15½ years old. School-leaving age can be 15½ years entirely legally because of the accident of their birth date. The Government not only withdrew protection on hours of work from under-18s but amended the definition of young person from 16 years to school-leaving age. That brought in more than 100,000 young people who leave school legally under 16 years of age.

When the hon. Member for Gillingham talks about protecting young people in Sunday working, all I can say is that I welcome his conversion but I wish that he had been converted somewhat earlier and had joined us in the Lobby on the Employment Bill. His code of practice completely exempts store managers, assistant managers and other supervisory staff. I identify most with non-managerial staff because I have never been a manager, but I have not reached the stage at which I believe that managerial staff are somehow sub-human and should not be protected. If shop assistants should be protected, their managers and supervisors deserve no less protection of their family life and rights as working people. They are still working people. Many of them realise that to such good effect that they join USDAW.

So far, I have concentrated on shopworkers but I must also speak for many children whose family life would be disrupted if Sunday working were increased.

The hon. Gentleman mentioned other people who work on Sundays. Of course other people work on Sundays, and we make use of their services—we are willing to use transport on Sundays and to call a fire engine on Sundays —but it is perfectly consistent to say that the number of people who work on Sundays should be kept to a minimum.

The hon. Gentleman's Bill is the first stage in making Sunday virtually the same as any other day of the week. There has been much talk about premium payments, but these payments are made to other workers such as engineering workers or people in the emergency services only because Sunday is a special day. If Sunday ceased to be a special day, premium payments would be rapidly eroded. Those of us who want to keep Sunday special want to do so for the sake of shopworkers, their families and other workers who need to work on Sunday and who receive at least some financial recompense which would be lost if Sunday working increased.

I have spoken about shop workers but I also want to mention the attitude of some important retailers. The hon.

[Mrs. Wise]

Gentleman read out a great list which implied that the whole of the retail trade was on his side. That is not true. For instance, Marks and Spencer, an important retailer in Britain employing a great many people, is hostile to Sunday trading. That hostility may be based on some of the arguments that I have put forward. It is also based on a knowledge of its position as a retailer. It has studied the example particularly of the United States of America where, broadly speaking, Sunday trading is legal. Retailers have found that people's incomes do not rise to enable them to shop every day of the week, so people simply transfer their shopping from one day to another. The shops who do good trade on Sundays find that they do not do good trade on other days of the week, so they close on those other days. It may be thought that so long as shops close on some day or other it is okay, but for a family person, especially a mother, it is not the same to be off on a Tuesday or even a Monday as it is on a Sunday when the children are off. Marks and Spencer found that there was not sufficient trade to spread it over seven days and concluded that it did not want an extension into Sunday trading.

We are often told of the revelry in the shops on Sundays and every day of the week on the continent of Europe. We were told at wearisome length that the provisions of our Shops Act 1950 were undoubtedly in contravention of the Treaty of Rome. When a case finally came to the European Court, it was decided that our Shops Act did not contravene the Treaty of Rome but was compatible with it. Therefore, the matter is entirely for our national laws and decisions. Moreover, it became clear that other European countries also have restrictions on shop trading hours, despite what we are repeatedly told. They may be different from ours, but they are nevertheless restrictions. It is not true that there is unrestricted shopping on the continent of Europe among our EEC partners. It is not even true that there is unrestricted Sunday trading. Those of us who have travelled, for example, in rural France know that however easy it may be to shop on Sunday morning, it is a different story on Sunday afternoon or Monday. In practice, their hours of opening, whether legally or customarily, tend to be more restrictive than ours.

Mr. Andrew Smith: My hon. Friend has eloquently put the case for shop workers at all grades and mentioned the knock-on effect of Sunday trading to the detriment of the pay and conditions of other workers and traders. Will she comment on another group of people who are particularly at risk through deregulation—residents in the vicinity of shops and shopping precincts? At present Sunday provides the only peace and quiet that they get. That is particularly true near big do-it-yourself stores which have outdoor areas with music and tannoys going which wreck their peace and quiet. Does my hon. Friend agree that deregulation of Sunday trading would not be in residential and amenity interests and would be wholly abhorrent?

Mrs. Wise: My hon. Friend makes a good point which has not yet been made in the debate. Other consequential effects will also disturb the peace of those residents. There would undoubtedly be a great increase in heavy transport because many of the vehicles which take goods to shops are large. If Sunday trading comes to our high streets and side streets to any appreciable extent, so will heavy lorries at wholly unsuitable times on Saturday nights and Sundays to the great detriment of residents' peace and quiet.

For all those reasons—for shop workers in particular, for many children, for the peace of people who live in the vicinity of shops, and for the protection of other workers who have to work on Sundays and get premium payments because it is a special day—the case against giving the Bill a Second Reading is unanswerable.

One important factor must be considered regarding the protection of the consumer. Those who want to extend trading hours never talk about the increase in overheads that would result. If it were true that the system would operate on the basis of premium payments, the increase in overheads would be even greater and, inevitably, those increased overheads will mean increased prices. Consumers who say "Yes, I would like to shop on a Sunday" should ask themselves whether they are prepared to pay higher prices for doing so. In many cases I am sure that the answer would be no.

1.25 pm

Rev. William McCrea (Mid-Ulster): I am sure it comes as no surprise to hon. Members that I, as a minister of the gospel, object to the Bill. I know that there are many different reasons for such objection, but I make no apology for mine.

I came to the House seven years ago and I remember clearly the opening speech I heard. It was made by Sir Peter Mills and he was commending the Queen's Speech to the House. He told the House that at the end of the Gracious Speech Her Majesty had said:

"I pray that the blessing of Almighty God may rest upon your counsels."—[*Official Report*, 22 June 1983; Vol. 44, c. 44.]

I had heard Her Majesty say that, but having sought to have God's blessing upon our deliberations, now, once again, we are seeking to flout God's laws. The House will have taken a retrograde step if it passes a Bill that destroys the Sabbath.

I agree with a queen who once said that the secret of this country's greatness was an open Bible. I believe that the honouring of that Bible and the word of God will bring blessing upon the nation.

Sir Peter Mills said that any country that left out God would not enjoy God's blessing. The country should remember that because, whether we like it or not, there is one who is a greater sovereign than earthly sovereigns. We commence each day with acknowledgement of that fact when we gather in the House to seek God's blessing upon our deliberations.

The true objective of the Bill is total deregulation. The hon. Member for Gillingham (Mr. Couchman) toned down that message, but that was his deliberate intention. In his heart and mind, the Bill represents the first step of a hidden agenda; he desires to take further steps. I do not believe that the hon. Gentleman would hide his intention from us when confronted with it. Unfortunately, the hon. Gentleman is no longer present and I understand why.

Mr. Tony Banks *rose*——

Rev. William McCrea: I shall not give way as I have only a couple of minutes left.

I believe that the Bill would have a detrimental effect on our society and is against the deep instincts of our people.

Mr. Tony Banks *rose*——

Rev. William McCrea: Very well, I shall give way.

Mr. Banks: I respect the hon. Gentleman's views, but can he give us the source of his strong supposition that God does not like Sunday trading? Does the Lord never change his mind, for example?

Rev. William McCrea: I am glad to say that the God of Heaven is not only a sovereign God but an unchanging God. Although we live in a time when people want different translations of the Bible to suggest that God changes his mind, I believe in an infallible book—the precious word of God. Hon. Members should notice that I said "an infallible book" and not "an infallible person."

The hon. Member for Gillingham expressed his concern for shop workers. I believe that many of the citizens of our country are exploited because they earn such low wages working in shops. Many of them would be forced to work on the Sabbath day to keep the wolf from the door because of the deplorably low wages that they earn. I believe in a minimum wage for any person who puts on his clothes in the morning to go out to work. That would be honourable—

It being half-past Two o'clock, the debate stood adjourned.

Private Members' Bills

POLL TAX (RESTORATION OF INDIVIDUAL PRIVACY) BILL

Order for Second Reading read.

Hon. Members: Object.

Madam Deputy Speaker (Miss Betty Boothroyd): Second Reading what day?

Mr. Tony Banks (Newham, North-West): With the agreement of the proposer, Friday 4 May.

Mr. Dennis Skinner (Bolsover): On a point of order, Madam Deputy Speaker. Does it not seem rather odd that, on a day when Ministers are making contradictory statements about the future of the poll tax, when we have an opportunity to debate it in the House, another Minister objects? One Minister says that the Government will change it, the Prime Minister's Parliamentary Private Secretary says that they will change it, yet he is trying to stop it. We have reached a tidy state of affairs.

Madam Deputy Speaker: Order. We have heard that point of order twice already this morning, and it is not acceptable.

RAPE IN MARRIAGE (OFFENCE) BILL

Order for Second Reading read.

Hon. Members: Object.

Madam Deputy Speaker: Second Reading what day?

Mr. Banks: With the agreement of the proposer, Friday 4 May.

HARE COURSING (ABOLITION) BILL

Order for Second Reading read.

Hon. Members: Object.

Madam Deputy Speaker: Second Reading what day?

Mr. Banks: With the agreement of the proposer, Friday 4 May.

CHLOROFLUOROCARBONS BILL *[LORDS]*

Order for Second Reading read.

Hon. Members: Object.

Madam Deputy Speaker: Second Reading what day?

Mr. Alex Carlile (Montgomery): With the agreement of the hon. Member concerned, Friday 11 May.

POLITICAL PARTIES (INCOME AND EXPENDITURE) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 4 May.

NATIONAL HEALTH SERVICE HOSPITALS (OPTING OUT) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 4 May.

TELECOMMUNICATIONS ACT 1984 (AMENDMENT) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 11 May.

GREYHOUND BETTING LEVY BILL

Order read for resuming adjourned debate on Second Reading [16 February].

Hon. Members: Object.

Second Reading deferred till Friday 4 May.

FOOTBALL SPECTATORS BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 4 May.

BRITISH RACING COMMISSION BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 4 May.

RADIOACTIVE MATERIAL (ROAD TRANSPORT) BILL

Order for Second Reading read.

Read a Second time, and committed to a Standing Committee pursuant to Standing Order No. 61 (Committal of Bills).

AUSTRALIAN CONSTITUTION (PUBLIC RECORD COPY) BILL

Motion made, and Question proposed,

That in respect of the Australian Constitution (Public Record Copy) Bill, notices of Amendments, new Clauses and new Schedules to be moved in Committee may be accepted by the Clerks at the Table before the Bill has been read a second time.—*[Mr. John M. Taylor.]*

Hon. Members: Object.

Points of Order

Mr. Dennis Skinner (Bolsover): On a point of order, Madam Deputy Speaker. Several times today I and some of my hon. Friends have asked for a Minister of the Crown to come to the Dispatch Box and start telling the House of Commons the truth about the future of the poll tax. We believe that, if Ministers can make contradictory statements on television and outside about the future of the tax, they have a duty to do so in the House——

Madam Deputy Speaker (Miss Betty Boothroyd): Order.

Mr. Skinner: The nation wants to know——

Madam Deputy Speaker: Order.

Mr. Skinner: Has it been scrapped?

Madam Deputy Speaker: Order. I must place on record that these points of order have already been dealt with twice today. I must also inform the House that we are coming to the Adjournment debate and that the hon. Gentleman may take the time of the hon. Member for Banff and Buchan (Mr. Salmond), who has that debate.

Transmission Systems (North Sea)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. John M. Taylor.]*

2.36 pm

Mr. Alex Salmond (Banff and Buchan): The central area transmission system—or the great gas robbery, as it is known in Scotland—is a proposal by a consortium of oil companies, led by Amoco, to take gas from the North sea off the Aberdeenshire coast by under-sea pipelines straight to the north-east of England for processing and development. The plan is to use the gas to generate thousands of megawatts of cheap electricity by combined cycle technology, giving a major cost advantage to energy-intensive industry in that area.

My purpose in raising the debate is to alert public opinion in Scotland to the wholesale pillaging of our natural resources and to the serious economic consequences that will inevitably follow if the plan is not stopped. My purpose is also to persuade the Government to change course and withdraw the support that they seem about to give the plan, and to explain clearly to the Minister the political consequences for the Tory party if it continues on its present course.

First, the Minister should understand the economic importance of this issue. Although only two gas fields—Everest and Lomond—are initially involved in the project the gas pipeline is planned to have a capacity of twice as much gas again. If the pipeline establishes a route south from the central North sea, reserves from up to a dozen or more major accumulations could end up being sent south. Thousands of direct jobs are at stake in processing and development.

The electricity that is already planned to be generated is substantial—a proposed 1,750 MW station at ICI's plant at Wilton, which would be the world's largest combined cycle plant, and a real possibility of a further 1,000 MW station being built by the Neptune consortium. Such a quantity of electricity could have powered half Scotland's total electricity requirements at a generation cost of about 2p per kilowatt hour.

Instead, under the Government's plans, the Scottish electricity industry will be forced to buy power fom nuclear stations whose real generating costs are well over double that figure. What energy-intensive industry will be able to compete if companies in the north-east of England are offered the advantage of cheap power generated by Scottish resources?

It has not escaped the attention of the Scottish National party that one of the companies involved in the Neptune consortium is British Steel, which is in the process of choosing between a central Scotland or a north-east of England location in which to concentrate its operations. The opportunity being thrown away for the Scottish people is staggering. A combination of gas, hydro and coal could give Scotland by far the cheapest energy base in the European Community, turning our country into a Mecca for energy-intensive investment and slashing Scottish household electricity bills.

I will explain why the Government's attitude is so resented in Scotland. The great gas robbery goes one stage beyond the great oil robbery of the 1980s. Over the Thatcher years, about £87 billion—£17,000 for every man, woman and child in Scotland—has been sent south from the Scottish waters of the North sea. I hope that the next

time the Prime Minister talks about Scots being subsidised by the tolerant English she will pause to remember whence her Government have been bankrolled—unwillingly—over the past 10 years.

The great oil robbery was bad enough but at least the oil was physically landed in Scotland, where some direct jobs were created, particularly in the north. If the plans for the great gas robbery go ahead, the gas will be piped south and never touch Scottish soil. This proposal represents the greatest international larceny since the Spanish stole the Inca gold, and at least the Incas did not have to tolerate being lectured and patronised by the Prime Minister. Of course the Government will try to say that this is not the result of Government policy, that it is all about the interplay of market forces. I hope to demonstrate briefly the threadbare nature of that argument and I want to make four points in that context.

First, the oil companies are being paid to bring the pipeline south. Amoco has refused to divulge the projected cost of the pipeline, but basing the calculation on a pipeline with identical specifications for British Petroleum the additional costs of taking the pipeline on the 254-mile route to Teesside rather than the short route to St. Fergus in Aberdeenshire could be about £170 million, a massive additional cost.

My information is that it is possible, even likely, that all this extra cost will be met from public funds as offsets against petroleum revenue tax, and that certainly the subsidy will be no less than 35 per cent. of the total pipeline cost. Scotland must be the first country in the world to pay oil companies to take away its most valuable natural resources. It is hardly surprising that the oil companies concerned are so relaxed about the huge additional cost of taking the pipeline to Teesside. They are not being asked to pay for it—we are—and that has nothing to do with market forces.

The second argument to demonstrate that this is a matter of Government policy and not of market forces is to be found by contrasting the public handouts given to the oil companies with the Government's equivocation about the funding of work to strengthen the electricity interconnector between Scotland and England. My latest information on that subject is from correspondence with the National Grid Company on 22 March. It is clear that little or no progress has been made and that negotiations are to be left totally to the electricity companies themselves.

Why are the Government willing to subsidise to the tune of £170 million the syphoning south of Scotland's resources but are not willing to spend half that amount on strengthening the electricity interconnector which would allow the electricity to be generated in Scotland and sold for a fair price across the border? Once again these are matters of Government policy and have nothing to do with market forces.

My next point is made on behalf of the Northern Ireland Members who put down an early-day motion on the matter. It would be reasonable for the Government to use the massive amounts given to the oil companies to bring natural gas to Northern Ireland for the first time. That is the only area of the United Kingdom without that benefit. However they propose to give massive subsidies to the oil companies to take Scottish resources to the north of England. That is totally unacceptable.

The third argument to show that this is a matter of Government policy and that it has nothing to do with market forces is that Amoco clearly told me that it intended to take the pipeline to St. Fergus in Aberdeenshire. It was stopped by the refusal of British Gas to offer an economic price, although the facilities required to receive the gas in Aberdeenshire are already largely in place. The Government established British Gas, first as a total monopoly and now as a near monopoly for the purchase of gas. That company's anti-competitive behaviour has pushed Amoco into looking south for a market. Once again, it is not a matter of market forces but of Government policy.

My fourth and most serious argument is about the impact of Government energy policy on the Scottish electricity system. The Government and their predecessors have saddled Scotland with two huge advanced gas nuclear power stations which, according to the most recent evidence received by the Select Committee on Energy, will generate power at a real cost of some 5p per unit. Even on the fiddled figures from Scottish Power the cost of nuclear electricity in Scotland is acknowledged to be 3·5p per unit, almost twice the cost of combined cycle gas generation.

Why are the new electricity companies in Scotland not acting rationally and competitively and building combined cycle gas stations? It must be because they have been instructed to purchase from Scottish Nuclear Ltd. uncompetitive nuclear power. That power is to be subsidised by the Scottish taxpayer. Either way, Scotland will end up paying through the nose for the white elephant of the Torness nuclear power station. Once again, this has nothing to do with market forces and everything to do with the Government's distorted energy policy.

In all the areas that are critical in creating the combination of circumstances which have brought about the threat of the great gas robbery we find not the invisible hand of market forces but the sticky fingers of the Government's energy policy. I assure the Minister that if the Government allow the plan to proceed, the current 15 per cent. support registered by the Conservative party in the latest opinion poll in Scotland will seem like a high-water mark as our people pass judgment on the scandal that I have outlined.

I shall conclude by asking the Minister some specific questions. I know that he is about to take notes so that he can answer them in that vein. First, at what stage are the approvals for the central area transmission system scheme, and do the Government intend to permit the new pipeline route south? Secondly, will the Minister confirm that under oil taxation rules all of the pipeline costs may well be reclaimable from PRT over a period of years? Thirdly, are the Government prepared to commit funds now for strengthening the electricity interconnector between Scotland and England, and when is it that the work is proposed to start? Fourthly, has a price for electricity been agreed between Scottish Nuclear Ltd. and the two electricity companies in Scotland, and what is it in pence per unit? Did the Government require Scottish Power and Scottish Hydro-Electric to purchase the nuclear electricity?

The proposed great gas robbery crystallises the economic and political choices that are facing Scotland. On the one hand, we can allow the systematic pillaging of our country's natural resources to continue and to intensify while we have to tolerate patronising abuse from the Prime Minister. The alternative future is to use our natural resources literally to power our economy to

[Mr. Alex Salmond]

success within the European Community. I am confident that next week, in the local elections in Scotland, we shall take a further step in the right direction.

2.47 pm

The Parliamentary Under-Secretary of State for Energy (Mr. Tony Baldry): I am grateful to the hon. Member for Banff and Buchan (Mr. Salmond) for providing us with the opportunity to comment on the exciting developments that are taking place on the United Kingdom continental shelf. The timing of this debate is indeed opportune because, as hon. Members will know, next Monday my right hon. Friend the Secretary of State for Energy will be presenting his annual report on the development of the oil and gas resources of the United Kingdom in 1989. I cannot, of course, go into detail today about the report, but I am able to say that the future looks bright.

Rates of exploration and development activity, and the level of investment are currently high. There were 183 exploration and appraisal wells drilled in 1989, and we believe this number should be exceeded in 1990. Some 29 significant new offshore discoveries were announced in 1989, the highest annual total since North sea exploration began. These exploration successes reflect the fact that substantial quantities of oil and gas are still to be found in the North sea.

The rate of development also continues at a high level. Sixteen development projects were approved in 1989—nine new oil and two new gas fields, plus five enhancements of existing developments. Offshore employment in 1989 was some 31,000, the highest level since 1984.

This increased activity is good news for the health and future prospects of the North sea and for the supply industry. The hon. Member for Banff and Buchan will be pleased to learn that most of this investment is supplied by United Kingdom industry, particularly Scottish industry.

That bright picture is set to continue. Two new offshore licensing rounds have only just been announced by my right hon. Friend the Minister of State—a 12th round of licensing for the established areas of the UKCS and a separate frontier round to encourage exploration in the frontier areas to the north and west of Scotland.

Mr. Salmond *rose*——

Mr. Baldry: I am seeking to respond to the hon. Gentleman's points. He asked a number of questions. I hope that he will forgive me if I do not give way at this point.

That separate frontier round marks a completely fresh approach in United Kingdom offshore licensing policy. Consultation with the oil industry shows that it shares our view that the time is ripe for exploration in those areas. Both of those rounds should help to ensure that the UKCS remains a significant oil province well into the next century by providing the opportunities for new discoveries and, I hope, new developments.

That welcome picture of growth and investment has come about because of the Government's free market stance. Our free market regime has encouraged oil companies to invest in the United Kingdom continental shelf to the benefit of industry and employment offshore and onshore. Meanwhile, our neutral offshore tax regime has permitted the companies to select the most profitable investments for exploitation and development—profitable for them and profitable for the United Kingdom. Although, naturally, I cannot comment on the actual tax liability in any individual case, I can confirm that the tax system is designed to produce the greatest overall return to the United Kingdom.

The hon. Member for Banff and Buchan has expressed particular interest in gas development, an area where prospects are especially encouraging. Recent independent analysis from the City has concluded that the United Kingdom could have a gas supply surplus over demand from 1993 into the next century. That potential surplus presents a real opportunity for expanding the market for gas. The value of gas is being fully recognised, not just as an alternative to oil but because it can offer environmental benefits as well. That comes at a time when competition in the gas market is growing.

The key to bringing about that growth in competition was the Monopolies and Mergers Commission report of October 1988 and the resulting changes in the gas market. British Gas has been operating to a published price schedule for the contract gas market since May 1989. It has also published indicative charges for the use of its pipelines and set up a separate transportation department to market common carriage services.

Those developments, together with the Government's target that 10 per cent. of all new gas supplies should be supplied to contract customers by companies other than British Gas, have opened up the industrial and commercial markets to competitors. New players have entered the gas transportation sector with proposals for independent pipeline systems in competition with British Gas. Several new gas marketing companies have also been formed and already one company, Quadrant, has started selling gas to contract customers in Scotland.

Against that background of the proven success of our North sea policies—encouragement of free enterprise, a liberal fiscal regime—and the Government's objective of promoting competition in both gas supply and electricity generation, clearly it would not make sense to refuse to approve an offshore development plan or refuse a consent for a power station on the ground that the gas is to be landed in England rather than Scotland.

The market for Everest—Lomond gas is at Teesside. The hon. Member for Banff and Buchan may not like that, but it is a fact. Customers in Scotland had the opportunity to buy it, but did not. The Government are not in the business of dictating to producers where they can and cannot look for markets for their gas.

Mr. Salmond: We are coming to the nub of the issue. I can understand why the North sea has been a great success for the Tory party. We can well understand why the North sea has been a great success for the Tory party, which has had £87,000 million of revenue from the Scottish sector. How can it be in the interests of Scotland for our resources to be directed to the north-east of England without ever touching Scottish soil? If the Minister argues that it is all about where the market lies—free market forces—will he deal with the question whether the additional £170 million to take that gas from the central North sea to the north-east of England will be reclaimable from petroleum revenue tax?

Mr. Baldry: The indisputable benefits that have come from North sea oil have been enjoyed by the whole of the

United Kingdom. The nub of the issue is that the Government believe in promoting the common wealth of the whole of the United Kingdom, whereas the hon. Gentleman seems to be interested in only one small part of it.

Mr. Salmond: Scotland is hardly a small part of the United Kingdom.

Mr. Baldry: Not small perhaps, but still only one part of it.

If the hon. Member for Banff and Buchan has his way and the gas is prevented from landing at Teesside, he would be responsible for a delay of several years in the development of the fields, with a consequent loss of employment both offshore and among the fabricators and suppliers of equipment—many of which are based in Scotland.

Mr. Salmond: I wonder whether the Minister really listened to my contribution and intends to depart from his prepared text. Amoco told me that it was in the final stages of reaching agreement with British Gas and that it was that company's uncompetitive behaviour that promoted Amoco to move south. If a market exists in north-east England, why do oil companies need to be funded with £170 million from public sources to be persuaded to take the gas south? How can that be a matter of market forces?

Mr. Baldry: I am attempting to answer the hon. Gentleman's questions. He is aware that this is a timed Adjournment debate. If he will be patient and listen, I shall answer his questions—but every intervention that he makes lessens the time available to me to respond.

I repeat, if the gas is prevented from landing at Teesside, many opportunities for companies will be delayed or possibly lost. The Government are committed to seeing the United Kingdom continental shelf developed and the gas brought to market with all the benefits that will follow for the United Kingdom, including Scotland.

The Government welcome interest in gas generation, which is a direct result of our policy of stimulating competition in both gas supply and electricity generation. That policy will bring major benefits to all sections of industry and to consumers in general.

My officials have received from the operator their draft proposals for most aspects of the field development and the related pipeline; and they will examine them on their merits. Based on normal experience, that process is likely to take some time, so I cannot say when my right hon. Friend the Secretary of State is likely to be in a position to take a decision on approving the developments.

If the concerns of the hon. Member for Banff and Buchan are more local, he need have no concern about the future of the St. Fergus terminal. At present, four major United Kingdom continental shelf pipelines land gas at St. Fergus. The two Frigg lines connect into Total's terminal, and the FLAGS—or far north liquids and associated gas system—and Fulmar pipelines connect into the Shell-Esso terminal. Once the gas has been cleaned and processed to the required specification, it is passed to the British Gas terminal. During 1989, that terminal handled 17·5 billion cubic metres of gas—34 per cent. of British Gas's total gas supply.

St. Fergus and north-east Scotland will continue to play a key role in the transportation of gas from the North sea for the foreseeable future. It is proposed that gas from the large Bruce and Beryl fields, which have recently been sold, should be landed at St. Fergus, as will gas from the Miller field, which is to be used to fuel Scottish Hydro-Electric's Peterhead power station.

Regardless of landfall, the Offshore Supplies Office will ensure a fair opportunity for all United Kingdom suppliers to compete for associated goods and services. With their record of success in contracting for North sea developments and in electricity generation projects, Scottish-based companies will be well placed to participate in the supply of major components for the construction of the plants. There is every reason to suppose that the Scottish economy will derive benefit from those opportunities.

The hon. Member for Banff and Buchan has complained that the Scottish generators will be undercut by cheaper electricity supplies from the south. I have more faith than he appears to have in the commercial acumen of the Scottish generating companies. The involvement of Scottish Hydro-Electric in gas developments in England and Wales is just one example of this forward-thinking approach.

Mr. Salmond: I am sorry to interrupt again, but we are reaching the last few minutes of the debate and I want an answer to the question that I am now asking for the third time. I left the Minister plenty of time to address himself to this question, as well as reading his text. Will he confirm or deny that the Amoco-led group of companies is likely to be able to reclaim all of the possible £170 million of additional cost of taking the central North sea gas to Teesside? Will he contrast that with the Government's total lack of commitment to providing public funds for half that amount to strengthen the electricity inter-connector between Scotland and England, which would allow the gas to be landed in Scotland, generated into electricity and sold for a fair price across the border?

Mr. Baldry: I am responding to the hon. Gentleman's points, although he may not like the answers. I am making clear the Government's philosophy on the free market and where we are and where we are not prepared to provide support.

It is certainly not the case that Scottish electricity consumers will be required to pay more for their electricity than consumers in England and Wales as a result of the higher proportion of nuclear capacity in Scotland. The diversity of efficient base load generating plant, combined with the flexibility and speed of response afforded by the significant proportion of hydro-power existing on the Scottish system——

Mr. Salmond: On a point of order, Madam Deputy Speaker. I seek your guidance. Is it normal for a Minister, in an Adjournment debate called by a Back-Bench Member, to continue to dodge a question put to him repeatedly about Government money going to subsidise oil companies taking gas to England?

Madam Deputy Speaker (Miss Betty Boothroyd): The hon. Gentleman knows that that is a matter for debate and is by no means a matter for the Chair to resolve.

Mr. Baldry: I have much to say on the subject. It is a pity that by his numerous repetitive interventions the hon. Member for Banff and Buchan has denied himself, the House and those outside the opportunity of learning more

[Mr. Baldry]

of the good news about what the Government are doing for the North sea oil industry in general and for Scotland in particular.

The diversity of efficient base load generating plant, combined with the flexibility and speed of response afforded by the significant proportion of hydro-power existing on the Scottish system, will ensure that reliable and economic supplies of electricity are available to Scottish consumers for the foreseeable future.

As announced by my right hon. and learned Friend the Secretary of State for Scotland on 22 March, the maximum average generation price to customers should not be allowed to increase beyond changes in the retail prices index over the next four years. During a further four-year transitional period, regulation will move over progressively to an index derived from average generation prices in the England and Wales competitive market. In this way, the disciplines of the wider market will be impressed upon the Scottish companies. Prices to consumers taking 10 MW or more will not be directly regulated in Scotland, nor will sales by the Scottish companies outside their areas.

Prices in this part of the market are already being determined, quite properly, by competitive forces and this will offer customers the best form of protection. To protect smaller customers who do not have a choice in their supplier, there will be a subsidiary cap on average prices to all consumers taking up to 1 MW which will restrict maximum average price rises to the movement in the overall price cap.

Finally, a provision will be included in the licence for Scottish Hydro-Electric to ensure that the benefit of cheap hydro-power will be applied to maintain transmission and distribution costs in the highlands and islands of Scotland at levels comparable with those in other parts of the country, thus underpinning our commitment to maintain common tariffs for customers throughout that area——

The motion having been made after half-past Two o'clock, and the debate having continued for half an hour, MADAM DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at three minutes past Three o'clock.

House of Commons

Monday 30 April 1990

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

WALES

Health Authorities

1. **Mr. Win Griffiths:** To ask the Secretary of State for Wales when he next plans to meet the chairmen of health authorities in Wales.

4. **Mr. Michael:** To ask the Secretary of State for Wales when he intends to meet the chairmen of health authorities in Wales; and what matters he intends to discuss with them.

The Parliamentary Under-Secretary of State for Wales (Mr. Ian Grist): The date and agenda for the next meeting with district health authority chairmen have not yet been determined.

Mr. Griffiths: Does the Minister believe that he should call a meeting urgently with the chairmen of the Welsh health authorities and with Mid Glamorgan in particular, because there is a serious funding crisis in the Health Service? In Mid Glamorgan the emergency ambulance service for days and afternoons has been reduced from 19 to 14 crews. Is he aware that phase 2 of the Princess of Wales hospital, which it was promised would start in the mid-1980s, has now disappeared completely off the 10-year programme? Is he aware that consultants regard that as completely unacceptable and that they are dismayed at what is happening? Will the Minister find desperately needed funds for all health authorities in the country?

Mr. Grist: The hon. Gentleman and others must face the fact that increased funding in the Health Service must cover increasing demands which may occasionally outstrip the economy and our capacity, or that of any Government, to deliver. Revenue funding of Mid Glamorgan has risen in real terms by 34 per cent. since the Government came to power. Its capital funding will rise by 12 per cent. this year. That is a major rise. We are giving special attention to the proposed new hospital for Taff Ely and Rhondda at Ynys-y-plwm. The hon. Gentleman will also be aware of the spanking new Princess of Wales hospital in Bridgend. We have not overlooked Mid Glamorgan by any margin.

Mr. Wigley: Is the Minister aware of the widespread dismay at yet another hospital closure, this time the cottage hospital in Caernarfon, which will leave the town without any casualty unit? Will he give an assurance that that closure will not go ahead until all the conditions laid down by the Secretary of State have been met and local doctors have agreed to casualty cover? Does he accept the statement by the health authority that the closure is the direct consequence of underfunding by the Welsh Office of health services in Gwynedd?

Mr. Grist: The hon. Gentleman's concern about that hospital is well known. However, as he knows, his health authority has been one of the best funded in the whole of Wales. He will also be aware that in medical terms the provision of Ysbyty Gwynnedd at Bangor is the most superior that could be provided in the county. We expect the terms and conditions under which Caernarfon cottage hospital will be closed to be observed.

Mr. Michael: Does the Minister realise that one need only travel to each part of Wales to recognise that the Health Service is suffering from underfunding under his stewardship? Every part of Wales is suffering, and his percentage figures are nonsense. They do not match the increase in Health Service costs. Does he accept that Opposition Members are appalled that he has not fixed a date for a meeting with the chairmen of the health authorities? He has an obligation to tell them how to manage with the completely inadequate funds that he is providing which are resulting in the decay of the fabric of the Health Service throughout Wales.

Mr. Grist: The hon. Gentleman gets extraordinarily worked up. The health authority chairmen can and do see Ministers when they want to. We are always available to them and, as hon. Members will know, to other people in Wales, be they local authorities or Members of Parliament. We are an extremely open Administration in that respect. The hon. Gentleman will also understand that a Health Service which is treating about 275,000 more people every year in hospital, which has cut the perinatal death rate to below that in England to one of the best in Europe, and which is providing renal dialysis to one of the best standards in Europe—from being the worst when we came to power in 1979—is not a Health Service which is failing the people of Wales.

Local Management of Schools

2. **Mr. Livsey:** To ask the Secretary of State for Wales if he will make a statement on the progress of the Welsh counties towards implementing the proposals for the local management of schools.

The Minister of State, Welsh Office (Mr. Wyn Roberts): Schemes for the local management of schools have been formally approved for each of the local education authorities in Wales, and they came into force on 1 April.

Mr. Livsey: Does the Minister accept that LMS is causing a complete shambles in schools, especially in relation to their staffing? In my constituency alone, 11 teachers in comprehensive schools are being made redundant and there is underfunding of £120,000, despite the best efforts of the education authority to put that right. That is affecting the quality of children's education. We are not really talking about LMS: we are talking about a hell of a mess.

Mr. Roberts: All that I can tell the hon. Gentleman is that his local education authority—Powys—takes a very different view from the one that he is advancing, since it is

proposing to phase in delegation to all secondary and primary schools with more than 100 pupils on their rolls by 1 April 1991; it does not have to do so until 1993. There is a clear commitment to extending delegation in Powys to all schools covered by the scheme in due course.

Mr. Raffan: Although the vast majority of head teachers in my constituency welcome the introduction of LMS, some are seriously concerned about the effect of pupil-led funding on schools' ability to pay experienced staff. Can my hon. Friend reassure them that they will not be forced to dispense with experienced staff to keep costs down?

Mr. Roberts: It is for the local managers of schools to decide on their staffing. I know that this is causing some concern, but the scheme of local management is bound to involve payment of average teacher costs by local education authorities, and sometimes an actual charge can be different.

South Glamorgan Health Authority

3. **Mr. John P. Smith:** To ask the Secretary of State for Wales when he last met the chairman of South Glamorgan health authority; and what he discussed.

Mr. Grist: My right hon. Friend the Secretary of State met the chairman of South Glamorgan district health authority in November 1989, when the financial position of district health authorities was discussed.

Mr. Smith: I thank the Minister for that reply. When the Secretary of State next meets the chairman of South Glamorgan health authority, will he draw to his attention the fact that the proposed cuts in South Glamorgan health services as a result of the alleged £7 million overspend will result in the immediate closure of two hospitals in Barry —the Neale Kent and the Amy Evans—with the displacement of up to 20,000 out-patients, who will then have to travel long distances to get treatment? Will he therefore impress on the chairman that no hospital should be shut until a new neighbourhood hospital is built?

Mr. Grist: The hon. Gentleman will know that these proposals are out to consultation at the moment which may result in their eventual appearance before my right hon. Friend for decision. So I cannot comment on the hon. Gentleman's point.

Mr. Gwilym Jones: Is my hon. Friend satisfied with his initiative for increasing the numbers of heart operations in Cardiff; and what further steps might he contemplate taking?

Mr. Grist: Following the report of the Royal College of Physicians on cardiac surgery it was decided that the number of operations should rise to about 1,200. University hospital provided about 630 in the past year. It is busy erecting the paediatric cardiac unit, which will be opened this September. We will then go out to consultation to determine where the remaining 400— over and above the 800 that University hospital, Wales is pledged to carry out—of the 1,200 should go. We await——

Mr. Win Griffiths: Bridgend.

Mr. Grist: There we are. Hon. Members are already making bids from sedentary positions.

Mr. Morgan: Much as we should like to end the last Welsh Questions of the present Secretary of State with good will, before he finally presses the pilot ejector-seat button, may I draw to his attention and to that of his fellow Ministers the extraordinary situation that has arisen in South Glamorgan health authority, which is reviving the proposal to close the orthopaedic ward at the Prince of Wales hospital by stealth, without making any announcement? It is hiding the proposal away on page 17 of the consultative document on the proposed closure of the Glan Ely geriatric hospital. It will then be moved into the children's ward in Rhydlafar, which is the only specialist orthopaedic ward in Wales. Will the Minister comment on the dubious morality of sneaking in the closure in this way?

Mr. Grist: I thought that the hon. Gentleman said that it was contained in the proposals that were made public. Therefore, it was hardly being smuggled through. Nevertheless, if it represents a major change in the provision and use of Health Service facilities it is, of course, open to exactly the same form of consultation and objection as any other proposal.

Mr. Michael: Does the Minister accept that the fact that South Glamorgan health authority has a £7·2 million deficit makes nonsense of the consultations that he described? As the Minister is responsible, he should make some comment about the way in which services are deteriorating. There is great concern at the moment about the loss of school nurses through unilateral decision-making, but it is all due to the underfunding of the health authority. Does he recognise that my anger and the anger of my colleagues and of the people of Wales is well justified because he is neglecting the Health Service not only in South Glamorgan but throughout Wales?

Mr. Grist: Does the hon. Gentleman realise that the capital provision for South Glamorgan is rising this year by 122 per cent? Does he recognise that the new Llandough obstetric unit in South Glamorgan, which cost about £8 million and has just been opened, is the biggest unit to be opened since the University hospital, Wales? I do not think that that is overlooking South Glamorgan.

Housing

6. **Mr. Alex Carlile:** To ask the Secretary of State for Wales how many houses for rent were built in 1989 in districts in Clwyd, Dyfed, Gwynedd and Powys.

Mr. Grist: About 675 new homes were provided for rent during 1989 through public resources.

Mr. Carlile: Does the Minister agree that that is an abominably low figure? Does he share the experience of most Welsh Members of young people coming into their surgeries week after week who are unable to find anywhere to rent? Does he agree that that is because of the Government's starved housing policies for Wales?

Mr. Grist: The housing expenditure of the hon. and learned Gentleman's own council last year was about 74 per cent. higher than its spending in the preceding year. That is somewhat dubious starving. We have increased the provision for Housing for Wales to over £100 million. We increased its provision by 20 per cent. last year and by 19 per cent. the year before. We expect that, with private funding and local authorities joining in with finance, about

£140 million will be available for housing provision. That will result in more than 3,000 new houses. That is not starving the housing of Wales.

Mr. Anderson: Rather than trying to delude the House by quoting small percentage increases on low bases, should not the Minister look honestly at the almost total collapse of public provision for housing in Wales over the past decade from its previous high level? He should also look at the resulting social effects in terms of homelessness and the agony suffered by the young people whom the hon. and learned Member for Montgomery (Mr. Carlile) described.

Mr. Grist: We are giving money through the housing associations via Housing for Wales precisely because we see the need for housing in the difficult areas that the hon. Gentleman described where social provision is required. But we believe that most people in Wales, as has been proved, prefer to own their own houses. We are doing our best to make that possible for every citizen. I recommend the latest moves in mid-Wales with flexi-housing. Meanwhile, we have increased home ownership in Wales from about 59 per cent. to over 70 per cent. That is what the people of Wales want, where they can get it.

Mr. Murphy: Does the Minister accept that the sum he has mentioned for Housing for Wales, Tai Cymru, is wholly derisory? It represents an average of only 30 new houses a year for each district in Wales. Does he accept that the Government, and especially the Welsh Office, are extremely anxious to avoid letting local authorities deal with the problems of housing? Does he also accept that the housing crisis in Wales is severe, with 70,000 people on housing waiting lists? Does he accept that, even on his own figures, 7,000 people are homeless?

Mr. Grist: I certainly accept that there are difficulties in housing. I do not deny that for a moment. The hon. Gentleman is a former councillor of some note and if he really believes in waiting lists, he is misleading his colleagues.

Mr. John Marshall: How many empty council houses are there in Wales? Is not a major cause of homelessness in the United Kingdom the huge stock of empty council houses owned by Labour councils?

Mr. Grist: My hon. Friend is absolutely right, although I acquit most Welsh councils of that behaviour. Nevertheless, throughout the United Kingdom as a whole, the number of empty homes would cope with the number of homeless several times over.

Hernia Operations

7. **Mr. Gareth Wardell:** To ask the Secretary of State for Wales which hospital in Wales has the longest waiting period for hernia operations; which has the shortest waiting period for hernia operations; and if he will specify the average number of waiting days for each of them.

Mr. Grist: Information about numbers of patients on waiting lists for individual operations is not collected centrally.

Mr. Wardell: It is not surprising that the figures for those operations are not collected centrally. If they were, they would deeply embarrass the Government. Will the Minister examine how such figures can be collected? Tremendous improvements would occur in the quality of people's lives if they did not have to wait so long for their hernias, varicose vein and hip replacement operations.

Mr. Grist: The hon. Gentleman is right. That is why we have established treatment centres. One, in Bridgend, treats hernia and varicose veins, and one in Cardiff, at Rhydlafar—what is it that we are doing there? I cannot remember; it does not matter. Treatment centres are aimed at the problems mentioned by the hon. Gentleman. We are introducing information technology in the Health Service to find out the figures on operations. I agree that it is extraordinary that such figures are not available now, but that is why we are spending a good deal of time, money and effort getting technology in our hospitals.

Welsh Language Board

8. **Mr. Wigley:** To ask the Secretary of State for Wales when he last met the chairman of the Welsh Language Board; and what was discussed.

Mr. Wyn Roberts: My right hon. Friend last met the chairman of the Welsh Language Board on 4 April. Among other matters, they discussed making arrangements for the board to meet my right hon. Friend's successor as Secretary of State at the earliest opportunity.

Mr. Wigley: Does the Minister recall the assurance that was given by the Secretary of State at the Newport Eisteddfod 18 months ago that there would be legislation for the Welsh language? As the Welsh Language Board published, many months ago, a draft Bill which had overwhelming support from the majority of people in Wales, when will the Government desist from their time-wasting tactics and announce a Welsh Language Bill this year?

Mr. Roberts: The hon. Gentleman is falling into the trap into which many other people in Wales fall, of simply demanding that there should be a Welsh Language Act without being clear about what should go into it. He knows only too well that we are looking constructively at the board's proposals. However, there is not complete agreement, even on the board's proposals. Today's *Western Mail* reports the Welsh Consumer Council as being critical of it. Others want a more comprehensive Bill, and so on.

Mr. Barry Jones: Excuses.

Mr. Roberts: It ill becomes the hon. Gentleman to say "excuses" when we have done a great deal for the Welsh language, including passing the Education Reform Act 1988 which is of tremendous importance to the future of the Welsh language. This year, we are spending some £5·9 million on supporting Welsh language organisations. That is a record figure—34 per cent. up on last year.

Mr. Nicholas Bennett: When will my hon. Friend announce his decision on the applications by schools in south and mid-Pembrokeshire and other parts of Wales for exemption from compulsory Welsh in the national curriculum?

Mr. Roberts: My hon. Friend will know that the consultation period on our proposals for exemption ended

on 6 April. We had about 100 responses, half of which were from his constituency. We shall consider the results of that consultation and make our decision in due course.

Mr. Rogers: Will the Minister take this opportunity to praise the Labour authorities of the south Wales valley conmmunities for their enormous support of the Welsh language over the years? Will he also take into account the fact that, in this Thursday's local government elections, in the 15 wards in the Rhondda valley there is not one Conservative candidate? Will the Minister——

Mr. Speaker: Order. The hon. Gentleman's supplementary question would be in order if all the authorities spoke Welsh and if it had something to do with the Welsh language.

Mr. Rogers: Does the Minister accept that not one Conservative candidate is standing in the local elections in the Rhondda? Therefore, there is no one to defend the Conservative party's record on the Welsh language and, especially, the Secretary of State's valleys initiative. What advice will he give to the Minister for Local Government and Inner Cities, the next Secretary of State for Wales to ensure that the Conservative party's case can be made in the south Wales valleys?

Mr. Roberts: I am ever ready to pay tribute to all local authorities in Wales for their contribution to the promotion of the Welsh language. I take advantage of this opportunity to draw the attention of some of them, including some Labour-controlled authorities, to the public sector guidelines issued by the Welsh Language Board. Not all local authorities in Wales have paid due respect to those guidelines, and I wish sincerely that they would.

Mr. Stanbrook: Should not we be encouraging unity in the British nation by promoting its common language rather than encouraging the separatist tendencies inherent in minority languages?

Mr. Roberts: I assure my hon. Friend that all of us who are Welsh speakers are as loyal to the Crown and to the institutions of this country as is anyone else. We are all English speakers, too, and we take every opportunity to promote the English language as well as the Welsh language. I remind my hon. Friend that Welsh was probably spoken in Britain at an earlier stage than English.

British Coal

9. **Mr. Denzil Davies:** To ask the Secretary of State for Wales whether he has any plans to meet, in the near future, the chairman of British Coal to discuss the future of the coal industry in Wales.

The Secretary of State for Wales (Mr. Peter Walker): I met the chairman of British Coal on 23 April.

Mr. Davies: Before the Secretary of State, or perhaps his successor, next meets the chairman, will the Welsh Office study the effect on the coal industry of the use of natural gas for electricity generation? If the present rush towards natural gas continues, it will mean the end of what is left of the coal industry. That will lead to the disruption of huge parts of the power station generation industry and the creation of a near-monopoly for British Gas. Are the Government concerned about this, or are we witnessing another lamentable exercise in British short-termism?

Mr. Walker: All Governments examine the best and most cost-effective fuels to use, and there is considerable pressure from all parties, including the Labour party, to examine the environmental impact of various fuels. I accept the right hon. Gentleman's view that any Government of any description must consider carefully a range of factors, including cost-effectiveness and the effect on communities, jobs and the environment. I think that that should be done.

Mr. Coleman: May I urge the Secretary of State to meet the chairman of British Coal urgently? Will he raise with him the proposed closure of Blaenant colliery in my constituency? If it is closed, hundreds of jobs will be destroyed and millions of tonnes of best anthracite coal will be left under the ground. Those are two assets of prime importance to Britain.

Mr. Walker: I am sure that the chairman and the regional managers will examine carefully any closure proposal. There is, as the hon. Gentleman knows, a proper procedure. He knows, too, that pit closures have confronted all Governments. Since 1965, there have been 96 closures, 61 under Labour Governments and 35 under Conservative Governments.

Mr. Raffan: Will my right hon. Friend find out from the chairman of British Coal the current position regarding the opencast executive's proposed 10-year programme for the county of Clwyd? Will he also make him aware of the widespread local concern that that programme has been discussed confidentially with Clwyd county council but has not yet been made public, even though British Coal said that it would be 10 months ago?

Mr. Walker: I can certainly convey my hon. Friend's views about the programme not being made public. Discussion may well have taken place with the local authority—which has, of course, powers over planning.

Mrs. Clwyd: Is the Secretary of State aware that Cynon Valley still has the highest male unemployment rate in Wales, which is exactly the same position as when he took over as Secretary of State? Does he accept that he has presided over pit closures in the constituency that have led to the present problem? Is he aware that the intended closure of the furnacite plant and the loss of many more jobs in the constituency will add to the problem? Will he tell us, without bluster, precisely what he intends to do to bring jobs, as a matter of urgency, into Cynon Valley?

Mr. Walker: The hon. Lady, in the careful wording of her question, failed to mention the large reduction in unemployment in Cynon Valley during the three years that I have been Secretary of State. Although Cynon Valley might still have the worst male unemployment rate, it is now at a far lower level despite the pit closures that have taken place under all Governments. I am grateful for the nice comments that have been made to me and expressed in letters from people in the hon. Lady's constituency about the new industries, new firms, derelict land clearance and high investment that have been introduced during the past three years.

Mr. Barry Jones: Will the right hon. Gentleman heed carefully the words of the Blaenant miners' leader, Mr. Bowen, who said that west Glamorgan could ill afford the loss of hundreds of well-paid, highly skilled manufacturing jobs? Is he aware that British Coal's target appears to be designed to make it impossible for pits to pay their way? Will he think hard about the fact that in the glossy valleys programme no reference is made to the loss of six pits and 3,500 jobs? We now wonder what the future of the south Wales coalfield will be should Blaenant close.

Mr. Walker: I am sure that the hon. Gentleman must rejoice in the fact that although I have had to sustain a series of coal pit closures in the valleys since the valleys initiative, unemployment in Wales has gone down faster than in the remainder of the United Kingdom and in the valleys it has gone down even faster than in the remainder of Wales. There is no doubt that, desite the pit closures, there has been a fast-improving position in the valleys. I am also pleased to say that there is now a procedure through which any intended pit closure must go, which is much better than the procedure in operation when 61 pits were closed under Labour Governments.

National Rivers Authority

10. **Dr. Kim Howells:** To ask the Secretary of State for Wales when he last met the chairman of the National Rivers Authority in Wales; and what matters were discussed.

Mr. Grist: My right hon. Friend has not yet had an opportunity to meet the chairman of the NRA's Welsh region.

Dr. Howells: Given the widespread concern in Wales about the filthy state of the river banks, and given the Government's declared interest in cleaning up the environment, will the Secretary of State show his confidence in the work of the NRA by taking a running jump into the River Taff, which flows through my constituency?

Mr. Grist: I am not sure whether the hon. Gentleman is complaining about water quality or litter, both of which he has complained about from time to time. On litter, various proposals have been made to try to arrive at a just solution on exactly who will pick it up. On the quality of the water, the report in 1984 gave Wales a clean bill of health—other than one small tributary of the Rhymney, all rivers in Wales came in classes 1 or 2. The latest examination by the NRA, which will be completed this year with the results being available next year, will provide a more up-to-date position.

Sir Anthony Meyer: Has my hon. Friend or my right hon. Friend the Secretary of State discussed with the chairman of the NRA the possibility of that authority assuming sole responsibility for sea defences? Is my hon. Friend aware that added to the anxieties of my Towyn constituents—who have been so disastrously invaded by the sea—is the concern that responsibility for sea defences is divided between four authorities? That is not reassuring.

Mr. Grist: I acknowledge my hon. Friend's remarks, which we shall consider in the light of the recent flooding disaster in north Wales.

Mr. Rowlands: When the Minister next meets the chairman of the National Rivers Authority, will they pay special attention to a problem that has arisen in Rhymney, where the south of England company Euromet has dumped thousands of drums of toxic waste close to the banks of the River Rhymney, near a school and major road? Will the Minister convey to the NRA's chairman that the whole of Rhymney deeply objects to such dumping?

Mr. Grist: I imagine that the local council and planning authority have some powers in the circumstance that the hon. Gentleman describes. If any toxic waste entered the water, the NRA could prosecute if it felt that that was the right action to take.

Mr. Barry Jones: The Minister should be able to tell the National Rivers Authority who is responsible for the sea wall that was breached, be it British Rail or the local authorities. He should study carefully the grave psychological damage as well as the financial damage and destruction of property that followed the flooding in Clwyd. If the Welsh Office can find £70,000 for new typists' chairs, surely the Government can find £70,000 for each of the three borough authorities concerned and for Clwyd county council, to cope with the consequences of the flooding. Ministers should show more understanding and compassion, and should take urgent action to help the 1,000 very worried people who are still homeless in north Wales.

Mr. Grist: The hon. Gentleman overlooks the extraordinary settlement that my right hon. Friend the Secretary of State managed to arrange, whereby the Bellwin rules apply to 85 per cent. of eligible expenditure. Colwyn, for example, is likely to receive more than £1 million as a consequence of that arrangement. Other finance will be available, and we shall certainly consider all the conditions that arise and the bills that are eventually entered. But the hon. Gentleman must face the fact that ordinary citizens also have their responsibilities, and therefore this is not as clear-cut a bleeding heart case as the hon. Gentleman and some of his hon. Friends sometimes make out.

Dr. Thomas: My neighbour, the hon. Member for Clwyd, North-West (Sir A. Meyer) referred to the need for measures to prevent such a disaster recurring. Will the Welsh Office arrange for a full survey of sea defences and bring together all the authorities concerned—including the NRA and British Rail, which has major indirect responsibilities for sea defence strategy—to ensure that such a disaster is never repeated?

Mr. Grist: I do not believe that such action is necessary in respect of most of the Welsh coast, because the parts of the coastline that are most exposed and at risk are already known. The hon. Gentleman may be unaware that the local authorities in the flooded areas had already received various forms of finance through the Welsh Office. Prestatyn, for example, was well defended because it had built up its sea wall using urban money from the present Administration. Nevertheless, I am sure that the local authorities concerned will contact the Welsh Office if they have not already done so, and we shall undertake any investigation that is necessary.

Mr. Ian Bruce: My hon. Friend the Minister said that he has not yet met the chairman of the National Rivers Authority. When the flooding occurred, many right hon. and hon. Members called for discussions with that body on establishing a system of national co-ordination, to avoid any similar disasters in future. The effectiveness of the construction of adequate sea defences at one point along the Welsh coast may be totally negated if proper defences do not exist elsewhere. Perhaps there is a need for co-ordination of the sort suggested by my hon. Friend the Member for Clwyd, North-West (Sir A. Meyer).

Mr. Grist: We are moving away from the matters that are relevant to the NRA. Nevertheless, the flooding in north Wales was a major disaster and one in which, unusually, British Rail was involved—in the sense that it is not an organisation that springs to mind in such a context. I am told that not only has the breach in the sea defences been made good but the sea defences are better than before. Britain's sea defences and the effect that global warming may have are taken extremely seriously by the Government.

National Health Service

11. **Mr. Geraint Howells:** To ask the Secretary of State for Wales what representations he has received about the present state of the National Health Service in Wales.

Mr. Grist: My right hon. Friend receives representations on a wide range of issues concerning the National Health Service.

Mr. Howells: Is the Minister aware that the majority of people in Wales are worried about the way in which the Government have looked after the interests of the National Health Service there over the past two or three years? Can he explain why?

Mr. Grist: Because a lot of irresponsible people are going round stirring up people and scaring them. I hope that the hon. Gentleman is pleased that his health authority has now opened the latest hospital, at Llanelli and that he will bear witness to that. I hope that he will recognise that this year his health authority has a capital allocation that is 63 per cent. up on last year. I hope that he will agree that there has been a large increase in nurses' pay, a 25 per cent. increase in the number of consultants and a whole range of other things, including the lowering of the perinatal death rate, and increased life expectancy. I should have thought that the hon. Gentleman would go round pointing out the truth of those facts rather than the shibboleths and nonsense that so often emanate from Opposition Benches.

Roads, South Clwyd

12. **Mr. Martyn Jones:** To ask the Secretary of State for Wales what representations he has received about the development of roads in south Clwyd.

Mr. Roberts: I have received a number of representations about improvements to the A494, A5 and A483 trunk road routes in south Clwyd.

Mr. Jones: I thank the Minister for his reply. Can he tell me why there has been a delay in the Newbridge bypass on the A483? Is it due to the fact that the bridge over the River Dee was some 4 inches out and did not meet?

Mr. Roberts: The Newbridge bypass is expected to open to traffic early in June.

THE ARTS

Public Libraries

27. **Mrs. Golding:** To ask the Minister for the Arts what information he has on the level of expenditure on public library services proposed for 1990-91.

The Minister for the Arts (Mr. Richard Luce): This information is not held centrally. The level of proposed expenditure on public library services is a matter for individual local authorities.

Mrs. Golding: Is the Minister aware of the increasing demand placed on the library service in areas such as north Staffordshire, where there are more and more elderly people and more elderly persons' homes opening? Is he further aware that the talking book service in north Staffordshire is severely overstretched? When will he make a special allocation for the talking book service to help the blind and the partially sighted?

Mr. Luce: I have no doubt of the importance of the talking book service and the range of services that are provided for those who are disabled in one way or another. Broadly speaking, my duty under the Public Libraries and Museums Act 1964 is to ensure a comprehensive and efficient service. All the evidence over the past few years shows that we have such a service in our public library system.

Mr. Conway: Is my right hon. Friend aware of the important role that mobile libraries play in large rural areas such as Shropshire, which is a quarter of the land mass of the west midlands? Does he agree that the development and maintenance of such services is more important than diversification into the triendier areas of library provision such as compact discs for expensive compact disc players?

Mr. Luce: I agree with my hon. Friend about the importance of mobile libraries. That is a decision for each local authority to make according to the needs of the area. Clearly it is important for the library service to provide a good service for those who want to use it and to make it as accessible as possible. I am glad that the number of service points has gone up in the past 10 years by 6,000, which helps to serve a wider range of people.

Charitable Giving

28. **Mr. Andrew Mitchell:** To ask the Minister for the Arts what steps he is taking to explain to the arts world, both consumers and producers, the measures announced in the Budget statement.

30. **Mr. Robert G. Hughes:** To ask the Minister for the Arts how he intends to encourage further donations by businesses to arts bodies; and if he will make a statement.

31. **Mr. Tredinnick:** To ask the Minister for the Arts what contribution he expects will be received by arts and heritage bodies because of gift aid introduced in the recent Budget.

Mr. Luce: The introduction by the Chancellor of the gift aid incentive to charitable giving provides an unprecedented opportunity for the arts to raise even more resources from individuals and commerce. The Arts Council and the Museums and Galleries Commission intend to publicise the new arrangements.

Mr. Mitchell: Does my right hon. Friend accept that the good news about gift aid and the excellent news following his decision about the Wilding report have been widely welcomed in my constituency and in Nottinghamshire by consumers and producers? We are justly proud of the depth and quality of the arts and of artists in the region.

Mr. Luce: I am grateful to my hon. Friend. I am aware of the wide range of arts facilities in the Nottingham area. Like so many other arts bodies, they stand to gain from the Chancellor's decision that on 1 October next the gift aid scheme will be introduced. That will be in addition to the wide range of tax incentives that are available to encourage giving, by both individuals and corporations. It will provide a unique opportunity to inspire private arts patronage at a much higher level.

Mr. Hughes: will my right hon. Friend join me in welcoming the greater capacity and willingness of people to give to charities? Should not he, however, warn the arts world that if it is to take full advantage of that, it must fight its own corner and ensure that a large proportion of its money comes from as many sources as possible?

Mr. Luce: My hon. Friend has hit the nail on the head. There will be enormous competition within the charitable world to receive more money from individuals and corporations. It is very much in the arts world's court to ensure that it approaches the problem professionally in order to persuade the largest possible number of individuals and corporations to give money. As we look to the 1990s, we want to encourage more giving to the arts.

Mr. Tredinnick: Does my right hon. Friend intend to advise arts groups to concentrate on raising funds through gift aid or the payroll giving scheme rather than to seek sponsorship? That is a major concern in Leicestershire.

Mr. Luce: There is a wide range of means by which it is possible to give to arts organisations. I am in favour of a wide range of means, whether it be tax incentives to sponsors, or covenants, or the help that gift aid will contribute to one-off giving. A wide range of mechanisms can be used. The payroll scheme and the gift aid scheme complement each other. The gift aid scheme starts at £600 and above, whereas the payroll scheme is for all those who make contributions below that level.

Mr. Robert Sheldon: I welcome the right hon. Gentleman's efforts to provide more money to the arts generally, and by the means outlined in the Budget, but does he recognise that unless more is done to restrict the sale overseas of some of our important works of art, what he hopes for will not be fully achieved?

Mr. Luce: The disparity between the rapid increase in prices of works of art and the resources that at any time and by any Government can be made available, through the taxpayer, to save works of art creates a real dilemma. However, the rules that have operated since the 1950s—the Waverley rules—under successive Governments, have worked extremely well. A wide range of measures and mechanisms is available to save works of art, including the national heritage memorial fund and the acceptance in lieu of tax scheme.

Mr. Maclennan: The deficits of the four national performing companies are of an order of magnitude that cannot possibly be bridged by the budgetary measures that were referred to earlier. What steps does the Minister intend to take to deal with the Royal Opera House's deficit, which is projected to be £5 million?

Mr. Luce: The deficits vary according to the organisation concerned. I have made it plain, both in the Chamber and outside, that it is up to each arts organisation that is supported by the taxpayer to ensure that it cuts its coat according to the cloth available, that it works within the resources available to it and that any other course—particularly a course that deliberately creates a deficit in order to demand from the taxpayer, through the Arts Council, that it should be baled out—is unacceptable. It would be at the expense of the very many arts organisations that are acting responsibly. To act responsibly is the way forward. I praise the arts world for the fact that increasingly it is raising more resources from the private sector.

Dr. Kim Howells: Many Opposition Members welcome the measures that have been taken to encourage charitable donations to the arts, but does the Minister recognise that there are fears among Opposition Members that insufficient measures have been taken to encourage the imagination and creativity among young people that in any modern state is necessary? Unless we can do that, we shall not encourage either the arts or the sciences.

Mr. Luce: The proof of the pudding is in the eating. I am sure that the hon. Gentleman tries to observe what is happening in the arts around the country, where he will see a remarkable story. We have a growing number of centres of excellence, ranging from Glasgow to Birmingham, and Edinburgh to Bristol, let alone London, which is a great European capital city. The arts are expanding in this country. The importance of this question is that it allows me to tell the House that we are giving any number of private individuals the facility to choose to give to the arts organisations that they think are the best.

Mr. Jessel: Will my right hon. Friend explain to the arts world—to both consumers and producers—the fact that they have all benefited from the substantial growth in incomes over the past 11 years and that the greatest service that any Government can do for the arts is to bring about full employment and a thriving economy?

Mr. Luce: My hon. Friend's last point is absolutely right. Indeed, the arts world itself contributes to the health and wealth of this nation. To the extent that our economy is strong, the arts stand to gain. That is why our priority must be to bring down inflation because the arts also stand to benefit and can then take full advantage of the new gift aid proposals.

Mr. Fisher: The Minister's replies make it clear that he does not yet understand the scale of the financial crisis that is facing our four national companies in general and the Royal Opera House in particular. Despite the success of the Royal Opera House in playing to 92 per cent. capacity and in raising £6 million per year in sponsorship, the Government have cut its grant over the past four years. As

a result, this year the Royal Opera House is facing a deficit of £5 million and the national companies as a whole face deficits of £10 million. Will the Minister summon up the courage to do something about the deficits, or is it his policy to see theatres such as those of the Royal Shakespeare Company close or slide deeper into deficit?

Mr. Luce: The hon. Gentleman is suffering from a slight tendency of his from time to time—but not on every occasion—to hyperbole. However, I realise that it is local elections week and that the hon. Gentleman feels that he has to say something. He knows perfectly well that during the next three years there will be a 24 per cent. overall increase in taxpayers' support for the arts. Bearing in mind the overspending Labour authorities, is the hon. Gentleman really saying that if a Labour Government were ever in office, they would dramatically increase the amount of available expenditure? I ask him that question because, like Labour authorities, Labour Governments are notorious for over-expenditure.

CIVIL SERVICE

Equal Opportunities Programme

54. **Mr. Janner:** To ask the Minister for the Civil Service whether he will make a statement regarding the implementation of the equal opportunities programme in the civil service.

The Minister of State, Privy Council Office (Mr. Richard Luce): Good progress across the board continues to be made on increasing equality of opportunity in the civil service. In May, I shall introduce a new programme for action in this area for people of ethnic minority origin.

Mr. Janner: First, may I welcome the Minister's personal approach to this problem and his recognition that there has been vast discrimination in the past, which has resulted in no people from ethnic minorities and very few women being in the top levels of the civil service? Secondly, when does he expect that his action programme will have any real effect?

Mr. Luce: As I am sure the hon. and learned Gentleman agrees, the most important principle in the civil service is to ensure that there is equality of opportunity for people of all backgrounds. It is for that reason that over the past five years we have devised a programme of action that will facilitate just that opportunity and encourage the promotion of women within the service. That is why I plan to do just the same towards the end of May when I announce my programme of action for people from ethnic minorities. In addition, we are currently reviewing our code of conduct for the disabled, which will ensure that there is true equality of opportunity. However, people must be promoted and introduced to the service on the basis of merit.

Equal Opportunities

55. **Mr. David Shaw:** To ask the Minister for the Civil Service how he intends to encourage people, particularly those who are university graduates, from the ethnic minorities, women with young children and the disabled, to consider the civil service as a career.

Mr. Luce: The civil service is developing a wide range of personnel policies to encourage recruitment from among all members of the community. These, together with a firm message about equal opportunities, are very much part of Civil Service Commission and departmental publicity about career opportunities.

Mr. Shaw: I welcome the Minister's statement that there will be a broadening of opportunities for minorities in recruitment to the civil service. Will he confirm that that will not affect the quality of the civil service, and that high-quality recruits will still be required? Will he also confirm that promotion and salary increases will be dependent on a high quality of public service in the future?

Mr. Luce: Of course I can reassure my hon. Friend that the first priority is to ensure that we have a civil service of the highest quality. Looking to the demographic changes of the 1990s, we must ensure that the fullest possible range of opportunities is available for people of all backgrounds, as that is in the interests of our service. I shall ensure there are adequate programmes to facilitate that, and to enable us to recruit women, people from ethnic minorities and disabled people who have the high qualities that we are looking for.

Mrs. Dunwoody: The Minister will accept that this work has been continuing for some time, and that the efforts of the civil service unions are to be commended. Will he tell us, however, when he expects women to be represented equally with men in the ranks of the permanent secretaries?

Mr. Luce: The policy is not to go for equal representation for any part of the community, but to ensure that there is equality of opportunity for all people, whether or not they are women and whatever their background. We must concentrate our efforts on that. I accept that it is unsatisfactory that among the top grades only 6 per cent. are women. We must ensure that the promotional avenues are fully open to women; their numbers are increasing, but appointments must be made on the basis of merit.

Sir Robin Butler

56. **Mr. Dalyell:** To ask the Minister for the Civil Service whether he has received any representations from the civil service unions about Sir Robin Butler's appearance before the Select Committee on the Treasury and Civil Service.

Mr. Luce: I have received no such representations.

Mr. Dalyell: Do we distort or misunderstand Sir Robin Butler's words by suggesting that he took the view that a civil servant's duty and loyalty is now to the Government? Is not that a new doctrine? Some of us had imagined that a civil servant's duty and loyalty was to the Crown. Has there been a change in the constitution?

Mr. Luce: There has been no change. We are pursuing policies that successive Governments—both Labour and Conservative—have accepted over the years. Plainly, civil servants owe their duty—as the hon. Gentleman says—to the Crown, but, to all intents and purposes, in those respects the Crown means the elected Government of the

day. I am sure that, when the hon. Gentleman's party was in office, Ministers took the same view. The policy remains the same, and will stay the same.

Trade Unions

57. **Mr. Harry Barnes:** To ask the Minister for the Civil Service when he last met representatives of the trade unions; and what subjects were discussed.

Mr. Luce: I meet the civil service unions from time to time to discuss a range of matters.

Mr. Barnes: Has there been any discussion on the low pay of support groups 1 and 2, which have been adversely affected by the abolition of the fair wages resolution, by the weakening of wage councils and by the poll tax? Should not there be a decent minimum wage for security guards, messengers and others within that grade?

Mr. Luce: There are procedures to deal with overall wage levels for various categories of the civil service. Of course, under the new policies we take into account the special needs of special categories. There is now a facility for flexible pay arrangements. It is being devised for much of the civil service, including the establishment of the new agencies.

Dr. Marek: When the Minister next meets the civil service unions, will he discuss with them direct entry to the higher executive officer grade? The Minister will remember that he and the Treasury got that completely wrong. Instead of trawling within the civil service, they spent a great deal of money on advertising, but 91 per cent. of the 184 entrants to Customs and Excise turned out to be civil servants already. The Minister should not waste public money. Will he take union advice next time?

Mr. Luce: I am not sure that the hon. Gentleman is not anticipating the next question; he may have intervened on the wrong question.

The policy on direct entry for recruitment is important. It is important to ensure that there is open competition and that employment is available to civil servants as well as to those from outside. It is good for the civil service—as it is for any organisation—to recruit from all sources, including the private sector.

Civil Service Recruitment

58. **Mr. Fisher:** To ask the Minister for the Civil Service how many direct entrants at HEO level have been accepted into the civil service under the recent recruitment scheme; and what was the target.

Mr. Luce: The target of filling some 740 posts through the higher executive officer open competition has been met. Of those appointed, 175 are direct entrants to the civil service at this level.

Mr. Fisher: Will the Minister answer the question put by my hon. Friend the Member for Wrexham (Dr. Marek) —on 91 per cent. of posts in Customs and Excise being filled by serving civil servants? Does not that suggest that talent is available in the civil service, as the trade unions made clear to the Minister, and that his scheme is misconceived and a waste of public money? Will he recognise the talent under his nose within the civil service?

Mr. Luce: I fully recognise the talent of civil servants and the opportunities for promotion for talented civil servants. That was proved by this competition, in which the majority of people promoted were from within the civil service. It is not a waste of public money because it is exceedingly important for the service to recruit the best possible people to serve the Government and the nation. We shall achieve that by ensuring that, where possible, there is open competition and that the best possible people are recruited from outside as well as from inside the service.

Mr. Donald Thompson: Will my right hon. Friend do all that he can to ensure that people from the regions, especially Yorkshire, are recruited directly to the civil service, at whatever age, so that their experience of other jobs and professions can contribute to it?

Mr. Luce: I agree with my hon. Friend that that is to be encouraged but that is no reflection on the quality of people already serving in the service. We need the best possible range of people. It is healthy for the service to have the experience of those who have been in it for a long time and of those who have served in other walks of life. That adds strength to the civil service.

Mr. Winnick: On a point of order, Mr. Speaker.

Mr. Speaker: Order. We have not finished yet.

Civil Service Agencies

61. **Mr. Andrew Mitchell:** To ask the Minister for the Civil Service what progress has been made in developing civil service agencies in the last five weeks.

Mr. Luce: Excellent progress has been made. Eighteen new executive agencies have been set up this month, bringing the total to 30, employing some 66,000 staff. More agencies will be established in the next few months, and I would expect to see next steps applied to at least half the civil service by the end of 1991.

Mr. Mitchell: Does my right hon. Friend agree that the promotion of those agencies is extremely important, to ensure that a better service is delivered to the public and that employees derive more job satisfaction?

Mr. Luce: My hon. Friend is right. The main objectives include ensuring not only better value for money for the taxpayer in managing the civil service but that the quality of the service provided by the various agencies is the highest to benefit the public. Evidence from the establishment of the first agencies shows that that is beginning to happen.

Mr. Winnick *rose*——

Mr. Speaker: Order. I shall take points of order in their proper place—after the statement.

Agriculture Council

3.32 pm

The Minister for Agriculture, Fisheries and Food (Mr. John Gummer): I represented the United Kingdom at the meeting of the Agriculture Council from 25 to 27 April with my hon. Friend the Member for Skipton and Ripon (Mr. Curry), Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food.

Agreement was reached on 1990 farm prices on the basis of a further compromise put forward by the Presidency and the Commission. In general, it maintains a price freeze, with reductions in a few areas. The common agricultural policy reforms agreed in 1988, including stabilisers, have been protected in full, despite the attempts of several countries to modify them.

The package also includes a significant devaluation of the green pound. In debates, hon. Members were at pains to inform me that that was the most important aim of the United Kingdom because it is the means whereby we can eliminate, or at least reduce, the disadvantages that accrue to British farmers in competition with other members of the European Community.

Monetary compensatory amounts will be reduced substantially at the beginning of the next marketing year. On the basis of the position on 27 April the changes would be, for cereals and other crops, a reduction from 19·7 per cent. to 8 per cent.; for milk from 18·8 per cent. to 11·1 per cent.; for beef from 15 per cent. to 5·8 per cent.; and for pigmeat from 11·4 per cent. to 0 per cent. The Commission originally proposed a one third reduction. Looking at it in that way, the reduction for cereals and other crops is not 33⅓ but 55 per cent., for milk 38 per cent., beef 55 per cent., pigs 86 per cent. and sheep 56 per cent. The associated increases in support prices paid to British farmers—these are not increases in general but are, if one likes, reductions in the disadvantage that they have experienced until now —will be as follows: on crops, 10·7 per cent.; milk, 6·8 per cent.; beef, 8·5 per cent.; and sheepmeat, 11 per cent. This will allow our producers to compete on a more equal basis and provide a vital stimulus for the United Kingdom farming sector.

The package also inludes five measures known as the rural world, measures which aid small producers. I did not support these, as they are relatively expensive and do not look forward to the viable and efficient European agriculture which, in my view, it is the Council's task to promote and is in the interests of the United Kingdom to achieve. However, the final agreement contains three important qualifications compared with the original proposals, all of which the United Kingdom has pressed and gained. First, the Commission has said that these measures have "limited scope", and there is therefore every hope that it will not propose any similar ones. Secondly, one of the measures is time limited and another is subject to review after two years. Thirdly, it has been explicitly accepted, contrary to all earlier assertions, that the aids will be taken fully into account in the calculation of the Community's global support for agriculture in the context of the current round of negotiations on the general agreement on tariffs and trade.

I opposed reductions in coresponsibility levies, although I am opposed to coresponsibility levies in principle, because I could not accept them unless there were offsetting price cuts, and those were strongly opposed by some delegations. As a result, there are no reductions in coresponsibility levies, and the French Minister explained that their absence meant that he was not able to support the final package.

The Commission stated that the net cost of this settlement to the European Community budget will be 334 mecu in 1990 and 1,090 mecu in 1991. It confirmed that this would be met within the budget for 1990 and the agricultural guideline for 1991. I estimate that the net boost to United Kingdom farmers' returns in a full year will be perhaps £500 million. The effect on the retail prices index will be about 0·1 per cent. when fully worked through.

This outcome fully sustains the CAP reforms for which the Government have fought so hard, while giving a major boost to our agriculture in precisely the way that both sides of the House encouraged me to adopt in these negotiations. It shows how effectively the European Community can deal with the wide range of agricultural concerns of member states on a common basis. I commend it to the House.

Dr. David Clark (South Shields): I am grateful to the Minister for making a full statement about the results of his discussions last week. He has announced a fairly good settlement which has been widely welcomed by farmers, and especially by the National Farmers Union. After so much depressing news over the past decade, I can understand their enthusiasm. It would be right, however, to remind the House of the other side of the equation—the taxpayer and the consumer. Obviously this price increase must be paid for from somewhere.

Will the Minister confirm that the cost of the settlement to the European taxpayer will be about £700 million in a full year? I understood him to say that the benefit to the farmers would be to the tune of £500 million per year. Is that a cost-effective way of running agriculture, given that the settlement will cost taxpayers and consumers £700 million while the farmers will get only £500 million? Perhaps the Minister will deal with that point.

Does the Minister realise that there is concern in farming circles about the long-term effect of the proposal on the stabiliser mechanism which, as the House will remember, was introduced with the support of hon. Members on both sides of the House to try to reduce wasteful surpluses? The logic was that European farmers would be paid less if they produced too much. How can the Minister justify paying cereal farmers an extra 11 per cent. when they are supposed to be penalised to the tune of 3 per cent. for producing too much? That point requires explanation.

The third main group to be affected will be the hard-pressed consumers, who are already suffering the effects of food inflation much higher than general inflation. The Minister has said that the present settlement on a 50 per cent. devaluation of the green pound will add only 0·1 per cent. to the retail prices index, but he and the House know that the effect on food prices will be much greater, and that will penalise poorer households in particular. Does the Minister accept that the settlement that he has brought back from Europe will put up food prices by approximately 1 per cent., which will add more than 60p per week to the average household's food bill?

Can the Minister explain why he felt it right to oppose the rural world measures in addition to opposing the direct income aids which would do so much to help farmers in hard-pressed areas?

As a result of the settlement, farmers will receive an average increase in their income of more than 11 per cent., whereas, as the House will recall, farm workers were recently awarded a mere 9 per cent. That cannot be just. Many farm workers have been heavily penalised by the poll tax which, in some farming areas, such as the Minister's constituency of Suffolk, Coastal, with Tory-controlled county and district councils, is set at £109 more than the Government estimated. Will the Minister join me in advising farmers to play fair and pick up their farm workers' poll tax bills and so share the increase that he fought for and won for them in Brussels?

Mr. Gummer: I thank the hon. Gentleman for his support for the decisions in general. As the outcome was rather better than that for which he was pressing me a few weeks ago, it seems a little curmudgeonly for him to say, "Having agreed with the decisions generally, let me come back with the aspects with which I disagree." I wonder whether, if I had returned from Brussels with no change in the green pound, he would have told me, "The taxpayers and consumers are very pleased with what you have brought back."

The hon. Gentleman asked about the long-term effect on stabilisers. There is a 3 per cent. cut in the price of grain. I can easily justify the so-called 11 per cent. increase for the grain producer in Britain, on the ground that his prices are significantly lower than those in the rest of Europe. Grain producers will not enjoy an increase; they will face a cut of 3 per cent., like everyone else. Their prices will still not be as high as those elsewhere in Europe. If the hon. Gentleman does not understand that that is what the green pound is about, I understand why his invitations to meetings of farmers are limited in number.

The hon. Gentleman asked about the hard-pressed consumer. I am concerned about the consumer. That is why I was quick to say on the radio that the settlement would add less than 0·15 per cent. I found that I had rather over estimated; it will actually add less than 0·1 per cent. I said that because I do not think that we can expect farmers to bear on their shoulders an unfair burden in keeping retail prices down, which we do not expect motor car manufacturers, small business men or anybody else to do. Why should they be asked to bear that burden, in contrast with not only the rest of Europe but the rest of the Community?

I oppose the rural world proposals because they would do no good for Britain. As a collection, they do not help this nation. I am a British Minister of Agriculture and I am in the business of supporting Britain. What is more important, the proposals would do no good for Europe either. I am a convinced and fervent European and I believe that they would do no good for Europe. They would support uneconomic units which would never be economic and which would demand greater and greater support in circumstances which can do no good for Britain, Europe or the rest of the world.

The hon. Gentleman referred to the 11 per cent. average increases in the incomes of farmers. It is not an 11 per cent. increase in the income of farmers but an 11 per cent. increase in the support prices for farmers. On reconsideration, I am sure that the hon. Gentleman will recognise that that is not the same thing because it is offset by the increase in costs which farmers will have from increases in prices. Two years ago, when farmers' incomes fell dramatically, I did not notice that the hon. Gentleman asked me to limit the increase in farm workers' incomes. He knows perfectly well that the two are not connected in that direct way.

The hon. Gentleman referred to the community charge. In Suffolk, Coastal, as elsewhere, the major reason why the community charge is as high as it is is that Suffolk Coastal district council has increased its spending by 24 per cent. and Suffolk county council has increased its spending by 16 per cent. The fact that they are Conservative councils only shows that they have done better than the 50 Labour councils that have done enormously worse.

Mr. Jerry Wiggin (Weston-super-Mare): Does my right hon. Friend accept that the disparity between the amounts paid to continental farmers for the same products—that is to say, the differential in the green pound—has been one of the hardest aspects of the common agricultural policy to defend? Will he accept the congratulations of Conservative Members on the substantial reduction that he has secured in that unfairness? Will he give an assurance that he will continue to battle until there is no disparity?

Mr. Gummer: The green pound system is wholly unacceptable. It must be abolished by the end of 1992. I shall do my best to ensure that there are substantial reductions between now and then.

Mr. William Ross (Londonderry, East): Is the Minister aware of recent studies which show that, contrary to popular belief, most farmers in this nation live on low incomes and that, therefore, what he has achieved will be widely welcomed by the farming community in general? Will he reflect that his achievement applies not to the income for the past year but to the next marketing year? Does he recall that last year Ministers also set out to achieve a large devaluation and in some cases achieved it but that it was undermined by currency movements? Is he aware that the beef sector, particularly last year, started with a nil disparity but has ended up out of line by 8 per cent? Does that outcome reflect a judgment in Government circles that over the next 18 months the pound sterling will not recover in the markets? Will he also reflect on the fact that the only long-term hope of success for the farming community is to have a green pound which at least floats and stays in line with currency values? If that were the case, he would not get into this dogfight every year because our farmers would compete on level ground. Has he made progress on that matter or should we look forward to the replacement of the green pound system?

Mr. Gummer: In response to the hon. Gentleman's final comments, let me say that the problem with the green pound, the green drachma, the green lira or anything else is that they fix for a long period an unreasonable exchange rate either above or below the currency value. That is not acceptable. That is why we are committed, as all countries in Europe are committed, to its abolition by the end of 1992. We cannot have a single market while such a system is working. I am pressing the Commission to come forward with its proposals as early as possible in order that we may work on them and ensure that the replacement for the system is wholly acceptable to everyone.

[Mr. Gummer]

As for beef, I emphasise the important fact that we were offered 33⅓ per cent.; in the last compromise we got that up to 41 per cent.; in these debates and discussions, after considerable pressure in which hon. Members on both sides of the House played a part, we have got it up to 55 per cent. That is an important decision for Northern Ireland as well as elsewhere.

Several Hon. Members *rose*——

Mr. Speaker: Order. Hon. Members will be well aware, having seen today's Notice Paper and the number of amendments that we must get through, of the pressure on the House's time today. I ask for single questions.

Mr. Paul Marland (Gloucestershire, West): Unlike the mealy-mouthed words from the Opposition Front Bench spokesman, I extend warm appreciation for what my right hon. Friend has achieved. It is a major achievement, widely welcomed throughout the industry. My right hon. Friend's breakthrough in the devaluation of the green pound will be welcomed by every farmer in the land—especially pig farmers, who have seen the monetary compensatory amounts completely wiped out.

A point that my right hon. Friend did not touch on but which will be widely welcomed is the speeding up of payments for goods taken into intervention.

I ask my right hon. Friend finally not to lose his commitment to dismantling the coresponsibility levies, because they are a mean tax which do not get anyone anywhere.

Mr. Gummer: I shall certainly not lose my commitment to that, because the coresponsibility levies are a tax on the income of farmers without reducing the price to the consumer. They are therefore unacceptable both as a marketing aid and in equity. I am particularly pleased by the dismantling of the monetary compensatory amounts for pig producers, because they are among those least supported by the Community system, so they have the greatest sense of grievance when they are discriminated against.

Mr. Nigel Spearing (Newham, South): Will the Minister confirm that in any one year our pro rata contribution to the common agricultural policy, paid through tax, is between £3 billion and £4 billion, of which we receive only about half back in support? What proportion of the increased moneys that will now go to farmers will come from EEC funds and what proportion from United Kingdom consumers?

Mr. Gummer: I am sure the hon. Gentleman will know that under these changes the proportion remains very much the same, but I remind him that the European Community is much more important than the simple balance that he has put forward. As a country we benefit enormously from our membership of this growingly important group in Europe. We are proud to be members of it, and our membership is vital to our future prosperity.

Sir Charles Morrison (Devizes): This settlement will be as welcome to the British people as it is to farmers, because everyone wants a prosperous and attractive-looking countryside. But to complete the picture, on which I congratulate my right hon. Friend, will he tell us how he thinks the settlement will benefit the conservation of the countryside?

Mr. Gummer: My hon. Friend is right to point to the need to ensure that the countryside of England is farmed. If the United Kingdom has an unfarmed countryside, that will be to the detriment of conservationists everywhere. We need a prosperous farming sector if those who have created the landscape are to be able to continue to look after it. That is why I welcome this settlement from a conservationist's, as much as from a farm income, viewpoint.

Mr. Richard Livsey (Brecon and Radnor): It would be churlish not to welcome this devaluation of the green pound. It is clearly welcome in the agriculture industry, but the past five years have been disastrous for farming and this change has been a long time coming.

Will the green pound be abolished before 1922, and will the Minister be working towards that end? Does he agree that, in rejecting the rural world proposals, he is discriminating against British small farmers as well as their continental counterparts?

Mr. Gummer: The hon. Gentleman must read the rural world arrangements. If we supported those arrangements, we would find that what Britain calls small farmers would be discriminated against because most of the arrangements apply to what we would refer to as micro-farmers. The farmers that the hon. Gentleman represents in Brecon and Radnor would be the people most disadvantaged by the continuance of such a policy. It is because I have a real concern for small farmers that I am not willing to support a proposal that reaches out only to the very smallest of farmers, most of whom are not found in the United Kingdom except to a very small degree. The hon. Gentleman knows perfectly well that any decision about the future of the green pound depends on 12 Ministers agreeing. This decision is a good one for the United Kingdom because it was reached with the agreement of the other 11 Ministers, all of whom are to some degree disadvantaged by the removal of this disadvantage to the British farmer.

Mr. Robin Maxwell-Hyslop (Tiverton): I pay tribute to my right hon. Friend's personal success as a well-informed, logical and pertinacious negotiator for this country. Can he clarify that the £500 million increase in income for the farming industry is gross and not net and that it will help that industry to meet the increases in costs for electricity and water, for instance, which are far higher than the retail prices index?

Mr. Gummer: My hon. Friend is right to say that this is an increase in gross income. I thank him for his tribute, which comes particularly well from him, given his great experience in agriculture. For reasons that we would prefer not to be true but which are true, British agriculture benefits to a greater extent than others from the shortening of the payments period because, when there is a high interest rate, payments that are made more promptly save money for those who would otherwise pay a high interest rate on the money.

Mr. Tam Dalyell (Linlithgow): Will the Minister get advice from the vertebrate zoologists who are available to the Ministry of Agriculture, Fisheries and Food and ask

for their figures showing the decline in amphibian populations? Will he put those bio-indicators on the agenda for the next meeting of the Council? [HON. MEMBERS: "Frogs' legs."] Hon. Members should not mock. The decline in frogs all over the Community is absolutely alarming. Tadpoles perform an excellent function in the destruction of algae, and frogs destroy insects rather better than insecticides. This matter is ecologically serious and should be tackled.

Mr. Gummer: I hope that the hon. Gentleman will agree that I have taken an active part in promoting the causes that he has in mind, and I shall certainly look at the point that he raises. I am sure that no hon. Member would fail to seek to make a change in a situation which means that what was once referred to as the common frog ought now to be referred to as the uncommon frog.

Mr. Robert Boscawen (Somerton and Frome): Will my right hon. Friend take encouragement from what will be seen as an excellent settlement for the livestock industry? Will he go further next year and eliminate the MCAs altogether? Does he further agree that it is time that the super-levy was eliminated from the dairy sector?

Mr. Gummer: I agree that we need to look at all the systems of levy that are in place at the moment. An important part of this settlement was that the Community showed itself wholly supportive in the end of the tough measures to restrain production which were pioneered by the United Kingdom. It also wholly supports the Community's proposals in the GATT round. Previously they had not been unanimously supported, but they now have the additional support of the two minority countries, Germany and Ireland. Together we have shown that we are determined to keep up the pressure. Of course we must look at the mechanisms that we use if they turn out to be less than satisfactory.

Mr. Dennis Skinner (Bolsover): Is the Minister aware that thousands of people who work on the land in Britain will not clap their hands as a result of his statement? The people who create the real wealth in the countryside, the farm workers, have a job to keep their head above water financially, especially now that they have to pay the poll tax. If he had any guts, he would go back to the Common Market and negotiate a supplement to pay the poll tax for farm workers. Why does not this micro-Minister do that instead?

Mr. Gummer: I thought that almost every country had ceased to make this artificial distinction between farmers and farm workers as the creators of wealth in the countryside. It is only in the fastnesses of the hon. Gentleman's constituency and in the recesses of his mind that that Marxist myth continues to exist. Farm workers in Britain are much more likely to be well off in a prosperous farming industry than in an industry that is strapped for cash and unable to make next year's budget balance.

Rev. Ian Paisley (Antrim, North): The best thanks of the farming community in Northern Ireland go to the Minister, and I congratulate him on having accomplished a good job. We also thank him for listening to the strong representations that came from Northern Ireland, through both Members of Parliament and Members of the European Parliament. The beef farmers in Northern Ireland have had a rough ride because of smuggling and the differential in the green currencies of Northern Ireland and the Irish Republic. Will the Minister press on with eliminating altogether the green pound differential?

Mr. Gummer: I am sure that the green pound must go. I thank the hon. Gentleman for his comments and I note that the whole community—Unionist and Nationalist and the different parties in the House and in the European Parliament—combined to pressurise me and the Commission in the battle to deal with beef in the north of Ireland. It has been a great achievement, a significant part of which is owed to that lobby.

Mr. Robert Maclennan (Caithness and Sutherland): Does the Minister recognise that, while the farming community is grateful for his success in respect of the devaluation of the green pound, it remains extremely concerned that that work will be eroded by the further failures of the economy, particularly inflation, which will again widen the gap? Is he ready to throw his weight behind immediate entry into the European exchange rate mechanism to ensure that inflation does not hit the farmers?

Mr. Gummer: One way to ensure that we reduce inflation is by keeping up the pressure on inflation, particularly through interest rates. Therefore, I have not only thrown my weight behind but am wholeheartedly in support of the Government's tough measures on that front. If the hon. Gentleman explained to the public why it is important to have high interest rates to keep inflation down, he would be doing much more than peddling a panacea, as he so often does.

Several Hon. Members *rose*——

Mr. Speaker: Order. I remind the House that there are 26 groups of amendments to be dealt with in the next debate. I shall do my utmost to call all hon. Members who have been rising, up to 4.15 when we must move on. I ask for brief questions.

Dame Elaine Kellett-Bowman (Lancaster): I give my right hon. Friend the warm thanks of my farmers for achieving the biggest green pound devaluation ever, which will greatly help sheep and beef farmers and milk producers. Does not this fully justify the opinion of Lancashire farmers, who said at the National Farmers Union annual general meeting this year that my right hon. Friend would make a jolly good president of the NFU?

Mr. Gummer: I count a number of jobs more difficult than that of being Minister of Agriculture, Fisheries and Food, and that is one of them. I am grateful for my hon. Friend's thanks, and the support of the Lancashire farmers in these negotiations has been particularly helpful. In these matters, the Ministry and farmers as a whole, whether members of the union or not, are on the same side.

Mr. Colin Shepherd (Hereford): Is my right hon. Friend aware that his package will be enormously welcomed by everybody involved in agriculture in my part of the country—the Marches—and that it will confirm their opinion that he is a heavyweight Minister of Agriculture, Fisheries and Food? First, can he confirm that this is within the budget of the common agricultural policy and does not constitute a straying outside it? Secondly, in

[Mr. Colin Shepherd]

looking towards that important date when all MCAs must go in 1992, is he satisfied that there is sufficient commitment among his fellow Ministers to achieve that?

Mr. Gummer: My hon. Friend is right in saying that much depends upon the commitment of one's fellow Ministers. Almost without exception, they recognise that it is not possible to have a single market without the abolition of the green currency system. The problem is to determine how to achieve that end. We shall have to enter into some tough negotiations to get that right.

Sir Jim Spicer (Dorset, West): Will my right hon. Friend accept that every farmer in Dorset is delighted with the settlement? I thank him especially on two counts: first, for the settlement which he and his team worked so hard to achieve; secondly, for his clear recognition that our farming community has had a tough time over the past three years. That is a clear sign that he will be fighting just as hard over next year's budget to achieve total parity.

Mr. Gummer: It is right to say that British farmers have had a particularly difficult time over the past few years because of the disadvantages that they have faced in respect of their income compared with that of other farmers within the European Community. I remind my hon. Friend that, at a time when there is a production surplus, it cannot be as easy for farmers to produce high incomes as it was when there was a shortage of production. I should not like anyone to believe that the next few years will be easy in Europe, or in the rest of the world, for farmers. We must seek fairness and equality of opportunity for farmers to compete in world markets. I seek a situation in which the British farmer is not disadvantaged by the green pound or any other part of the CAP.

Miss Emma Nicholson (Torridge and Devon, West): I warmly congratulate my right hon. Friend on achieving a devaluation of the green pound which could not have been anticipated. I ask him for some elucidation on sheep price increases. I refer to the ewe premium and guide prices. Will these have to wait until January 1991, which is the start of the sheep year, or is there any hope of earlier implementation?

Mr. Gummer: I fear that the facts of the market are that such changes take place at the beginning of each agricultural marketing year. That makes things especially difficult for the sheep producer because he has to wait the longest. If I could have found a way of changing that, I would have done so. That was not possible for a range of reasons, some of which are rather complicated and technical. We have in the past resisted changes because they have been disadvantageous overall to the United Kingdom. I agree with my hon. Friend that it is particularly galling for sheep farmers that they have to wait so long for the very significant increase which they deserve and which they will get.

Mr. William Hague (Richmond, Yorks): Now that my right hon. Friend's excellent negotiating achievement has given British farmers a fairer chance to compete, does he agree that improved attention needs to be given to the effective marketing of their products throughout the Community? May we look forward to any new proposals about the future operations of Food From Britain?

Mr. Gummer: I hope to make an announcement in the next couple of days about the chairmanship of Food From Britain. I have already made arrangements to extend its remit and funding for three years so that it is able to fight the battle for British food within the European single market. I agree that, whatever prices are on a Community basis, in the end it is the selling of British food aggressively and effectively that matters. We produce some of the best food in the world. We have a reputation in the world for having the best food surveillance systems and the highest standards of food safety that are to be found anywhere.

Mr. David Harris (St. Ives): Does my right hon. Friend agree that the substantial devaluation of the green pound confounds the gloomy predictions which have been made with such relish by the Opposition? Does he also agree and acknowledge that his announcement today will be welcomed by the NFU nationally and by its county leaders, not least in Devon and Cornwall? In the difficulties that agriculture is facing, it will go some way to keep Britain farming.

Mr. Gummer: I am sure that most farmers recognise that much of what they hear from the Opposition is grounded not in fact but in party-political ambition.

Mr. Quentin Davies (Stamford and Spalding): As the representative of a constituency with a substantial commitment to arable farming, may I tell my right hon. Friend that his announcement today will bring forth much admiration and gratitude in farming for his negotiating skills? Is not it the first serious breakthrough in the process to bring to an end the pernicious system of green currencies that we have suffered for much too long? It will have at least two effects: first, a sorely needed boost to the economics of the farming industry, and therefore to investment confidence; and, secondly, a boost to the credibility of my right hon. Friend's efforts to bring the green currency system to an end. He is turning into a remarkable Minister for Agriculture.

Mr. Gummer: I thank my hon. Friend.

Mr. Tim Boswell (Daventry): Will my right hon. Friend confirm that at the beginning of the negotiations the other 11 member states were opposed to our devaluation and that the Commission was proposing a one third devaluation? Can he explain how he managed to achieve an agreed settlement half as good again as the Commission's original proposal without the other member states apparently obtaining commensurate increases in producer prices?

Mr. Gummer: The EEC is, in fact, a good organisation and if member states work together it is to the benefit of all. This is one example of how the EEC works at its best and why it is to the benefit of British farmers and the British nation.

Mr. Bill Walker (Tayside, North): Does my right hon. Friend realise that the farmers and the farm workers of Scotland will be delighted with his achievements in Brussels? Will he send them the message that it in no way changes his commitment to FEOGA grants that he gave in an earlier statement?

Mr. Gummer: It does not change any of my commitments. I am pleased that we are getting a little closer to parity. I hope that we will achieve parity and the removal of discrimination as soon as possible.

Mr. Barry Field (Isle of Wight): Is my right hon. Friend aware that there is only one National Farmers Union county branch that has a Member of Parliament all to itself? Is he further aware that the county chairman has warmly welcomed this package of measures? We have many small farmers on the Isle of Wight, which gives the lie to the point made by the hon. Member for Brecon and Radnor (Mr. Livsey) that the package will disaffect small farmers. Can my right hon. Friend confirm that the reduction in the payment period will do much to narrow the perception of farming that it is not an industry where profits are required or where wealth creation is necessary?

Mr. Gummer: Although it may have been a necessary part of the pressure on farm incomes, it sits ill in the Community to insist upon 120-day payment when we are trying to pay small businesses and to set an example to people who owe money.

Mr. Andy Stewart (Sherwood): I congratulate my right hon. Friend on behalf of the Sherwood farmers, whom I was with on Saturday night. Is he aware that they were ecstatic about the settlement? Indeed, I thought that each and every one of them would receive £590 million. Some commented that my right hon. Friend had performed a miracle. In view of that, could he reiterate how he achieved a settlement that doubled what was on the table?

Mr. Gummer: I say again that it was because the European Community works. It provides the means within which 12 countries can agree proper arrangements for agriculture. If we did not do it that way, we would be battling among ourselves to the detriment of all. The common agricultural policy is a thoroughly good way to deal with common problems.

Mr. Derek Conway (Shrewsbury and Atcham): Does my right hon. Friend accept that his statement in firm defence of British farming interests will be widely welcomed by Shropshire farmers? Will he confirm that his announcement will, however, have little impact on food prices in shops, because farmers receive such a small percentage of the final cost of that food?

Mr. Gummer: I am sorry that some of the popular newspapers have sought to suggest that the increases in food prices are wildly greater than they will be. Farmers in Britain deserve a reasonable return for their important job of producing food for Britain and looking after the landscape. If they are not provided with that money, they cannot do that job.

Mr. Nicholas Bennett (Pembroke): On Saturday, I attended the annual dinner of Llanddewi Velfrey community council whose members asked me to convey the thanks of the Pembrokeshire beef and dairy farming communities for the increases that my right hon. Friend secured. I gladly do so. What success is my right hon. Friend having in ensuring that all farmers receive equitable treatment within the EEC, and that those continental farmers who seem to be fiddling the CAP and fail to produce properly audited accounts are brought to book?

Mr. Gummer: We are completely against fraud within the European Community wherever it is perpetrated. I would be against fraud by farmers in Britain as in anywhere else in the Community.

I am only sad that we are talking today not about an increase in the margins available to British farmers but a decrease in the disadvantage that they hitherto suffered. I wish that people would talk about such settlements in those terms, because that is the only way that we will get rid of the green pound.

Mr. Richard Shepherd (Aldridge-Brownhills): Does not the answer that my right hon. Friend has just given highlight the Alice-in-Wonderland world that this is? We are cheering increased subsidies, either through taxes or higher consumer prices, which is an extraordinary stance for hon. Members on this side of the House, and no one is giving a cheer for the consumer. Should not consumer interests take priority?

Mr. Gummer: My hon. Friend is wrong, because the consumer is protected by having a lively farming industry able to produce the food that the consumer wants. The consumer is protected because 80 per cent. of Britain's land area is looked after by farmers. The consumer is protected because the rural areas have enough income to maintain their economies and their populations. The consumer gets a very good deal out of the settlement. It is quite wrong to drive a wedge between consumer and farmer.

Points of Order

4.16 pm

Sir Bernard Braine (Castle Point): On a point of order, Mr. Speaker. I should be grateful for your guidance regarding the interpretation of Standing Order No. 86(2), which concerns the composition of Standing Committees, with particular reference to that appointed last week to consider the Human Fertilisation and Embryology Bill.

On 2 April, the House was given an explicit assurance by my right hon. and learned Friend the Leader of the House that the composition of the Standing Committee upstairs would be decided after a decision had been reached on the Floor of the House on the issues of embryo experimentation and late abortion. None of us had any doubts about that at the time, and those two issues were debated in Committee in the Chamber.

The Bill contains many other provisions of concern to pro-life right hon. and hon. Members, who are to be found in all parts of the House. All the Bill's provisions are of concern to those right hon. and hon. Members. You will be aware, Mr. Speaker, that of the 18 hon. Members nominated for the Committee, 15 voted for research involving the destruction of the human embryo and only two voted against. If the Committee is to reflect the pro-life element of the House as a whole, as expressed in those two recent relevant votes, those who oppose the present totality of the Bill's provisions should be represented by at least six members of the Committee.

Standing Order No. 86 refers specifically to the qualifications—I emphasise, qualifications—of the members chosen to serve on a Committee. Several right hon. and hon. Members who are extremely knowledgeable on the subject—including the hon. Member for Liverpool, Mossley Hill (Mr. Alton), who himself introduced a relevant Bill—applied to be selected for the Committee but were turned down, so there are only two representatives on the Standing Committee of the pro-lifers in the House.

My long experience of the House has stretched over many Parliaments and over 40 years. I cannot recall a similar example of such blatant disregard of the composition of the House in the membership of a Standing Committee—it flies in the face of the terms of the Standing Order. I should be grateful for your guidance on how the House can redress that injustice.

Mr. Speaker: The right hon. Member knows that the duty of nominating Members to Standing Committees is placed on the Committee of Selection by Standing Order No. 86. It is not a matter for the Chair. Any comment regarding the membership of a Committee should be addressed to the Chairman of the Selection Committee.

Mr. A. E. P. Duffy (Sheffield, Attercliffe): Further to that point of order, Mr. Speaker. The Leader of the House gave a specific undertaking to the House on the evening of 2 April—in column 987 of the *Official Report*—that, as the Father of the House has just informed us, the composition of the Standing Committee would reflect the outcome of debates at the beginning of last week. As the Father of the House has told us, the composition of that Committee will reflect less than half of the proportion of opposition expressed to the two major items that were the subject of debate at the beginning of last week. That is too big a discrepancy for the House to permit.

Mr. Speaker: Order. It is difficult to say any more on the issue, other than to repeat what I have already told the right hon. Member for Castle Point (Sir B. Braine).

Sir Bernard Braine: Further to that point of order. I understand that, Mr. Speaker, and in normal circumstances I would accept your ruling, but my first point is that I wrote to the Chairman of the Selection Committee and I received no answer. My second point is that the Standing Committee meets tomorrow. In other words, there is no way that the matter can be remedied, as the Chairman of the Selection Committee has not bothered to reply. In the last analysis, Mr. Speaker, you are the guardian of minorities. Based on my experience in the matter, I am stating that there has been a blatant disregard of the provisions of the Standing Order and I ask you to be so kind as to reflect on the situation which, as far as I am concerned, is totally without precedent.

Sir Marcus Fox (Shipley): Further to that point of order, Mr. Speaker. As I have been mentioned, as the Chairman of the Committee of Selection, I must say to the Father of the House—and it gives me no pleasure to do so—that I received his letter on Thursday, and it was my intention to see him today, as I was not in the House on Friday, to explain the workings of the Committee of Selection. He said that there was a blatant disregard for the debate, but our duties are quite straightforward. That Human Fertilisation and Embryology Bill is a Government Bill and the Government are entitled to a majority on the Committee. We have no say over the size of the Committee. It is our duty to see that the Government have a majority. If my right hon. Friend does his homework he will find that, excluding Ministers and Parliamentary Private Secretaries, two of the five Conservative Members chosen were hon. Members whom he would like to see on the Committee. If my Conservative colleagues on the Committee voted in that fashion—and it would be open to Opposition Members to vote as they saw fit—there would be a draw. I have no control over the nominations from the Labour party or other minor Opposition parties. That is the system.

Several Hon. Members *rose*—

Mr. Speaker: Order. That is not a matter for me but for the Committee of Selection. The hon. Member for Maidstone (Miss Widdecombe) and other hon. Members have heard what the Chairman has had to say on the matter.

Mr. Bryan Gould (Dagenham): On a point of order, Mr. Speaker. You will have seen reports over the weekend that the Prime Minister is considering major changes to the poll tax and that new legislation could be introduced in the summer. Those reports have produced an all-too-familiar poll tax confusion with some Ministers flatly opposing any such change and others, including those most directly involved, professing no knowledge of any such change. At first, the Prime Minister's Office apparently confirmed the reports, but this morning they apparently briefed journalists that no change in the tax is to be expected.

My point of order for you, Mr. Speaker, is that significant changes to the poll tax at this stage would be of great interest to local electors as they try to make up their minds before next Thursday's local elections and to local government which faces the prospect of gearing up to yet another major change within just a month of the poll tax

being introduced. The prospect of new legislation is also of the greatest interest to you and to the House as a whole: it would have considerable significance for the remainder of the legislative programme.

If Ministers and their civil servants can brief journalists and say that there will or will not be any change, why can they not make a similarly clear statement to the House? Have either the Prime Minister or the Secretary of State for the Environment approached you about a possible statement? If not, when do you expect to hear and, through you, when can the House expect to hear whether legislation on this vital matter is to be expected?

Several Hon. Members *rose*——

Mr. Speaker: Order. I do not need too much help. Like all other hon. Members, I have read what was said in the newspapers. I listened, furthermore, to last Wednesday's debate. If hon. Members will refresh their memories by looking at the Votes and Proceedings of 25 April, they will see that the House specifically resolved that the Government proposed

"to listen to constructive suggestions for improving the new system with a view to prompt implementation of any necessary changes".

I am not surprised, therefore, that discussions are taking place.

Mr. Quentin Davies (Stamford and Spalding): Further to that point of order, Mr. Speaker. Would not it be for the convenience of those who will be casting their votes on Thursday if they could have a clearer idea of the Labour party's roof tax proposal, about which there has been the most monumental confusion for months?

Mr. Speaker: We cannot have a re-run of last Wednesday's debate.

Mr. Brian Wilson (Cunninghame, North): Further to that point of order, Mr. Speaker. The Scottish electorate has a particular interest in these matters. We want to know whether there will be a U-turn by the Prime Minister or whether she will give a V-sign. Particularly in the light of the shambles that ensued after the Budget statement, in which the Secretary of State for Scotland trailed along after the Chancellor of the Exchequer, I must ask you whether you have had any request from the Secretary of State for Scotland to make a statement so that when people vote next Thursday they will know whether they are voting for the poll tax, or for another form of poll tax or for no poll tax at all.

Mr. Speaker: I have received no request from the Secretary of State for Scotland for a statement to be made. The Prime Minister will be at the Dispatch Box tomorrow. That will be the moment when hon. Members can raise matters of this kind.

Mr. John Morris (Aberavon): On a point of order, Mr. Speaker. I seek your guidance on the application of the sub judice rule in this high court of Parliament whenever there is

"a real and substantial danger of prejudice to the trial of the case."

in another high court, the High Court of Justice. I refer to "Erskine May", page 378.

On Friday, the Court of Appeal decided that the case of Regina v. Cullen and Others was overwhelmingly prejudiced by statements made at the time by the then Secretary of State for Northern Ireland. The right hon. Gentleman replied in a written answer on 20 October 1988, issued a press statement the same day and went on television, as the Court of Appeal said

"to express himself in strong terms at a critical stage in the trial that a failure to answer questions or give evidence was tantamount to guilt."

By this time the accused had made it clear that they would not give evidence, the trial having begun on 10 October. On the same day, 20 October, the then Home Secretary, also in a written answer, confirmed that he had reached a similar conclusion to that reached by the Secretary of State for Northern Ireland: that there was a strong case for the law to be changed in England and Wales. As the trial judge said:

"It would have been far better, putting it at its lowest, for the comments of the Northern Ireland Secretary not to have been made."

Apart from the obvious question of where was the common sense of the Secretaries of State for Northern Ireland and for the Home Department, the question that arises is how Ministers and, indeed, Members should conduct themselves when controversial or other trials are in progress. Hence the sub judice rule. As the Court of Appeal stated:

"As could easily have been foreseen on so controversial a matter the media were immediately and intensely interested."

The trial was at a critical stage, the Secretary of State for Northern Ireland was the alleged victim of a conspiracy and obviously followed the course of the trial day by day. What advice did he receive? Was the Attorney-General consulted by either Secretary of State, and if not, why not? Was the Attorney-General not volunteering advice or was not it the case—*[Interruption.]*

Mr. Speaker: Order.

Mr. Morris: I am coming to my point, Mr. Speaker. Was not it the case that only a fool would have wanted advice in those circumstances? What the House is anxious to know—*[Interruption.]*

Mr. Speaker: Order. The right hon. and learned Gentleman must address a point of order to me; I have not yet heard any reference to one.

Mr. Morris: I thought that it was important that the facts upon which the alleged breach of the sub judice rule came into play should be known. I am asking for your guidance, Mr. Speaker, because the House is anxious for your guidance about how we should conduct ourselves if Ministers are seen to be riding roughshod over those rules. After advice from the Attorney-General and your own counsel, will you, Mr. Speaker, consider where the sub judice rule now stands? What steps should Ministers, who are obviously in breach of that rule, take to explain themselves to the House?

Several hon. Members *rose*——

Mr. Speaker: Order. I do not think that I need any help —*[Interruption.]* Order. Allow me to deal with this. As far as the case to which the right hon. and learned Gentleman has referred is concerned, I do not think that the sub judice rule was called in doubt at that time. It is now two years ago, but I do not think that the then Secretary of State for Northern Ireland referred to that specific case. The whole House well knows that the sub judice rule bites upon specific cases.

Mr. John Morris: Further to that point of order, Mr. Speaker. As the Court of Appeal interpreted the comments of the then Secretary of State for Northern Ireland in such a way as to make it obvious that it was an inference and did, in fact, prejudice the case, I am asking you, Mr. Speaker, further to consider where the sub judice rule now stands and what further guidance should now be given to the House.

Several hon. Members *rose*——

Mr. Speaker: Order. I am not responsibile for the interpretation of the appeal judges. That is not a matter of order for me. If the right hon. and learned Gentleman is alleging—I hope that he is not—that I should have stopped the then Secretary of State for Northern Ireland responding to that question, that is a different matter, but I am afraid that he will have to pursue it in the proper way.

Mr. Kenneth Hind (Lancashire, West): Further to that point of order. Mr. Speaker. I should be grateful for your guidance on this matter, because the sub judice rule means that if the House is considering a criminal justice Bill, for example—and some recent such Bills have been extensive, covering many subjects—our discussions are bound to impinge on certain cases going through the courts. The whole purpose of a criminal justice Bill is to improve the standards of our justice in this country. Therefore, I should be grateful if you would reconsider this matter, Mr. Speaker, because some of our comments may lead to judges taking an adverse view of certain cases in the future.

Mr. Speaker: There is no implicit sub judice rule when we are dealing with legislation. That is another and a different matter.

Several Hon. Members: *rose*——

Mr. Speaker: Order. I call Mr. Michael Foot.

Mr. Michael Foot (Blaenau Gwent): On a point of order, Mr. Speaker. Some of us who have been here for a long time think that it extraordinary that, after two of the events of the weekend—both of which have been raised on previous points of order—no Minister has volunteered to make a statement to the House. First, there is the question of the poll tax confusion; secondly—equally important in a constitutional sense—other extraordinary events have taken place. Surely it is unprecedented for the responsible Minister not to be prepared to make a statement to the House the following Monday.

May I put the matter the other way round Mr. Speaker? If the Government do not think that it is necessary to report to the House on those matters, can you give us any idea what extraordinary, almighty botch the Government would have to achieve before the Minister would have to report to the House?

Mr. Speaker: Botches made by either side of the House are not included among my many responsibilities. Each case must be judged on its merits. I am not aware that the Government have said that any statement will be made, but what has been said by the right hon. Gentleman will undoubtedly have been heard by the Leader of the House.

Mr. Bill Walker (Tayside, North): On a point of order, Mr. Speaker. I seek your guidance on how Back-Bench Members can be protected from a phenomenon that has developed recently—possibly because we are being televised. It concerns the number of Members who are really Front-Bench Opposition spokesmen on matters such as the community charge in Scotland. This afternoon, for instance, a Labour Front-Bench spokesman raised what I considered to be a spurious point of order, simply to draw attention to what he was saying in election week.

Mr. Tam Dalyell (Linlithgow): Further to the point raised by my right hon. Friend the Member for Blaenau Gwent (Mr. Foot), Mr. Speaker. On behalf of hon. Members who are not lawyers, may I suggest that the Attorney-General or another Law Officer should come to explain what has happened, even if the Minister responsible—the Secretary of State for Defence—will not do so? Are we not entitled to that? Before the present Government came to power, it was accepted by Governments of both parties that Law Officers should come to explain such matters. Why has that practice stopped?

Mr. Speaker: Order. That is a completely different matter. It is a matter for the Government, and I am sure that it will have been heard by them.

Mr. Teddy Taylor (Southend, East): On a point of order, Mr. Speaker. Is it in order for the Chair to allow the motion that we are about to consider, which relates to European Community document No. 4963 under Standing Order No. 102(3), to be put before the House? You will be aware, Mr. Speaker, that Standing Order No. 102(3) allows any European document to be considered on such a motion—there is no limitation or restriction. However, Standing Order No. 46 says that any measure that has consequences for public expenditure must be specifically recommended by the Crown. In the papers attached to the motion, the Paymaster-General says that the consequence of the document will be an increase in our EEC contribution of £115 million next year and £195 million in the following year.

It could be said that these are merely proposals. Clearly there is nothing wrong in referring to a Standing Committee proposal with financial consequences, which may be rejected or approved. Sadly, however, the Government's second paper states that the proposals have already been approved, on 22 March. Therefore, it is a direct charge on the taxpayer.

I have read the proposals in today's Order Paper. They are dynamic proposals, which will have serious consequences for public expenditure. How is it possible to refer that to a Standing Committee under Standing Order No. 102(3), when it involves a substantial increase in Britain's public expenditure without any recommendation from the Crown? Will you, Mr. Speaker, consider the matter and invite the Government not to move the motion? Alternatively, could we have a sensible way of dealing with what is a great deal of money—an extra £200 million—which must be paid to the European Community as a direct consequence of that document, the principle of which has already been approved in Brussels?

Mr. Speaker: The motion is in order, but the hon. Gentleman will know that if 20 hon. Members rise in their place when I put it, the Noes will have it, and it then becomes a matter for debate on the Floor.

Mr. David Winnick (Walsall, North): On a point of order, Mr. Speaker. As I understand it, on several occasions you have deprecated the way in which Ministers tell the media what is intended but not the House. As you

said, since Friday the media have been full not only of discussion and quotes from Ministers but of reports on legislation on the poll tax coming before the House, possibly in July. Why are Members of Parliament being denied the opportunity of hearing statements from Ministers, who are busy telling the press what they intend to do?

Mr. Speaker: We had a long debate on this matter last week and many such statements were put to the Government. The Government specifically stated in the Votes and Proceedings that they would listen to what has been said in the House.

Mr. James Kilfedder (North Down): On a point of order, Mr. Speaker. May I seek your help with speculation that appeared over the weekend about changes to the poll tax legislation? I have it on reasonable authority that Northern Ireland Conservatives are pressurising the Government to force the poll tax on the people of Northern Ireland. I should like your help in persuading the Minister to make a statement about that, as there is grave anxiety in Northern Ireland.

Mr. Speaker: The hon. Gentleman specifically used the word "speculation". I am concerned not with speculation in the press but points of order in the House.

Several Hon. Members *rose*——

Mr. Speaker: Order. We have a busy day ahead of us, with 26 groups of amendments. I will call the hon. Member for Denton and Reddish (Mr. Bennett).

Mr. Andrew F. Bennett (Denton and Reddish): On a point of order, Mr. Speaker. Will you give further thought to written questions and the sub judice rule, especially the problems with planted questions? In the past, I have tabled at least two questions to which the sub judice rule might have applied. Your office and the Clerks had to make extensive inquiries, some of which involved asking questions of the Department to which the question had been tabled, about whether the sub judice rule was likely to be breached. Eventually, I was told that one question would appear on the Order Paper but that the other would have to wait. The problem is the practice that we refer to as "plants", whereby Departments find a sympathetic Member to table a question, often late at night and sometimes minutes before the House rises for answer the following day. That presents a problem for your office, because it has little time to decide whether the question is sub judice. The assumption is that because it has been tabled to a Department—we all know how planted questions come from Departments—it cannot be sub judice. Clearly, on this occasion the Department made an almighty blunder. Will you give this further consideration so that in future there is some safeguard other than the Department and to prevent the Department and the procedures of the House from getting into difficulty? The purpose of the sub judice rule is to protect the House from making just such a mistake. Clearly, on this occasion we all got it wrong.

Mr. Speaker: As the hon. Gentleman sensibly said, problems arise when written questions are tabled late in the day. I will certainly reflect on what he has said.

Mr. George Foulkes (Carrick, Cumnock and Doon Valley): On a point of order, Mr. Speaker. On the general question of ministerial statements, over the past few months you may have noticed an increasing tendency for statements to be made by some Departments, of which the Ministry of Agriculture, Fisheries and Food is an example, on relatively uncontroversial issues, yet they are reluctant to make statements on controversial issues. When there is a furore and dozens of points of order are made, taking up much of your time, you always say that you are not directly involved in decisions and that it is a matter for the Government. Will you give consideration to changes to involve you, as Mr. Speaker, and the Opposition in the subjects on which statements are made, or give more generous consideration to requests for private notice questions so that there can be some balance?

Mr. Speaker: As the hon. Gentleman knows, whether a Minister makes a statement is not a matter for me. I am responsible for private notice questions, and the criteria for granting them are clearly laid down in the Standing Order.

Mr. Dennis Skinner (Bolsover): On a point of order, Mr. Speaker. You will recall that on Friday I raised the confusing statements emanating from various Ministers, including the Parliamentary Private Secretary to the Prime Minister. You were in the Chair at 9.30 am and I raised it subsequently, but we did not get a Minister here. We now have a Minister here—the Leader of the House. Last Thursday, he told us what the business would be for this week. You said during a debate on Wednesday, and you repeated today, that the Government have plans to change the poll tax. However, on that same day a reply was given by the Under-Secretary of State for the Environment, the hon. Member for Southampton, Itchen (Mr. Chope), that no poll tax changes were contemplated. Therefore, we had two different statements being made on the same day. Ministers are giving a nod and a wink to the idea that there will be changes, but a parliamentary written answer says that there will be none. The Leader of the House should drag himself up and tell us what the score is.

Mr. Speaker: We cannot go over that again. I know that the hon. Gentleman studies *Hansard* and the Votes and Proceedings carefully, but I draw his attention to what is stated on page 540 of the Votes and Proceedings for 25 April.

Mr. Jonathan Aitken (Thanet, South): Further to the point of order raised by my hon. Friend the Member for Southend, East (Mr. Taylor). May I ask you, Mr. Speaker, whether the motion that the Leader of the House is about to ask us to vote on is contradicted by Standing Order No. 46, which is entitled:

"Recommendation from Crown required on application relating to public money"?

It is clear from the motion and the explanatory notes accompanying it that we are being asked to increase Government spending by £115 milion this year and by £195 million next year, in breach of the ceilings on agricultural spending in the EEC, which we were told by the Prime Minister were legally binding. It would appear that, without recommendation from the Crown, by nodding through the motion we are being asked to pass an increase in public spending by subterfuge. Although you have said that it is in order, have you fully considered the constitutional implications of the clash with Standing Order No. 46?

Mr. Speaker: Everything that appears on the Order Paper is carefully considered and I am satisfied that the motion is in order. I have already told the hon. Member for Southend, East (Mr. Taylor) what he should do if he does not like it.

EUROPEAN COMMUNITY DOCUMENTS

Motion made, and Question put,

That European Community Document No. 4963/90 and COR 1 relating to revision and adjustment of the Community's financial perspective and the Supplementary Explanatory Memorandum submitted by Her Majesty's Treasury on 30th March 1990 be referred to a Standing Committee on European Community Documents.—*[Sir Geoffrey Howe.]*

The House divided: Ayes 249, Noes 76.

Division No. 185] **[4.47 pm**

AYES

Adley, Robert
Alexander, Richard
Allason, Rupert
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Ashby, David
Atkins, Robert
Atkinson, David
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Barnes, Mrs Rosie *(Greenwich)*
Bellingham, Henry
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Biffen, Rt Hon John
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Mrs Virginia
Bowden, A *(Brighton K'pto'n)*
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Braine, Rt Hon Sir Bernard
Brazier, Julian
Brown, Michael *(Brigg & Cl't's)*
Buck, Sir Antony
Burns, Simon
Burt, Alistair
Butler, Chris
Campbell, Menzies *(Fife NE)*
Carlile, Alex *(Mont'g)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Cartwright, John
Chapman, Sydney
Clark, Hon Alan *(Plym'th S'n)*
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Colvin, Michael
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cran, James
Critchley, Julian
Currie, Mrs Edwina
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dickens, Geoffrey
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dunn, Bob
Durant, Tony
Evans, David *(Welwyn Hatf'd)*
Favell, Tony
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Finsberg, Sir Geoffrey
Flynn, Paul
Fookes, Dame Janet
Forman, Nigel
Forth, Eric
Fox, Sir Marcus
Freeman, Roger
French, Douglas
Fyfe, Maria
Gardiner, George
Garel-Jones, Tristan
Gill, Christopher
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gorst, John
Gow, Ian
Greenway, Harry *(Ealing N)*
Gregory, Conal
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Peter *(Portsmouth N)*
Grist, Ian
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Haselhurst, Alan
Hayes, Jerry
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heathcoat-Amory, David
Hicks, Mrs Maureen *(Wolv' NE)*
Higgins, Rt Hon Terence L.
Hind, Kenneth
Hogg, Hon Douglas *(Gr'th'm)*
Holt, Richard
Hordern, Sir Peter
Howard, Rt Hon Michael
Howarth, Alan *(Strat'd-on-A)*
Howe, Rt Hon Sir Geoffrey
Howell, Ralph *(North Norfolk)*
Howells, Geraint
Hughes, Robert G. *(Harrow W)*
Hughes, Simon *(Southwark)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Jack, Michael
Janman, Tim
Johnson Smith, Sir Geoffrey
Johnston, Sir Russell
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Kennedy, Charles
Key, Robert
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knox, David
Lamont, Rt Hon Norman
Latham, Michael
Lawrence, Ivan
Leigh, Edward *(Gainsbor'gh)*
Lester, Jim *(Broxtowe)*
Lightbown, David
Lilley, Peter
Livsey, Richard
Lloyd, Sir Ian *(Havant)*
Lloyd, Peter *(Fareham)*
Lord, Michael
Lyell, Rt Hon Sir Nicholas
Macfarlane, Sir Neil
MacKay, Andrew *(E Berkshire)*
Maclean, David
Maclennan, Robert
McNair-Wilson, Sir Patrick
Madel, David
Malins, Humfrey
Mans, Keith
Maples, John
Marland, Paul
Martin, David *(Portsmouth S)*
Mates, Michael
Maude, Hon Francis
Maxwell-Hyslop, Robin
Meyer, Sir Anthony
Miller, Sir Hal
Mills, Iain
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Montgomery, Sir Fergus
Moore, Rt Hon John
Morris, M *(N'hampton S)*
Morrison, Sir Charles
Moynihan, Hon Colin
Mudd, David
Neale, Gerrard
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, Emma *(Devon West)*
Onslow, Rt Hon Cranley
Page, Richard
Paice, James
Parkinson, Rt Hon Cecil
Patten, Rt Hon John
Pawsey, James
Peacock, Mrs Elizabeth
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Price, Sir David
Raffan, Keith
Raison, Rt Hon Timothy
Rathbone, Tim
Redwood, John
Renton, Rt Hon Tim
Riddick, Graham
Ridley, Rt Hon Nicholas
Ridsdale, Sir Julian
Roberts, Wyn *(Conwy)*
Roe, Mrs Marion
Rost, Peter
Rowe, Andrew
Ryder, Richard
Sackville, Hon Tom
Sainsbury, Hon Tim
Sayeed, Jonathan
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsfield)*
Speed, Keith
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Stern, Michael
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Stewart, Rt Hon Ian *(Herts N)*
Stokes, Sir John
Stradling Thomas, Sir John
Sumberg, David
Summerson, Hugo
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Thompson, D. *(Calder Valley)*
Thorne, Neil
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Trippier, David
Twinn, Dr Ian
Vaughan, Sir Gerard
Waddington, Rt Hon David
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(T'side North)*
Ward, John
Wardle, Charles *(Bexhill)*
Warren, Kenneth
Watts, John
Welsh, Andrew *(Angus E)*
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Wilshire, David
Winterton, Mrs Ann
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Ayes:
Mr. Michael Fallon and
Mr. Irvine Patrick.

NOES

Abbott, Ms Diane
Barnes, Harry *(Derbyshire NE)*
Beaumont-Dark, Anthony
Bennett, A. F. *(D'nt'n & R'dish)*
Blunkett, David
Buchan, Norman
Buckley, George J.
Caborn, Richard
Callaghan, Jim
Campbell-Savours, D. N.
Cohen, Harry
Corbett, Robin
Cox, Tom
Dalyell, Tam
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H'l)*
Dunwoody, Hon Mrs Gwyneth
Ewing, Harry *(Falkirk E)*
Field, Frank *(Birkenhead)*

Fisher, Mark
Flannery, Martin
Flynn, Paul
Foot, Rt Hon Michael
Fry, Peter
Fyfe, Maria
George, Bruce
Graham, Thomas
Griffiths, Nigel *(Edinburgh S)*
Hardy, Peter
Heal, Mrs Sylvia
Heffer, Eric S.
Hinchliffe, David
Hood, Jimmy
Howells, Dr. Kim (Pontypridd)
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Janner, Greville
Jessel, Toby
Kilfedder, James
Leighton, Ron
Lewis, Terry
McAllion, John
McAvoy, Thomas
McCartney, Ian
McWilliam, John
Madden, Max
Marlow, Tony
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martin, Michael J. *(Springburn)*
Michie, Bill *(Sheffield Heeley)*
Murphy, Paul
Oakes, Rt Hon Gordon
Paisley, Rev Ian
Parry, Robert
Patchett, Terry
Pendry, Tom
Pike, Peter L.
Prescott, John
Redmond, Martin
Rogers, Allan
Rowlands, Ted
Shepherd, Richard *(Aldridge)*
Shore, Rt Hon Peter
Skinner, Dennis
Steinberg, Gerry
Thompson, Jack *(Wansbeck)*
Wardell, Gareth *(Gower)*
Watson, Mike *(Glasgow, C)*
Wells, Bowen
Wigley, Dafydd
Williams, Rt Hon Alan
Williams, Alan W. *(Carm'then)*
Winnick, David
Young, David *(Bolton SE)*

Tellers for the Noes:
Mr. Jonathan Aitken and
Mr. Teddy Taylor.

Question accordingly agreed to.

Mr. Nicholas Bennett (Pembroke): On a point of order, Mr. Speaker. My point of order relates to that raised by the hon. Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes) about the sub judice rule. May we have a ruling from you tomorrow about statements made by Ministers on general matters of law in cases in which the Court of Appeal subsequently reverses the decision of a lower court? Clearly, on your ruling today, the matters in question were not sub judice, and ruling in this case has major implications for the future. May we also have your advice on whether Court of Appeal rulings may be debated after they are issued?

Mr. Speaker: As I told the hon. Member for Denton and Reddish (Mr. Bennett), I shall reflect on this matter and see whether the responsibility is properly mine.

Orders of the Day

Environmental Protection Bill

As amended (in the Standing Committee), considered.

New Clause 11

PUBLIC REGISTERS OF INFORMATION

'.—(1) It shall be the duty of each enforcing authority, as respects prescribed processes for which it is the enforcing authority, to maintain, in accordance with regulations made by the Secretary of State, a register containing prescribed particulars of or relating to—

(a) applications for authorisations made to that authority;
(b) the authorisations which have been granted by that authority or in respect of which the authority has functions under this Part;
(c) variation notices, enforcement notices and prohibition notices issued by that authority;
(d) revocations of authorisations effected by that authority;
(e) appeals under section 14 above;
(f) convictions for such offences under section 20(1) below as may be prescribed;
(g) information obtained or furnished in pursuance of the conditions of authorisations or under any provision of this Part;
(h) directions given to the authority under any provision of this Part by the Secretary of State; and
(i) such other matters relating to the carrying on of prescribed processes or any pollution of the environment caused thereby as may be prescribed;

but that duty is subject to sections *(Exclusion from registers of information affecting national security)* and *(Exclusion from registers of certain confidential information)* below.

(2) Subject to subsection (3) below, the register maintained by a local enforcing authority shall also contain prescribed particulars of such information contained in any register maintained by the chief inspector as relates to the carrying on in the area of the authority of prescribed processes in relation to which the chief inspector has functions under this Part; and the chief inspector shall furnish each authority with the particulars which are necessary to enable it to discharge its duty under this subsection.

(3) Subsection (2) above does not apply to port health authorities but each local enforcing authority whose area adjoins that of a port health authortiy shall include corresponding information in the register maintained by it; and the chief inspector shall furnish each such local enforcing authority with the particulars which are necessary to enable it to discharge its duty under this subsection.

(4) Where information of any description is excluded from any register by virtue of section *(Exclusion from registers of certain confidential information)* below, a statement shall be entered in the register indicating the existence of information of that description.

(5) The Secretary of State may give to enforcing authorities directions requiring the removal from any register of theirs of any specified information not prescribed for inclusion under subsection (1) or (2) above or which, by virtue of section *(Exclusion from registers of information affecting national security)* or *(Exclusion from registers of certain confidential information)* below, ought to have been excluded from the register.

(6) It shall be the duty of each enforcing authority—

(a) to secure that the registers maintained by them under this section are available, at all reasonable times, for inspection by the public free of charge; and

(b) to afford to members of the public facilities for obtaining copies of entries, on payment of reasonable charges.

(7) Registers under this section may be kept in any form.

(8) For the purpose of enabling the National Rivers Authority to discharge its duty under section 117(l)(f) of the Water Act 1989 to keep corresponding particulars in registers under that section, the chief inspector shall furnish the Authority with the particulars contained in any register maintained by him under this section.

(9) In this section "prescribed" means prescribed in regulations under this section.'.—*[Mr. Trippier.]*

Brought up, and read the First time.

5.2 pm

The Minister for the Environment and Countryside (Mr. David Trippier): I beg to move, That the clause be read a Second time.

Mr. Speaker: With this, it will be convenient to take the following: Government new clause 12—*Exclusion from registers of information affecting national security.*

Government new clause 13—*Exclusion from public registers of certain confidential information—*

' .—(1) No information relating to the affairs of any individual or business shall be included in a register maintained under section *(Public registers of information)* above, without the consent of that individual or the person for the time being carrying on that business, if and so long as the information—

(a) is, in relation to him, commercially confidential; and

(b) is not required to be included in the register in pursuance of directions under subsection (6) below;

but information is not commercially confidential for the purposes of this section unless it is determined under this section to be so by the enforcing authority or, on appeal, by the Secretary of State.

(2) Where information is furnished to an enforcing authority for the purpose of—

(a) an application for an authorisation or for the variation of an authorisation;

(b) complying with any condition of an authorisation; or

(c) complying with a notice under section 18(2) above;

then, if the person furnishing it applies to the authority to have the information excluded from the register on the ground that it is commercially confidential (as regards himself or another person), the authority shall determine whether the information is or is not commercially confidential.

(3) Where it appears to an enforcing authority that any information (other than information furnished in circumstances within subsection (2) above) which has been obtained by the authority under or by virtue of any provision of this Part might be commercially confidential, the authority shall—

(a) give to the person to whom or whose business it relates notice that that information is required to be included in the register unless excluded under this section; and

(b) give him a reasonable opportunity—

(i) of objecting to the inclusion of the information on the ground that it is commercially confidential; and

(ii) of making representations to the authority for the purpose of justifying any such objection;

and, if any representations are made, the enforcing authority shall, having taken the representations into account, determine whether the information is or is not commercially confidential.

(4) Where, under subsection (2) or (3) above, an authority determines that information is not commercially confidential—

(a) the information shall not be entered on the register until the end of the period of twenty-one days beginning with the date on which the determination is notified to the person concerned;

(b) that person may appeal to the Secretary of State against the decision;

and, where an appeal is brought in respect of any information, the information shall not be entered on the register pending the final determination or withdrawal of the appeal.

(5) Subsections (3), (4) and (9) of section 14 above shall apply in relation to appeals under subsection (4) above.

(6) The Secretary of State may give to the enforcing authorities directions as to specified information, or descriptions of information, which the public interest requires to be included in registers maintained under section *(Public registers of information)* above notwithstanding that the information may be commercially confidential.

(7) Information excluded from a register shall be treated as ceasing to be commercially confidential for the purposes of this section at the expiry of the period of four years beginning with the date of the determination by virtue of which it was excluded; but the person who furnished it may apply to the authority for the information to remain excluded from the register on the ground that it is still commercially confidential and the authority shall determine whether or not that is the case.

(8) Subsections (4) and (5) above shall apply in relation to a determination under subsection (7) above as they apply in relation to a determination under subsection (2) or (3) above.

(9) Information is, for the purposes of any determination under this section, commercially confidential, in relation to any individual or person, if its being contained in the register would prejudice to an unreasonable degree the commercial interests of that individual or person.'

Amendment (a) thereto; to leave out subsection (6).

Government new clause 33—*Exclusion from registers of information affecting national security.*

Government new clause 34—*Exclusion from registers of certain confidential information.*

New clause 3—*Public rights in relation to pollution—*

'( )—(1) The Secretary of State shall within three months of the date of Royal Assent lay regulations for the purpose of establishing public rights in relation to the prevention and amelioration of pollution as specified in this section.

(2) For the avoidance of doubt, it is hereby stated that any person may initiate a prosecution for an alleged pollution offence under section 19 below.

(3) Any appeal against a refusal, amendment or revocation of an authorisation under Part I, or against conditions attached to any such authorisation, shall be made to an independent tribunal established by the Secretary of State under this section, which shall include industrial, trade union and environmental representatives and be chaired by an independent person.

(4) The tribunal established under subsection (3) above shall meet in public, hear evidence from any interested person and publish its decisions together with reasons relevant thereto.

(5) Any enforcement authority for the purposes of Part I shall be required by regulations made under this section to make available to any person on request details of analyses and investigations undertaken by it in the exercise of its functions, subject only to payment of such charge as shall be reasonable to cover the cost of reproducing the documents concerned.

(6) Each district authority shall compile and maintain a register open to public inspection of contaminated land in its area in accordance with regulations made under this section.

(7) No information shall be withheld from a public register concerned with pollution on grounds of commercial confidentiality under section 18(2) below for a period longer than two years.".

Government amendments Nos. 25 and 181 to 193.

Mr. Trippier: I believe that there was a genuine spirit of co-operation as we considered the Bill in Committee. I shall be introducing amendments later today and on Wednesday that are the result of amendments tabled and questions asked by members of both Opposition parties and by Conservative Members. The concept of integrated pollution control—IPC—which for the first time introduces controls over emissions to all three environmental media—air, water and land—at one and the same time, has been welcomed on all sides. Her Majesty's inspectorate of pollution—HMIP—will be under a duty to ensure that controls over IPC processes deliver the best protection of the environment taken as a whole.

IPC is a radical new measure, which puts us in the forefront of pollution control. Important features include the need for operators to obtain prior authorisation from the enforcing authority and a two-tier control over emissions. That requires, first, that emissions to a particular medium of any substances that are prescribed are prevented or minimised at source, and, secondly, that any emissions of any substances are rendered harmless.

The local authority controls over air pollution represent a significant strengthening of local powers in recognition of the need for effective and speedy control of pollution at the local level. For both those authorities and HMIP, part I provides for a solid system of enforcement, proper powers and tough penalties for operators who break the terms of their authorisations. There is also important provision allowing for public access to information, and that is the principal subject of the new clauses.

I know that public access is a subject which Labour Members will wish to address under new clause 3. Perhaps I should attempt to set the scene for them. The Government have made a substantial commitment to providing public information on the environment, particularly through our very successful "Environment in Trust" leaflets. Our commitment to the principle of public access to environmental information is absolute, and we have recently played a major part in ensuring early agreement in Brussels on a clear, workable directive to ensure this throughout the Community.

I do not think that the Opposition would disagree with me that the Bill makes a substantial contribution to the process of securing the public's role.

Dame Elaine Kellett-Bowman (Lancaster): The Minister referred to Brussels. In the past, we have been dismayed when various measures have been passed by the Community but the enforcement procedures in other countries, which are nothing like as good as ours, have rendered them less effective. Can we be absolutely certain that other countries will be enforcing the measures?

Mr. Trippier: I am satisfied, first, that we ought to agree with all the other member states to move in this direction. We are talking about emissions and emission control and if we do not have adequate enforcement or effective policing throughout the Community, Britain will be put at a competitive disadvantage. I am certain that our enforcement is rigorous under the terms of current legislation and that it will meet the new duties and demands enshrined in the Bill. I am not in a position to speak for all the member states, but I shall certainly be pressing the point at the meetings that I have to attend at the Council of Ministers, as will my right hon. Friend the Secretary of State.

The provisions governing applications for authorisations or consents under parts I and VI will be widely welcomed. In parts III and IV we have specifically provided for individual citizens to take direct action in the courts if they are aggrieved by nuisance or by defacement by litter. In the latter case, there will be clear, publicly available guidance concerning the standards that local authorities and others can be expected to reach in carrying out their litter duties. Important provisions in the Bill will further increase the amount of environmental information held by pollution control authorities that is available to the public on easily accessible public registers. That is fully in line with our commitment to allow public access to environmental information.

In the new clauses we have provided for the most far reaching and comprehensive system to make information available in Europe. That is not a claim to make lightly, so let us examine it closely. Above all, the system will be easy to use. Members of the public who seek information will be able to walk into the offices of the enforcing authority and find there, not a confusing mass of papers through which they need to trawl, but information on registers which will be well maintained, easy to use, comprehensive and clear. Inspection of the register will be free of charge. That matches any other system of making information available in Europe. But the factor that guarantees that the system of information for which we are providing is truly accessible is that information will be available locally. Information on the register held by Her Majesty's inspectorate of pollution will be copied to the local authority where the process is situated. Similarly, information will be sent to local authorities under the provisions of part V and waste management information will be held at the local level by each waste regulation authority under clause 57.

Mr. Peter Hardy (Wentworth): Will the Minister comment on the inadequacies of regulation as they apply in the Wath on Dearne case, in which he has been heavily involved? The regulations that were in force when the waste arrived, and which are still in force, meant that the health authority and the hazardous waste unit were not entitled to know what the composition of the waste was and could not be told that, unless it had a trade name—they were entitled to know the trade name—or the country of origin of the waste. Is the Minister saying that those deficiencies in the law will be removed by the Bill?

Mr. Trippier: I think that they will be removed under other parts of the Bill, although not under this part. I do not know that these provisions governing integrated pollution control and increased public access to environmental information—which both the hon. Gentleman and I seek—would necessarily have helped in this instance. I should underline the fact that we are talking about the licensing of processes. As the hon. Gentleman and I both know, in the case of Wath on Dearne, the major problems arose from the fact that the imported waste was not necessarily toxic by definition. I had better be careful what I say, because I realise that this is one of the many matters that will be discussed in the courts. It was when the imported substance was mixed that it became toxic and

[Mr. Trippier]

therefore unacceptable. We have tried to deal with such circumstances in other provisions in the Bill that deal with the importation of hazardous waste. The hon. Gentleman may welcome the fact that I have written him yet another letter today to try to keep him up to date with the situation as I understand it as a result of a meeting held in New York in the latter part of last week which followed on from a meeting held in Washington the week before.

Mr. Hardy: Which followed my meeting in Washington.

Mr. Trippier: Exactly.

I hope that the hon. Member for Dewsbury (Mrs. Taylor) agrees that we had a constructive debate in Committee on the subject of registers. I made it clear that I did not expect exemptions from access to information on the grounds of commercial confidentiality to be given lightly and that, when deciding appeals on the matter, the Secretary of State would require cogent and specific evidence to substantiate a claim that disclosure would prejudice to an unreasonable degree someone's commercial interest. It is probably fair to say that clarification was welcomed by hon. Members on both sides of the Committee.

When considering clauses 19 and 57, I thought that we could go further and provide more detail on the mechanisms by which information may be excluded from the register. That is achieved by new clauses 12 and 13, for part I of the Bill, and new clauses 33 and 34 for part II. New clauses 12 and 33 provide for information to be omitted from the register on the grounds of national security. New clauses 13 and 34 provide for exclusion on the grounds of commercial confidentiality. New clauses 12 and 33 give effect to the procedures for dealing with national security which formed part of the consultation paper issued in August last year.

In Committee I promised the hon. Member for Dewsbury that I would examine a proposal that exclusions from the register on the grounds of commercial confidentiality should be time limited. That was one of the points that the hon. Lady put to me and I have decided that such exclusions should be time limited. In new clause 13 I have provided that information excluded from a register shall be treated as ceasing to be commercially confidential after four years. If the operator considers that the information remains confidential, he will need to reapply for an exclusion. The enforcing authority will be able to take account of any representations that it receives on the exclusion of that information. That time scale mirrors that to which the enforcing authority will work in reviewing authorisations.

Amendments Nos. 182 to 190 to clause 57 bring the contents and format of the registers in part II on waste disposal into line with those of part I. They increase considerably the amount of information to be kept on the registers and require copies of the relevant parts of the register to be kept at district level.

Amendments Nos. 192 and 193 provide that registers shall also be kept at local level on information about the import and export of waste in clause 117. That might have a direct bearing on the point mentioned by the hon. Member for Wentworth (Mr. Hardy). We shall increase public access to the type of information to which he referred. The difficulty would be in knowing how quickly the details would be placed on the register after the waste had become toxic. My guess is that, as the hon. Gentleman is so alive to what is going on in his constituency, he would be on to the matter before it was put on the register. I question whether the register would help.

We intend that the regulations will provide that copies of all applications to import waste into an area from overseas, or, indeed, to export waste from an area to overseas, will be fully available at district level. That will ensure as never before that the public are kept informed of information in the authority's possession on waste management in the area.

The right hon. Member for Halton (Mr. Oakes) has tabled an amendment to delete new clause 13(6). Subsection (6) meets a proposal in our consultation paper last year on public access to information. The paper suggested that, in exceptional circumstances, it would be in the national interest to include information in the register even though its inclusion might prejudice some private interest. For example, if there is a major accident, should we be able to keep the public informed? If that accident occurs overseas and involves a particular technology, should we be able to release information about that operation or that technology in Britain? One operator may be using it and benefiting competitively from it. Should we be able to reveal that information or should we keep people in the dark, so fuelling their fears and suspicions that all the relevant sectors of industry are using that technology?

5.15 pm

We have faced such a difficulty before. After the Chernobyl disaster commercial confidentiality affected the amount of information that we could release. The lack of public information served only to increase public disquiet. I passionately believe that that form of secrecy fuels fear. That is the last thing that Conservative and Opposition Members—certainly in Committee—wished to perpetuate. New clause 13(6) is in effect a reserve power designed to help ensure that there is more scope for providing information should that position ever arise again. Both the right hon. Member for Halton and I hope that it will not.

The additional detail that we decided to provide has necessitated some consequential amendments to clause 19. Taken together with some minor drafting amendments, it seemed sensible to replace the clause with new clause 11.

As I move towards the end of my opening remarks I must give some of my thoughts on the Opposition's new clause 3. I said many times in Committee that I want every person in the country to become an environmental watchdog. I believe that the Bill will go a long way towards facilitating that. This afternoon I can announce that the Bill will further extend the public right of access to information. Following the recommendations of a departmental working group, the Government have decided to place a new duty on district local authorities to compile and maintain registers of the use of potentially contaminated land. I know that that will be welcome news both to my hon. Friend the Member for Hornsey and Wood Green (Sir H. Rossi), the Chairman of the Environment Select Committee, which considered those issues in its recent report, and to all members of the Standing Committee.

I am delighted to inform the House that the Government intend to introduce an amendment in the Lords to give effect to that proposal. We shall have discussions with the local authority associations on the matter. In those discussions we shall deal only with the practical effects, the timetable and how the proposals will be delivered. I have long accepted the principle. I hope that the local authority associations will not raise objections.

Both Conservative and Opposition Members behaved responsibly in Committee in putting their views to me, which I have completely met. It would not be wise for me to deal with the other subsections of new clause 13. I know that the House awaits with keen interest the comments of the hon. Member for Dewsbury.

Mrs. Ann Taylor (Dewsbury): I thank the Minister for his remarks about the constructive role played by the Opposition in Committee. I also thank him for the limited extent to which he has accepted some of our suggestions and incorporated them in the Government new clauses.

It is a significant breakthrough that the Government have added to the concessions already made a new concession on contaminated land. I am sure that all Opposition Members who were on the Committee welcome the statement that the Minister has just made. We should like further information about how the proposal will work in practice but in principle we are pleased that the Government have accepted the suggestion in our new clause. I hope that the Minister will think again about the other parts of our new clause. They all have the same intention—to make sure that the public are fully aware of what is happening in their area and of any environmental danger or damage caused by industry.

While I welcome much of what the Government have done and of what the Minister has said about access to information, the Government's starting point is somewhat different from ours. Their starting point seems to be that they will determine that certain types of information will be available. Welcome though that is, it is a limited way of placing information in the public domain. The starting point should be that if a member of the public wants to know about a particular point of information that is held by a public body, that information should be made available unless there is a sound reason why it should not be. So we say that all information should be available unless there is a good reason why it should not be, whereas the Government are trying to prescribe specific types of information.

The Government's new clauses are a small step in the right direction, but we have some queries about some of the points in them. First, why has the Minister removed the part of the original clause that said that any conditions attached to an authorisation would be made public in the same way as any details of a licence would be? If conditions are attached to an authorisation, that might show that there are potential problems with the process being carried out in a factory or unit. It seems strange, therefore, that this part has been dropped from the new clause.

My second question relates to a topic that we discussed in Committee. I hope that the Minister will clarify whether the information will be available as raw data or whether summaries of the information will appear on the register. Although it is important that the information be presented in an easily understood form, the basic raw data should also be provided for people who can understand them and might want to use them to take their case further. It is vital that registers, whether held on computer or in any other form, be produced in an understandable form. The Minister has changed the terminology on that point from that in the original Bill. I wonder why the registers are now to be available in any form, and whether that includes computers or whether the Minister has something else in mind.

Some aspects of access to information still worry us. Many powers still reside with the Secretary of State. If the regulations that the Minister has the power to make are written in an open fashion, which ensures that a great deal of information is available, that will be to the good, but there is nothing in the new clause to suggest that that will happen. I particularly draw the Minister's attention to new clause 11(1)(i), which states that information will include "such other matters relating to the carrying on of prescribed processes or any pollution of the environment caused thereby as may be prescribed".
That is very wide, but what does it mean in practice? Does it mean that all the notes and information provided by Her Majesty's inspectorate of pollution when carrying out an inspection will be available; or is it merely a check list to state that a process has been inspected and an authorisation granted? I hope that the Minister will be able to clarify that.

Similarly, with regard to exceptions on the grounds of national security, I hope that the Minister will tell us that the clause could not be used to protect industry when carrying out any process in which there might be a security implication. I hope that it can be used only when the type of pollution to be monitored would constitute a security risk, and I hope that the Minister will tell us as much. The burden of proof should be the other way round; we should alway be sure that the information is available unless there is a proven case against that.

In new clause 3, which is about public rights in relation to pollution, there remain several points that I hope the Minister will look at again. We believe that there is still scope for giving members of the public greater rights to monitor pollution in their areas and to tackle the problems that exist. In particular, we want any person to be able to initiate a prosecution for an alleged pollution offence. We discussed that in Committee. The only area, as the Bill stands, in which such a prosecution would be possible is litter. However, we argue that problems that could arise from the processes described in part I of the Bill could be far more severe and harmful to the environment than the problems in the part on litter. So we do not see why the Government are so resistant to giving people the right of prosecution.

We are concerned because appeals under the IPC will still be decided by the Secretary of State, not by an independent tribunal. We believe that such independent tribunals should be set up, should meet when possible in public and should publish reasons for their decisions. It is not adequate if the Secretary of State writes the regulations, employs the inspectors and then acts as judge and jury when those inspectors make a decision against which an appeal is lodged.

In new clause 3, with the inclusion of our provision on contaminated land, which the Minister has now accepted, we have tried to establish a different framework that will give stronger rights to members of the public, which in turn will give them a better and more constructive role in monitoring the state of the environment. There is a

[Mrs. Ann Taylor]

demand for such powers for people in this country, and I hope that, as the Minister has accepted one of our constructive suggestions, he will go on and be convinced by the others, too.

Mr. Robert Adley (Christchurch): It would be churlish of any of us who sat through the Committee not to start by congratulating my hon. Friend the Minister for the Environment and Countryside on a tremendous job. It was a huge Bill, and, to judge from the Government new clauses and amendments, it is getting bigger. That is entirely a result of the Government's willingness to listen to arguments put forward by hon. Members on both sides of the Committee.

The trouble with the Bill is that one could make virtually any speech when discussing any part of it, so in order not to weary the House by continually repeating the speeches that many of us made at some length in Committee, I want to make but a few remarks that I made in Committee some weeks ago.

My comments revolve around the questions: what is pollution, what is the environment and what is "prescribed"? My hon. Friend the Minister has made an important new announcement, which, as the hon. Member for Dewsbury (Mrs. Taylor) rightly pointed out, under new clause 11(1)(i) concerns

"such other matters relating to the carrying on of prescribed processes",

and which further enhances and enlarges the Bill.

I am worried about what is left out of the Bill. My hon. Friend the Minister knows perfectly well that some weeks ago in Committee I bored him and wearied colleagues with endless references to aircraft noise and vehicle emissions. I do not believe that any Government who hope to find an answer to the serious environmental problems that face this country can do so by bringing forward a Bill that precludes two of our major sources of environmental pollution. I know that we are to have a White Paper in due course, and I hope that some time before we finish Report stage my hon. Friend or the Secretary of State will be able to tell us what steps the Government propose to take to include aircraft noise and vehicle emissions in that White Paper, and the timetable that they envisage for dealing with them. I tabled a written question to the Department of Transport about environmental factors in that Department's investment criteria. My hon. Friend the Minister for Public Transport replied:

"Environmental factors, where relevant, are fully taken into account when reaching decisions, although in general it is difficult to place monetary values on environmental effects." —[*Official Report*, 23 April 1990; Vol. 171, c. *56*.]

5.30 pm

We all understand that and also understand that clean air and peace and quiet are precious commodities that will cost a great deal if those of us who are concerned about such things are to achieve our ambitions. We all know that Third Reading takes place late at night, sometimes at 4 o'clock in the morning when everyone wants to get home. I hope that before Third Reading—either today or on Wednesday—my hon. Friend the Minister for the Environment and Countryside will reply to my points.

Mr. Gordon Oakes (Halton): I should like to speak to amendment (a) to new clause 13. I thank the Minister for his customary courtesy and thoroughness in referring in his opening speech to that amendment, how he regards it and the reason for subsection (6) being included in the Bill. My amendment comes from the chemical industry via the Chemical Industries Association. As the Minister knows, I have a considerable constituency interest in that industry.

The chemical industry is acutely sensitive to pollution and to the effect of its production processes on the environment. It is also probably the industry that is most acutely aware of confidentiality and the possibility of competitor companies taking trade secrets from a public register, thereby taking away business. A great deal of industrial espionage remains to be prevented in the chemical industry, not only in Britain but throughout the world. The industry is therefore rightly concerned that subsection (6) seems to give the Minister overweening power. I have no desire to press the amendment to a Division because the Minister has explained to my satisfaction how very rare would be the use of subsection (6). The industry is quite happy with the clause except for subsection (6). It considers that subsection (9), on the judgment of what is or is not confidential and in the overwhelming interest of the company, would suffice.

The Minister referred to an overseas accident. I understand his anxiety about that because Chernobyl and Bhopal are relevant to the chemical industry. Such accidents could lead him to say that information on an accident abroad arising from a process that was in use in this country should be placed on the register, so that the Minister and especially the public were aware that the process was in operation in a specific industry and at a specific place.

I shall certainly not vote against the Bill or press my amendment, but I should like to ask whether the Minister thinks that he is taking a gigantic sledgehammer to crack a tiny nut. I doubt whether he would need to bring the attention of the industry to a foreign accident because the industry would be aware of it. However, if he did he would do so by telling the industry concerned that the process that had caused the horrendous accident was unsure and unsafe. In the overwhelming number of cases the industry, for its own sake, would ensure that the process was not used in this country unless it was considerably modified. I find it difficult to envisage a case in which the Minister would have to go all the way by issuing a direction that the information should be placed on the public register and that he would do so without any discussion with the industry concerned, although I am sure that such discussion would take place.

I am grateful to the Minister for his explanations. They certainly modify my view because I accept the purpose behind what he says. As I have said, the chemical industry will be a little alarmed at the overweening nature of the Minister's powers contained in subsection (6). If it could be done in a smoother way in another place, it might assuage some of the fears of the chemical industry.

Mr. Tim Devlin (Stockton, South): The Bill is about protecting the environment and preserving the balance of nature. It could and should seek to achieve a balance between the needs of man and the needs of the environment. Last Wednesday when we went to the Carlton club to hear the United States ambassador he quoted words from Chief Seattle to guide our environmental consciousness. He said:

"Teach your children what we have taught our children: tell them that the earth is their mother. Whatever befalls the earth befalls the sons of earth."

Those of us who live in the north-east of England next to the North sea and the chemical-producing area of Teesside enjoy some of the most beautiful countryside in Europe. Our people want to see proper safeguards for the protection of our land, sea and air. At the same time, the people of this nation depend on the chemical industry to supply the materials for their everyday lives. As well as being the leading production area for plastics, fertilisers, paints and metal treatments, Teesside produces chemicals, especially in my constituency, to make parts of our cars, household appliances, radios, electronics, paints—whether yellow lines or white pigment—oils for fuel and lubrication, plastic bags, sheeting and polythene shapes.

Not only industry makes direct use of strong chemicals. Throughout the length and breadth of our land people use bleach and varnish remover, paint solvents, antiseptics and disinfectants, weed killers and pesticides. We must protect mother earth, but we do not need to renounce those things to do it. However, we must achieve the right balance between what is necessary and what is possible in a reasonable time scale and what is desirable but unnecessary.

New clauses 11, 12 and 13 deal with public rights to information. Surely what is necessary to protect the environment is the control of emissions from factories and chemical plants. Control over a process is unnecessary unless it is to protect public health and safety in the plant itself. Conditions placed on the amount and type of substances produced or utilised do not relate directly to the effect of the process on the environment. Conditions placed on the nature of emissions should be sufficient. It is likely that with large amounts of technical information available publicly, British chemical producers might lose their commercial secrets and thus their competitive edge. The Government go further in placing unreasonable burdens on industry by permitting such information to be used in proceedings because new clause 41 states:

"it shall be for the accused to prove that there was no better available technique not entailing excessive cost".

In the United States 85 per cent. of the inquiries about registered processes are made by competitor companies. The Minister's reply to that may be that anyone representing a chemical-producing area would say that, wouldn't he. The chemical industry supports the principle of much greater public access to information under integrated pollution control. The industry regards that as essential to the maintenance of public confidence. However, it is still unclear how the system proposed by the Government will work in practice.

The change in the underlying premise away from controlling waste streams could have a potentially devastating effect on the chemical industry. The speciality chemical sector is a strong case in point. In general, products are made on a relatively small scale and utilise various types of equipment in different combinations. The success of these operations and other chemical operations depends on technical skills, ingenuity in adapting processes and, above all, speed of response to inquiries from customers. Undue constraints and permissions on process changes would make it impossible to maintain the competitive edge.

I remind my hon. Friend the Minister that the United Kingdom chemical industry contributes £2 billion to the national trade balance and is the top export earner among United Kingdom manufacturing industries. The only way that the new clause can work and not damage the industry is if the regulations and directions recognise the need for speed and flexibility in assessing and responding to applications from industry rapidly to change their process.

The people of Teesside should be alarmed by the increasingly anti-chemical industry tone of many campaigners who give partial information in support of their ends. The provisions of the Bill, and in particular these new clauses, in some ways go too far in meeting the criticisms of the anti-industry lobby. It is possible to be pro-environment and pro-industry. Those with whom I have contact in the chemical industry are concerned about protecting the environment. As one specialist chemical engineer told me, "We have been worrying about the environment for 25 years, and doing something about it."

Let me take a few examples. Twenty years ago, we had terrible smogs in Teesside. That was before the hon. Member for Redcar (Ms. Mowlam) came to Teesside. Those smogs smelt of rotten eggs, and if the wind blew the wrong way from Redcar, the whole area would be covered in a big, white, foul-smelling cloud. Thanks to changes in ammonia-process technology, and the introduction of the Clean Air Act 1956—a Conservative measure—the smogs disappeared for ever.

Secondly, ICI's pollution of the River Tees has improved to the extent that there has been a 90 per cent. reduction in the effluent flowing into the river. Thirdly, Harcros Chemicals, in my constituency, recently won an environmental award for energy conservation and clean processing.

Industry wants to be as open as possible with information for the public, but openness has to be restricted, as subsection (9) of the new clause provides, in the relatively small number of instances where public availability, which includes availability to the company's competitors, of a particular trade secret or other confidential process information, would significantly damage the company's commercial interest.

Mr. Richard Holt (Langbaurgh): Is not four years a particularly short period, given that the research that goes into many of the chemicals that are subsequently produced is three, four and possibly five times as long? Would not it pay competitors to wait until the four-year period was up?

Mr. Devlin: I agree with my hon. Friend. We had no idea that my hon. Friend the Minister would make a further announcement on this subject today, but I know that the protection of patents and of process secrets, which are sometimes developed over 20 or 30 years, is an extremely important matter, and one which the nation, and a chemical-producing area such as Teesside, should take seriously.

Subsection (9) rightly makes the test for exclusion the prejudice "to an unreasonable degree" to the commercial interest of the company. That allows the enforcing authorities or the Secretary of State not only to reject claims where they regard the degree of prejudice to be purely minimal, but, when there is real prejudice, to make a judgment on whether the prejudice is or is not unreasonable when balanced against factors favouring disclosure, such as the wider public interest. The industry supports the principle underlying that subsection, but has some reservations about the way in which the new clause has been brought forward.

I welcome the Government's acceptance of the new provision on poisoned land, but I am worried about the

[Mr. Devlin]

Opposition's proposition in new clause 3 that anybody should have the right to bring a prosecution. Such a proposition has three significant weaknesses. First, in many cases prosecution will be brought by competitor companies. As I have said, 85 per cent. of inquiries about registered processes in the United States are made by other companies. It would be possible for competitor companies to use such a prosecution to delay development of competitor products. Secondly, the provision would place an unnecessary burden on management. It would not only have to cope with the burden of proof being against it but would be faced with an endless stream of prosecutions and the attendant legal costs. Thirdly, some supposedly reputable environmental groups can be irresponsible and might use prosecution as a media tool.

5.45 pm

For example, let us take *The Observer* headlines not long ago over polluted chemical pits, one of which is in Eaglescliffe in my constituency. Everybody in Teesside had known about this for a long time, but the report published by Friends of the Earth, showing that there were chemical pits near residential areas and implying that they were unmonitored and that anybody could go in and die of the resulting pollution, was misleading. All that would be necessary to damage a company would be for a number of prosecutions to be set up. One can see the headlines—"Hundreds of writs issued against X company." It would be simple to engineer that. It would make a nice media headline, but would lead to a sudden and dramatic collapse for any publicly quoted company. I urge the Government to look carefully at their new clauses.

Ms. Marjorie Mowlam (Redcar): I sympathise with the hon. Gentleman's point about the competitive edge being given to one chemical company on Teesside as opposed to another. However, in view of his worries about unfair disclosure, what will he do to solve the problem that the River Tees is the most polluted river in England?

Mr. Devlin: I am glad that the hon. Member has raised that point. She obviously did not hear me earlier when I said that ICI had engineered a 90 per cent. reduction in the level of pollution in the Tees over the past 10 years. That is significant, because, while all hon. Members are concerned about the level of pollution—particularly those of us who live near to chemical plants—the companies operating in such areas are concerned themselves. One after another, they have put in place changes to processes that have brought about significant improvements to the local environment. Had she listened to my speech with a little more care, the hon. Lady might have had her point answered before she made it.

Ms. Mowlam: As the hon. Gentleman knows, I came into the Chamber the minute I saw that he was speaking; I do not want to miss a word of wisdom that falls from his lips. ICI has made changes to decrease the pollution of the Tees. The hon. Gentleman suggested that other chemical companies have spent money on improving the River Tees. Would he like to name them?

Mr. Devlin: I should need a little more notice of that question, but I am sure that a number of companies are taking measures. Harcros Chemicals, in my constituency, is a good example. It is reducing its discharges into the River Tees. As the hon. Lady knows, an important Bill before the House deals with a barrage for the River Tees. If it is passed, there will be a new area of clean water above the barrage and there will not be the same tidal flushing effect below the barrage, so that the environmental standards demanded for the river by the National Rivers Authority—the new environmental body established by the Government to protect the safety of our rivers—will be achieved. I know that many on Teesside are concerned about pollution in the River Tees and will be glad to hear the assurance that something is being done about it.

I urge my hon. Friend the Minister to look again at the effect that the new clause will have and at its potential effect on the chemical producing industry, which is an important industry. I urge the House to reject the Opposition's new clause 3.

Mr. Ted Rowlands (Merthyr Tydfil and Rhymney): At times, the hon. Member for Stockton, South (Mr. Devlin) sounded like an apologia. He should beware of suggesting that some of the issues are merely media hypes. I represent communities that were told that coal tips on mountain sides were safe. Despite the experts and so-called professional knowledge, they turned out not to be safe. The price of preserving our environment is eternal vigilance. Complacency can have no part to play in our arguments and discussions on these issues.

Mr. Devlin: I hope that the tenor of my remarks did not suggest that I am complacent about these matters. I tried to say in my short speech that industry has addressed itself to many of the problems. I welcome the new provisions in the Bill for public information, but I urge the Government not to go too far with them.

Mr. Rowlands: I did not have the great privilege of being a member of the Committee that considered the Bill in detail; it is obvious that its consideration was constructive. I support the principle and spirit of new clause 3, which deals with pollution and public rights. That issue cannot be better illustrated than by describing to the House what has happened on a site in the Rhymney valley on the banks of the River Rhymney which is only yards away from a school and below a major road. Euromet Ltd., a company from the south of England, has established what the Health and Safety Executive described to me in a letter as a

"Waste solvent transit storage facility".

One of the qualities of debates such as this is the jargon that goes behind them. Acronyms pour out of every paragraph and page of discussion.

The storage facility is a site for 7,000 drums of toxic waste. That is the HSE's description. The drums have been placed on a site which was once occupied by an undertaking that created hundreds of skilled jobs for the Hymac company that were at the heart of the Rhymney community. This large site—it has been classified as an industrial site—is now filled with 7,000 canisters or drums of so-called paint-stripping solvents or toxic waste.

The public knew nothing about the arrival or delivery of the drums because planning permission was not required. When I raised the issue with the Under-Secretary of State for Wales during Question Time this afternoon, the hon. Gentleman said that planning powers could be exercised. In fact, they could not be, because the drums have been placed within an industrial site. It appears that

under existing law a company from the south of England can deliver 7,000 drums containing toxic waste in the absence of any planning permission requirements.

There is virtually no security round the site. Photographs taken by local residents show that some of the drums are leaking. It is clear that they are rusty and not in good condition. There is confusion about the content of the drums. I sought the advice of the HSE and was not altogether reassured by its response. It seems that it has inspected the site on three or four occasions and has advised the company to improve

"the segregation of chlorinated solvents and flammable materials."

In other words, retrospective conditions are being submitted to the company following the arrival of the drums. No public information was made available so that the delivery of the drums could be discussed. As I have said, the site is on the bank of the Rhymney and close to a school and a road. It appears that the HSE listed a number of conditions apart from the segregation of chlorinated solvents and flammable materials.

The HSE has informed me that it does not believe that the site represents a serious problem or hazard to local health. It is relevant to our debate, however, that the conditions that are now being sought to be established by the executive, and by the local authority under the Control of Pollution Act 1974, are retrospective. The drums have already been placed on the site, and neither the company nor the professionals—the HSE—has had to justify the development of the site as a transit storage facility for waste solvents. There has been no consultation, no public inquiry and no local hearing. There was no opportunity for objectors to present a case. As I have said, none of the activities that are being carried out on the site is subject to any form of planning permission.

The argument that we are advancing in the new clause has real justification. We must strengthen public rights in relation to pollution and the dumping of waste in our communities, especially by companies from outside Wales of which we know nothing. Presumably these companies are facing increasing problems in the areas and communities where they are based. Surely we are justified in seeking rights of consultation and approval to enable individuals and communities to oppose or object to activities of the sort that are taking place on the bank of the Rhymney.

The local authority tells me that it can do nothing more than issue a licence to control the pollution that will result from the site being used as a

"waste solvent transit storage facility".

It can do nothing more than limit the damage that has already occurred, and it seems that its rights to take even that action are tightly constrained. It is the overwhelming wish of the Rhymney community, and of the valley community as a whole, that the operation should cease. It creates no jobs and it will not enhance the local environment. Indeed, its effect on the environment and the development of the community will be exactly the opposite. It is against that background that the local authority claims—I am not sure where the law stands on these matters—that it can do nothing more than issue a licence to control or limit the company's activity. That is unsatisfactory. I hope that we shall take a much more rigid, genuine and powerful line against such behaviour.

I have the privilege to represent communities that for 150 years have suffered uncontrolled physical dereliction. There have been coal tips and waste slags all around our homes. They were positioned as near as possible to the works. That is no longer the policy, but, as I have said, we have spent 150 years picking up the bill or the tab. That has been the misfortune of the local communities. It was my privilege as a Welsh Office Minister to initiate and implement the derelict land reclamation programme in the late 1960s, and I am glad that successive Governments have continued with it. It has been the public, however, or the nation that have had to pick up the tab. A huge price has had to be paid to try to put right historical neglect and physical dereliction.

We are now recreating a green society. The Secretary of State for Wales preaches through his Heads of the Valley initiative that we must diversify our commercial and industrial activities so that we can enter the new age. The last thing that the communities of Rhymney and Merthyr Tydfil want is a new form of pollution. We do not want companies that are based hundreds of miles away dumping their wastes in our community; we have spent 150 years coping with waste and low-paid jobs. Instead, we want increased economic and industrial activity in our communities. We are not willing in a new era to become a new dumping ground for industrial waste from other societies and communities. The 1990s will be our decade, just as green is the byword for the Winchesters, Chichesters and other communities that enjoy pleasant and green countryside.

The principles for which we have argued are illustrated in the example that I have given to the House of what can happen, even in the 1990s. Euromet has brought an unwanted activity to the Rhymney valley. We reject it and we hope that Euromet will accept that it is an unwelcome visitor with an unwelcome commercial activity. We do not want waste solvent transit storage facilities; we do want the power to reject Euromet.

6 pm

Mr. George Walden (Buckingham): I congratulate the Government on introducing a Bill which is welcome on both sides of the House. In particular, from a constituency interest, I welcome the stringent waste disposal proposals that tighten the regulations on the technical competence of those involved, and ensure that they are financially sound and have no previous convictions for illicit waste disposal activities. However, for those threatened with waste disposal holes in the ground next to their homes or near to their villages or towns, the fact that those stinking holes will be operated more efficiently is scant consolation. Their aim is not to have waste disposal so close to human habitation at all. That already happens in my constituency at Calvert and, even worse, further proposals arise month after month. Indeed, during the past few months, near the villages of Chackmore, Great Brickhill, Bierton and Mursley there have been proposals for waste disposal, for sand and gravel extraction or for both.

Gravel extraction can be a hideous environmental process, but it is not covered in the Bill. I understand that the reason for that, as for the non-inclusion of the location of waste disposal tips, is that they will be covered in future legislation on planning. Surely it is impossible to isolate one issue from the other. People will not be satisfied with regulations improving something that they do not want anyway. The Government should carefully consider making it statutorily impossible to locate waste disposal

[Mr. George Walden]

dumps close to human habitation. However efficient the Bill may be in curtailing illicit activities, there will still be the problem of smells carried on the prevailing wind, which the Government cannot hope to control if the dumps are too close to villages, small towns or larger built up areas.

The same applies, although without the smells, to gravel pits. I hope that the Government will not lose sight of the need to tighten the whole planning regime. There is an arbitrary and mechanistic regime under which each county council is required to produce a certain amount of gravel for its needs. That might make a neat regime, but it takes no account of the actual location of the gravel pit in a county. My constituency experience is that for some geological reason—I am not an expert—gravel appears to crop up close to human habitation. Villagers are often offered the choice between a future unwanted residual lake and, in the case of waste disposal, methane or other unwelcome products oozing from the ground close to their homes. I hardly need to emphasise the environmental damage and the damage to property values in the interim.

For all those reasons, I hope that the Government will not rest on their well-deserved laurels but will tighten the whole regime, and especially the regulations on the siting of waste disposal and gravel pits.

Mr. Hardy: I hope that the hon. Member for Buckingham (Mr. Walden) will forgive me if I do not follow his observations on gravel pits. He was right to pursue his constituency interests. Indeed, I propose briefly to pursue mine.

The House has previously heard about the problem of toxic waste in Wath upon Dearne. Indeed, following the presentation of a motion by my hon. Friend the Member for Don Valley (Mr. Redmond) and other constituency neighbours, it was suggested that I brought one of the 4,200 drums of toxic waste to the House. Conservative Members were not pleased by that suggestion. I sought the advice of Mr. Speaker, who expressed the hope that I would do no such thing. You will note, Mr. Deputy Speaker, that I have not, even though the temptation was strong. Had I chosen to do so, it would have met with the approval of many of my constituents.

I thank the Minister, with whom I have discussed this serious and complex problem on a number of occasions, for the time that he has spent on this matter. The problem is that the current regulations and law are unsatisfactory. Given the possible litigation that may ensue, if the Minister finds that within the next few weeks the Bill does not adequately close the loopholes to which I referred when he kindly allowed me to intervene in his speech, I hope that he will consider introducing amendments in another place to remedy that.

For almost a year my constituency has suffered a serious problem—not the 7,000 drums referred to by my hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands), but 2,400 drums of material that was not drummed when it arrived but was left open. It was supposed to be copper hydroxide sludge waste. It was later found to be contaminated, which caused enormous anxiety to local residents. I live only one mile from the site and I took part in a public meeting that was the largest, angriest and most excited that I can recall in my long political career both nationally and in south Yorkshire. The anxiety was eased by the Government's action, at my request, to ensure that the material was contained. However, it is still there and the anxiety persists.

The House knows that I have been interested in green issues for a long time. The problem with this sort of case is that it makes recycling a dirty word. Most of us accept that as we use the world's resources recycling becomes more and more a necessity. It is equally a necessity to ensure that industry is properly regulated and operated. If the Bill helps to ensure that public anxiety is allayed by the proper conduct of an essential industry, it will be an important contribution. Until the industry is properly run and supervised, and operates against a background of adequate legislation that closes the absurd loopholes we encountered last year in Wath upon Dearne, there will be cause for anxiety.

I do not want to say much more about that incident because it may be regarded as sub judice. However, may I correct a remark made by the Minister when he responded to my earlier intervention. He said that the material concerned was later identified as being toxic. If the Minister checks, he will find that it is toxic in British law but not toxic under American law, provided that it is exported from America. If the material remains in America, it is deemed to be toxic, but ceases to be so when it leaves that country.

That leads me to argue that if it is reasonable and right to seek proper laws and adequate regulations in respect of the chemical disposal industry in our own country, we are not serving the cause of common sense if we fail to make a positive and vigorous response to international control. It is absurd for the United States to observe one law in respect of chemicals that remain there and another for chemicals that it exports. It is equally absurd that we are prepared to go along with an international regime that allows such a preposterous situation to exist.

As the immediate past chairman of the Council of Europe's environment committee, I should like to think that the Government will give an absolute assurance that all international instruments, particularly the Basle convention, will be fully implemented by the United Kingdom. I also hope that the Government will ensure, as a matter of priority, that the arrangements made within the EEC are extended to a wider international basis. As the Minister accepts, and as some of my hon. Friends made clear, we are dealing here not only with a national problem but with an international problem which requires a proper and vigorous international response.

Mr. Holt: I declare two interests: as the chairman of a company on Teesside, and as a member of the Select Committee on the Environment, whose members would want to thank my hon. Friend the Minister and the Government for at long last introducing provisions for which the Select Committee has argued for a very long time.

It is gratifying to note that the Bill even includes a provision covering contaminated land. Perhaps it is worth placing on record that, when the Environment Select Committee decided for the first time to investigate contaminated land some months ago, the Department issued a press release on the subject for the first time in living memory. Also, as the Select Committee stimulated a degree of action, it is not fair of the Opposition to take all

the credit for new clause 11(6), because that emanates from the work of hon. Members on both sides of the House in Committee.

My hon. Friend the Member for Stockton, South (Mr. Devlin) spoke about the chemical industry and the four-year period of confidentiality, which really is not long enough. As someone with a brief experience of the industry, I can tell the House that research often takes a very long time to complete and is costly. If, at the end of the day, the manufacturer finds that the return will not be sufficient, that research will not be undertaken and jobs will not come here.

I urge my hon. Friend the Minister carefully to reconsider new clause 11. The chemical industry brings vast amounts of money into this country. Last week a company of which I am chairman, MTM plc, won an export award for the second or third year running in recognition of the extent to which its efforts have contributed to the amount of money that my right hon. Friend the Chancellor of the Exchequer has to play with. My company has also recently bought six companies in America. I say that to indicate the global nature of the chemical industry. It has also bought two companies in Austria, which we shall use to develop the potential market in eastern Europe. Expertise and knowledge are not confined by the waters of the North sea and English channel. One can export them all round the world very satisfactorily.

If the Government are slow to understand what they are being told, then they are missing a golden opportunity. They ought to ask the chemicals industry what is a reasonable and viable time for research so that the Bill can leave this House with the support of everyone concerned.

6.15 pm

As to the Opposition's suggestion that individuals should be allowed to pursue prosecutions, I hardly need remind my hon. Friend the Minister and all right hon. and hon. Members of the number of constituents who often frequent our surgeries with all sorts of notions. If one were to open the door to litigation without any form of pre-sifting, as the Opposition's new clause 3(2) suggests, one would be creating a lawyer's paradise. The chemicals industry would disappear from this country because there would be no purpose in establishing a company here and then finding that all one's chief executives and money were being devoted to defending fruitless and wasteful litigation. The Government should give serious consideration to the way in which prosecutions can be brought by people having a genuine grievance.

The Bill is rather like the curate's egg. Of course it is good, but it is bad in its omissions. It fails to address the point that has been made time and again by right hon. and hon. Members in all parts of the House, that there should be a national waste disposal policy, and that it should not be left to local authorities to make up their minds on the basis of planning applications, which will anyway be NIMBY'd back to my right hon. Friend the Secretary of State for the Environment.

I am against strict planning controls almost as a matter of personal philosophy—

Ms. Mowlam *indicated assent.*

Mr. Holt: —as the hon. Member for Redcar (Ms. Mowlam) knows. As was said by my hon. Friend the Member for Buckingham (Mr. Walden), unpopular planning propositions will be referred to my right hon. Friend the Secretary of State. Therefore, it will be far better if the Environment Select Committee's suggestion for a national waste disposal plan is accepted by the Government. That would ensure not only that Teesside, which creates much of the waste in manufacturing products that everyone else uses, but all parts of the country take responsibility for a share of waste disposal in years to come. The Government should address the problem properly and not hide behind the situation in which they currently find themselves.

Mr. Simon Hughes (Southwark and Bermondsey): The debate has been interesting because hon. Members in all parts of the House welcome registers of information and public access to them and agree that new clause 11 is needed. It has revealed also how much more work remains to be done. I am sympathetic to the point made by the hon. Members for Buckingham (Mr. Walden) and for Langbaurgh (Mr. Holt) that the environment cannot be properly protected unless the planning process is designed with that aim in mind. It remains one of the most effective weapons for protecting our environment.

I and my right hon. and hon. Friends have long argued that matters concerning the disposal of chemical or nuclear waste, or the construction of nuclear power stations, should be the subject of a full public inquiry to determine general strategy. Thereafter one can deal with specific details in the area in question, given the general macrodecisions.

I was not involved in the Committee because before Easter I was responsible for education. Over Easter I was recycled and I returned to the House to look after green issues for my party. I welcome that responsibility and I am pleased to find that the climate has changed in the years since I last undertook it and that people are falling over themselves to be greener than the rest.

I welcome the new clause and the Minister's announcement that there will be a duty to compile a register of contaminated land. I and my colleagues have campaigned for that for a long time. In areas where there is land development, if people think there may be some contamination it is a matter of concern and it is right and proper that we should have scientific evidence.

I take a somewhat different view from the hon. Member for Stockton, South (Mr. Devlin) who spoke earlier. The presumption should be in favour of the public having the information. Although in theory the idea of everyone having the right to prosecute is wonderful, in practice it is probably a good idea that there is a set process, such as when one applies for a judicial review, so that the starting point for a case is established. I take the point that the little person does not stand much chance against a large company, but there are plenty of little people with fairly cranky ideas who could occupy the courts for a long time.

I have some anxieties about the Bill. I am not yet satisfied that the Government understand that the best way to protect the environment is to maximise the amount of information given to people. Education is the best means of environmental protection.

The new clause gives the Secretary of State a let-out power. Certain confidential information will be excluded from registers. I listened carefully to what the Minister said, but we still do not know what would prejudice to an "unreasonable degree" the interests of the individual. I am not persuaded that a decision by the Secretary of State,

[Mr. Simon Hughes]

whoever that may be, would be impartial and would be the best decision, based on a balance between the right to know and commercial interests. That is where I disagree with the hon. Member for Stockton, South.

My colleagues and I do not think that one can argue against freedom of information on environmental matters by saying that it might harm competition. The market economy has to take second place to the environment, not first place. When it comes to the crunch one cannot say that industry can be allowed to play its competitive games, although I understand that the hon. Member for Stockton, South represents the chemical industry in Stockton and I know of the contribution that that industry makes in the north-east. However, the environment must come before the rights of corporations and their profit. Only then will corporate activity in Britain become environmentally acceptable.

Mr. Devlin: Surely if one seeks to protect the environment what matters is what comes out of the factory, whether it comes out through the floor, the roof or into the local river. The Bill seeks to control every aspect of the production process and make it publicly available. Most of that information will be used by competitor companies. That is not necessary for the protection of the environment.

Mr. Hughes: I understand that point, but it is not true that the information will be principally put to that use. It is right that people should be able to monitor what a private enterprise—be it a large or a small company—or an individual is doing rather than risk a process causing environmental problems. It is a question not only whether the product and any discharges are environmentally safe and publicly acceptable but whether the process is safe from beginning to end. One of the lessons that we have learnt from the nuclear industry here and in Russia is that often it is the process and not the product which is dangerous.

Mr. Devlin: Surely that objection can be overcome by providing the public with information on all the emissions from a plant. The internal workings of the plant could be monitored by the Health and Safety Executive for the protection of the people working there. There is no need for information on the entire process to be made available to the public.

Mr. Hughes: Of course the process is relevant. However, this is a detailed debate and we do not have time to go into that issue. The Health and Safety Executive has a role to ensure that the process is safe for the work force and for the community. Two of the criticisms levelled by the Opposition are that health and safety control mechanisms are depleted and there are not sufficient resources and people to do the job. However, there is another element, which is to ensure that the process and the product are environmentally safe. That does not mean that everyone has to know details of every single nut, tool and lathe used in the process, but there needs to be a framework for access to information.

Another important point is that there must be access to publicly held information. I fear that because the Government are privatising so many processes, people cannot get at information that was previouly available. For example, we often ask questions in the House about the energy industry and we are told that we cannot have ministerial answers because it is a matter for the Central Electricity Generating Board. However, if one asks the CEGB one does not get the information because the barriers go up. That is a dangerous trend. If there is to be an increasing number of privatised Government agencies rather than Government Departments, we must guard against the danger that we will not have access to information that we had access to in the past.

Mr. Devlin: The biggest cover-up that ever took place in process technology was in the nuclear industry when it was in the public sector. Surely the whole thrust of the Bill and of the privatisation of the electricity industry was to meet the hon. Gentleman's objections and to put that information into the public sector.

Mr. Hughes: I hope that the hon. Gentleman will agree that the remedy would have been to have a freedom of information Act a long time ago, as they have in other countries. Then we would know what goes on in the public's name and in the public sector. Then the secrecy, which is manifest and accepted in the nuclear industry, would not continue and all those things that have happened to the detriment of scientific knowledge and the environment would have been prevented.

I have two main anxieties, because the Minister should realise that there is a long way to go. The first is about ozone at ground level, which is accepted as a health hazard. In August 1989 the Department of the Environment issued a press release entitled, "Low-level ozone—Goverment makes information available." The first paragraph was:

"A special daily summary of low-level ozone concentrations around the country will be available from the Department of the Environment for the rest of the summer."

In March this year an incident occurred but no information was forthcoming from the Department. People in Sussex noticed a high incidence of ozone and its effects on particular plants at ground level. I recently asked why no announcement was made. I had the following honest and wonderful answer from the Minister:

"In accordance with the Department's news release of 3 August 1989, information on ozone levels occurring on 17 and 18 March and also on 31 March and 1 April was available from the Department's press office the morning of the day after the episode commenced. No journalist asked for this summary."—[*Official Report*, 24 April 1990; Vol. 171, c. 121.]

Therefore, in a Kafkaesque fashion, only if one knew that something had happened could one could ask about it. Unless one knew, one could never find out. That is not how freedom of information should work. The purpose of a freedom of information Act and open government is that one is given the information. One ought not to have to hope that one will get it if one asks the right question at the right time.

Secondly, there is still no public right to access to information in relation to the data used to justify authorisation of pesticides—both old ones and more recently authorised ones. Ministers have power to make the data available, but there is no public right to that information. Although the regulations stipulate that data relating to new approvals can be seen on request at the registration department—that is, the Department of Health—by anyone with good cause, when the Friends of the Earth asked recently for that information it was told that it could not have it; even if it could see it, it could not

photocopy that information. That is not an open society. Information about the environment is not being made available.

The Government's new clause and the Minister's announcement are to be welcomed, but we are still a long way from an open information society. Until we have such a society, we shall not have the best protected environment that both this country and the world as a whole yearn for increasingly every day.

6.30 pm

Mr. Peter L. Pike (Burnley): It may help the Minister if I say that the Opposition Front Bench do not intend to intervene in the debate. Furthermore, the Opposition do not intend to press new clause 3 to a Division.

We welcome the Government's new clauses. It has been said more than once that we are grateful for the way in which the Bill has been dealt with throughout its passage through the House, particularly in Committee. Parliament was then at its best. The approach to the debates was positive. The Government responded to criticism and constructive proposals from all sides. The result is the many Government amendments and new clauses. The Minister may be reflecting on the fact that if the Government had adoped the same approach two years ago when the Local Government Finance Bill was being considered, they would not be faced with some of the difficulties that confront them now.

Subsection (8) of new clause 11 illustrates the fact that the Government have responded positively to a point that I made in Committee. It states:

"For the purpose of enabling the National Rivers Authority to discharge its duty under section 117(1)(f) of the Water Act 1989 to keep corresponding particulars in registers under that section, the chief inspector shall furnish the Authority with the particulars contained in any register maintained by him under this section."

That covers a deficiency in the Bill. We welcome the Government's response to that point.

Mr. Adley: I share entirely the hon. Gentleman's sentiments about the mood and spirit of the Committee's proceedings. On reflection, therefore, does he agree with me that the Opposition's opposition to the water privatisation proposals should reflect the fact that the creation of the National Rivers Authority resulted, in the first case in which it took action against a major company, in a fine of £1 million being levied on that company? On reflection, does he agree with me that on that occasion the Opposition were not always right?

Mr. Pike: No. I have great respect for the hon. Member for Christchurch (Mr. Adley), but he fails to recognise that at every stage of the water privatisation proceedings we supported the creation of a National Rivers Authority. However, we believe that the water industry should not have been privatised. The National Rivers Authority was created after a unanimous recommendation by the Select Committee. The Opposition supported its creation on every possible occasion. We queried whether it would be given sufficient powers and funding, but we fully supported its creation and we recognise that it is doing good work. We hope that good work will continue and that the NRA will be provided with additional powers and resources, should they be required, to enable it to fulfil its functions. I am sorry that the hon. Gentleman chose to intervene on that point. He may have thought that he was being helpful, but he was not particularly helpful.

Although there have been positive debates, it would be wrong to say that there has been no disagreement. The Opposition believe that the Government ought to go further, in particular on access to information. At the beginning of her speech my hon. Friend the Member for Dewsbury (Mrs. Taylor) made the point, which was echoed, although in different words, by the hon. Member for Southwark and Bermondsey (Mr. Hughes), that the Opposition approach the issue of access to information on the presumption that the public have a right to that information. The Government approach the issue from the other direction. It is an important difference of approach. The Government ought to think again about the issue and make further concessions in the other place. We believe that the public have a right to know.

On commercial confidentiality, the hon. Member for Langbaurgh (Mr. Holt) referred to the period of four years. The Minister said that if a request were made towards the end of the four-year period to extend it, the request would be considered—that the four-year period is not finite. New clause 3 proposes a shorter period—that no information shall be withheld from a public register concerned with pollution for a period longer than two years.

Mr. Holt: I hope that the hon. Gentleman has taken on board my point that it is not a question of there being a review at the end of four years. It is that if, before any commercial undertaking began the exercise, there was the slightest risk that at the end of the four years the investment would be jeopardised, it would not necessarily make the investment, with the result that those jobs and that work would go overseas.

Mr. Pike: We discussed all these points at great length in Committee. We need to achieve a balance.

The Minister made an important statement about contaminated land. I had intended to argue that there should be a register of contaminated land, but the Minister has said that a register will be created. However, I remind the Minister of the Select Committee's report. I served on that Committee, as did several other hon. Members who are in the Chamber. The report referred to the type of register that should be created. Paragraph (5) states:

"We recommend that the Government bring forward legislation to lay on local authorities a duty to seek out and compile registers of contaminated land. We consider that registers should be developed using common methodology which should be speedily refined and published by the DOE. Additionally the local authorities should use compatible computer hardware and software in compiling their registers to facilitate transfer to the DOE."

I hope that the Minister will take that recommendation into account when he formulates his proposals. I hope that he appreciates that I refer to that point only because he did not specify exactly how he intends to deal with it.

The hon. Members for Stockton, South (Mr. Devlin), for Langbaurgh and for Southwark and Bermondsey referred to subsection (2) of new clause 3 which deals with the right of members of the public to prosecute. That is a difficult issue. The Opposition do not believe that anyone should be able, for malicious, trivial or unnecessary reasons, to prosecute. However, if the authority is to be responsible for ensuring that there is no pollution and that

[Mr. Pike]

our environment is protected, we want the Bill to include a backstop that will give the public the right and the genuine ability to take action where appropriate.

We were not intending to provide a finite proposal, but the Government have not got it right. The public should be protected. I am not talking about protecting industry or anything else; I am talking about protecting the people of this country. If the public believe that those who have a duty to perform on their behalf are failing in that duty, they should have the right to take legal action themselves. That is the spirit in which we are proposing subsection (2) of new clause 3.

Mr. Trippier: I shall be brief, but in all cases I shall attempt to reply to the pertinent points that have been made in this interesting debate. I am grateful to all hon. Members for the way in which they welcomed my initial statement about the register that is to be compiled by district authorities.

The hon. Members for Dewsbury (Mrs. Taylor) and for Burnley (Mr. Pike) asked me to elucidate that point. I am certain that they will welcome the fact that the register will be compiled along the lines suggested by the Select Committee. Part of the discussions and negotiations with the local authority associations will relate to the detail of that. We estimated and gave evidence to the Select Committee to the effect that it would cost half a person a year—I love those terms—to compile the register. I cannot imagine how that could be done, but that was accepted by the Select Committee. The problem is not so much the compilation of the register, as its upkeep and updating. Nevertheless, do it we will. I am not only committed to the principle, but will ensure that the provisions are set in statute in the form of an amendment to be moved in the House of Lords. I am grateful to the House for its welcome for that.

The second main point raised by the hon. Member for Dewsbury was about the ability of an individual to begin legal proceedings against a company that had offended in some way or had breached the conditions that are outlined in the Bill. We dealt with that proposition at some length in Committee, but I underline once again the fact that that facility is already available to individuals. Such prosecutions are not unknown because, as the hon. Member for Southwark and Bermondsey (Mr. Hughes) knows well as a lawyer, such action is within the ability and the power of the individual. Quite honestly, I do not want to interfere with that and nor should I because if such a right is vested in the individual we avoid the difficulties that were encountered by my hon. Friend the Member for Stockton, South (Mr. Devlin). We had what was at times a lively discussion on that point in Committee. Of course, we always welcome such discussions. When we discussed that matter in Committee, I said that there was no need for any amendment to achieve the objective that is now outlined in new clause 3 because any individual could bring a private prosecution. I ask the House to accept that point.

Several hon. Members, especially Opposition Members, have questioned whether matters of dispute should go before a tribunal as opposed to going before my right hon. Friend the Secretary of State for the Environment. I find it more compelling to say that such matters should go before my right hon. Friend because he is answerable to the House. It is perfectly clear that whoever is the Secretary of State for the Environment, in whatever Administration, that person would be subjected to more pressure—certainly environmental pressure—than that to which any tribunal would or could be subjected. Therefore, on balance, I believe that that matter is better left in the hands of the Secretary of State for the Environment instead of with the bureaucracy that always attends such tribunals.

I have no difficulty with appeals that are made to my right hon. Friend being as open as possible—that would be entirely consistent with increased public access to environmental information—but, for goodness sake, let us not invent a new bureaucracy and set up a new tribunal——

Ms. Mowlam: What about the new bureaucracy that was set up for the poll tax?

6.45 pm

Mr. Trippier: I can assure Opposition Members that in the unlikely event of them ever becoming the Government of this country, they would wish to reserve those powers for their Secretary of State for the Environment. I found it amusing that the Opposition should seek to raise that point by way of a new clause. I also found the discussion about commercial confidentiality amusing. Although by itself it is not an amusing subject—it is serious and interesting—I must advise the hon. Member for Southwark and Bermondsey and my hon. Friend the Member for Stockton, South that, at the risk of hammering the nails out of sight, we bashed this one to bits in Committee. It resulted in me issuing a press notice, which I am anxious to send to the hon. Member for Southwark and Bermondsey, in which I made clear the way in which we interpret matters of commercial confidentiality.

I agree with the hon. Members for Soutwark and Bermondsey and for Dewsbury that there should be a presumption in favour of revealing as much as possible. The only thing with which I disagreed in the hon. Lady's initial speech was when she said that there seemed to be a great difference of opinion on that point. I do not accept that. I believe that we are all pointing in the same direction. I clearly remember an intervention on Second Reading by the hon. Member for Knowsley, North (Mr. Howarth), suggesting that we should clearly spell out that which we would consider to be commercially confidential, but that at all times there should be a presumption in favour of releasing that information. As I have said, secrecy breeds fear, which is just what we want to avoid in these circumstances.

My hon. Friend the Member for Christchurch (Mr. Adley) has been co-operative throughout, especially in Committee, and we have tried to meet many of his points. He will draw comfort from the fact that the scope of our wider noise review will be extended to cover aircraft noise. My hon. Friend is fully entitled to draw to himself the credit for having drawn our attention, as Ministers, to the importance of that issue, and I hope that he will do so.

Mr. Adley: I am extremely grateful to my hon. Friend for responding yet again. May I presume to assume that my other point about vehicle emissions will also feature in

discussions between his Department and the Department of Transport so that ere long he will be able to say the same thing about that?

Mr. Trippier: Vehicle emissions will certainly be covered in the scope of the proposed White Paper, which is to be introduced in September. I am afraid that I am not empowered to go further than that at this stage. Perhaps my hon. Friend will be satisfied with half a cake this afternoon. I am delighted for him that aircraft noise will be included in the noise review.

The hon. Member for Dewsbury asked me about the conditions that are not included in new clause 11. That is because the issue is covered in subsection (1)(b). The reference to "authorisations" includes emissions. The hon. Lady also asked about registers——

Mr. Andrew F. Bennett (Denton and Reddish): Did I hear the Minister correctly? Did he say that the White Paper would be published in September? Will that be for the Tory party conference? Would not it have been better to publish it while the House of Commons is sitting so that we could debate it at an early opportunity?

Mr. Trippier: The hon. Gentleman might have had a point if the promise to produce the White Paper had been made initially to the House of Commons, but my hon. Friends will recall that that promise was made at the Conservative conference in Blackpool when my right hon. Friend the Secretary of State promised the party workers, who were sitting there with bated breath, that before the next conference they would have a White Paper. They were clearly overjoyed. It is important that we secure the support of our own supporters before making such a document available to the waiting world.

Mrs. Ann Taylor: Perhaps the Minister can clarify one point. He seems to imply that the White Paper is designed to satisfy, and perhaps abate, some of the criticism that the Government are expecting at this year's Tory party conference. If the White Paper is an internal Tory party document, why is the taxpayer paying for it and not the Conservative party?

Mr. Trippier: The hon. Lady knows better than that. As I recall, the White Paper was welcomed by the Opposition when it was announced. That form of announcement—at a party conference—is common to all political parties, especially when they are in power. It is clear that the White Paper will be an agenda for the 1990s, and the Conservative party intends to be in government at the end of the 1990s and to ensure that its proposals are implemented.

The hon. Member for Dewsbury also asked about registers in any form. New clause 11 makes wide provision to cover all the ways of maintaining a register—paper records, computer-held data microfiche and photographic registers. That is why the existing clause has been changed —to allow all or any forms of register to be kept.

I have some sympathy with the point raised by the hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands). A similar point was made by my hon. Friend the Member for Buckingham (Mr. Walden). The provisions in the Bill for waste disposal have been tightened up and as a result of the legislation standards will be raised. Of that there can be no doubt. The precise provisions that both hon. Members seek would best be incorporated in planning legislation. That was rightly pointed out by my hon. Friend the Member for Buckingham. Obviously we hope to ensure that the legislation is tightened up sooner rather than later.

Mr. Rowlands: Will the hon. Gentleman give way?

Mr. Trippier: May I finish this point? Although the matter is in the purview of the Welsh Office, there are provisions in the Bill concerning the importation of hazardous waste—principally from abroad. That clearly needs tightening up. Under part II of the Bill, which deals with waste, I shall try to introduce a national strategy—I stop short of saying "plan"—to ensure that regions of the United Kingdom remain self-sufficient in how they deal with their waste. That will be welcomed by the hon. Member for Merthyr Tydfil and Rhymney.

Mr. Rowlands: The key point was emphasised by the hon. Member for Buckingham (Mr. Walden). We should bring that type of activity under planning control, so that local authorities can say no, public inquiries can take place and everyone, including the Health and Safety Executive, must make their case before an independent inspector. That is the key change—as opposed to allowing 7,000 drums to turn up in my constituency without planning permission being required.

Mr Trippier: I agree, and I understood the hon. Gentleman's earlier point. However, I know that he accepts that that type of planning provision cannot be included in the Bill. We hope to address that point in more detail in the near future: a legislative window should be found for such a planning Bill.

I give a solemn undertaking to the hon. Member for Wentworth (Mr. Hardy) that my officials and I will do whatever we can to improve the Bill to relieve the problems that he has experienced in Wath upon Dearne. That could include amendments made to the Bill in another place. The hon. Gentleman knows that I have every sympathy for his predicament. Furthermore, I shall make it my business to ensure that there are international agreements to cover all his points. If we do not co-operate with other countries —especially developed countries—we shall be at a competitive disadvantage.

Let me explain to my hon. Friend the Member for Langbaurgh (Mr. Holt) that we arrived at a figure of four years as something of a compromise, between Labour Front-Benchers who wanted a tighter turnaround time and a reapplication of the conditions of commercial confidentiality, and those in the industry—certainly the chemical industry—who would have wanted much more time. We thought that four years was satisfactory, although I am sure that the figure will be re-examined in another place. The Government consider that that is a satisfactory length of time to elapse before an application is made.

I notice that my hon. Friend the Member for Langbaurgh shakes his head. I must say to him and my hon. Friend the Member for Stockton, South that when he was praying in aid the contribution of the right hon. Member for Halton (Mr. Oakes), he must have forgotten that the right hon. Gentleman said that the Chemical Industries Association was content with the provisions in that part of the Bill, with the exception of his amendment. I believe that what he said was not conjecture, but a statement of fact.

[Mr Trippier]

I hope that the amendment and the new clause in the name of Opposition Members will not be pressed to a Division, and that the House will support the Government's new clauses.

New Clause 12

EXCLUSION FROM REGISTERS OF INFORMATION AFFECTING NATIONAL SECURITY

'.—(1) No information shall be included in a register maintained under section *(Public registers of information)* above if and so long as, in the opinion of the Secretary of State, the inclusion in the register of that information, or information of that description, would be contrary to the interests of national security.

(2) The Secretary of State may, for the purpose of securing the exclusion from registers of information to which subsection (1) above applies, give to enforcing authorities directions—

(a) specifying information, or descriptions of information, to be excluded from their registers; or

(b) specifying descriptions of information to be referred to the Secretary of State for his determination;

and no information referred to the Secretary of State in pursuance of paragraph (b) above shall be included in any such register until the Secretary of State determines that it should be so included.

(3) The enforcing authority shall notify the Secretary of State of any information it excludes from the register in pursuance of directions under subsection (2) above.

(4) A person may, as respects any information which appears to him to be information to which subsection (1) above may apply, give a notice to the Secretary of State specifying the information and indicating its apparent nature; and, if he does so—

(a) he shall notify the enforcing authority that he has done so; and

(b) no information so notified to the Secretary of State shall be included in any such register until the Secretary of State has determined that it should be so included.'.—*[Mr. Trippier.]*

Brought up, read the First and Second time, and added to the Bill.

New Clause 13

EXCLUSION FROM PUBLIC REGISTERS OF CERTAIN CONFIDENTIAL INFORMATION

'.—(1) No information relating to the affairs of any individual or business shall be included in a register maintained under section *(Public registers of information)* above, without the consent of that individual or the person for the time being carrying on that business, if and so long as the information—

(a) is, in relation to him, commercially confidential; and

(b) is not required to be included in the register in pursuance of directions under subsection (6) below;

but information is not commercially confidential for the purposes of this section unless it is determined under this section to be so by the enforcing authority or, on appeal, by the Secretary of State.

(2) Where information is furnished to an enforcing authority for the purpose of—

(a) an application for an authorisation or for the variation of an authorisation;

(b) complying with any condition of an authorisation; or

(c) complying with a notice under section 18(2) above;

then, if the person furnishing it applies to the authority to have the information excluded from the register on the ground that it is commercially confidential (as regards himself or another person), the authority shall determine whether the information is or is not commercially confidential.

(3) Where it appears to an enforcing authority that any information (other than information furnished in circumstances within subsection (2) above) which has been obtained by the authority under or by virtue of any provision of this Part might be commercially confidential, the authority shall—

(a) give to the person to whom or whose business it relates notice that that information is required to be included in the register unless excluded under this section; and

(b) give him a reasonable opportunity—

(i) of objecting to the inclusion of the information on the ground that it is commercially confidential; and

(ii) of making representations to the authority for the purpose of justifying any such objection;

and, if any representations are made, the enforcing authority shall, having taken the representations into account, determine whether the information is or is not commercially confidential.

(4) Where, under subsection (2) or (3) above, an authority determines that information is not commercially confidential—

(a) the information shall not be entered on the register until the end of the period of twenty-one days beginning with the date on which the determination is notified to the person concerned;

(b) that person may appeal to the Secretary of State against the decision;

and, where an appeal is brought in respect of any information, the information shall not be entered on the register pending the final determination or withdrawal of the appeal.

(5) Subsections (3), (4) and (9) of section 14 above shall apply in relation to appeals under subsection (4) above.

(6) The Secretary of State may give to the enforcing authorities directions as to specified information, or descriptions of information, which the public interest requires to be included in registers maintained under section *(Public registers of information)* above notwithstanding that the information may be commercially confidential.

(7) Information excluded from a register shall be treated as ceasing to be commercially confidential for the purposes of this section at the expiry of the period of four years beginning with the date of the determination by virtue of which it was excluded; but the person who furnished it may apply to the authority for the information to remain excluded from the register on the ground that it is still commercially confidential and the authority shall determine whether or not that is the case.

(8) Subsections (4) and (5) above shall apply in relation to a determination under subsection (7) above as they apply in relation to a determination under subsection (2) or (3) above.

(9) Information is, for the purposes of any determination under this section, commercially confidential, in relation to any individual or person, if its being contained in the register would prejudice to an unreasonable degree the commercial interests of that individual or person.'—*[Mr. Trippier.]*

Brought up, read the First and Second time, and added to the Bill.

New Clause 31

VARIATION OF AUTHORISATIONS BY ENFORCING AUTHORITY

'(1) The enforcing authority may at any time, subject to the requirements of section 7 above, vary an authorisation and shall do so if it appears to the authority at that time that that section requires conditions to be included which are different from the subsisting conditions.

(2) Where the enforcing authority has decided to vary an authorisation under subsection (1) above the authority shall notify the holder of the authorisation and serve a variation notice on him.

(3) In this Part a "variation notice" is a notice served by the enforcing authority on the holder of an authorisation—

(a) specifying variations of the authorisation which the enforcing authority has decided to make; and

(b) specifying the date or dates on which the variations are to take effect;

and, unless the notice is withdrawn, the variations specified in a variation notice shall take effect on the date or dates so specified.

(4) A variation notice served under subsection (2) above shall also—

(a) require the holder of the authorisation, within such period as may be specified in the notice, to notify the authority what action (if any) he proposes to take to ensure that the process is carried on in accordance with the authorisation as varied by the notice; and

(b) require the holder to pay the fee (if any) prescribed by a scheme under section 8 above within such period as may be specified in the notice.

(5) Where in the opinion of the enforcing authority any action to be taken by the holder of an authorisation in consequence of a variation notice served under subsection (2) above will involve a substantial change in the manner in which the process is being carried on—

(a) the enforcing authority shall notify the holder of its opinion; and

(b) the holder shall, within the prescribed period, advertise the change in the prescribed manner.

(6) The Secretary of State may, if he thinks fit in relation to authorisations of any description or particular authorisations, direct the enforcing authorities—

(a) to exercise their powers under this section, or to do so in such circumstances as may be specified in the directions, in such manner as may be so specified; or

(b) not to exercise those powers, or not to do so in such circumstances or such manner as may be so specified;

and the Secretary of State shall have the corresponding power of direction in respect of the powers of the enforcing authorities to vary authorisations under section (*variation of conditions etc: applications by holders of authorisations*) below.

(7) In this section and section (*variation of conditions etc: applications by holders of authorisations*) below a "substantial change", in relation to a prescribed process being carried on under an authorisation, means a substantial change in the substances released from the process or in the amount or any other characteristic of any substance so released; and the Secretary of State may give directions to the enforcing authorities as to what does or does not constitute a substantial change in relation to processes generally, any description of process or any particular process.

(8) In this section and section (*variation of conditions etc: applications by holders of authorisations*) below—

"prescribed" means prescribed in regulations made by the Secretary of State;

"vary", in relation to the subsisting conditions or other provisions of an authorisation, means adding to them or varying or rescinding any of them;

and "variation" shall be construed accordingly.'.

—*[Mr. Heathcoat-Amory.]*

Brought up, and read the First time.

The Parliamentary Under-Secretary of State for the Environment (Mr. David Heathcoat-Amory): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Sir Paul Dean): With this we may take Government new clauses 32 and 14, and Government amendments Nos. 38, 40, 103, 152, 153, 41, 154 to 158, 55, 159 to 162, 239 and 57.

Mr. Heathcoat-Amory: In our previous debate on public access, my hon. Friend the Minister for the Environment and Countryside explained that he thought it appropriate for more detail on public registers to be included in the Bill. We have also decided that more detail on the transfer and variation of authorisations should be included. When the Committee considered what has become clause 9 in the Report print of the Bill, I commented that I was not satisfied with parts of the clause and would return to the issue on Report.

One of the main concerns expressed in Committee was that raised by my hon. Friend the Member for Norfolk, North-West (Mr. Bellingham), who complained about the potential for delay in settling transfers. We consider that there is advantage in separating the procedure for transfer of an authorisation from the more complex procedures for varying an authorisation. Accordingly, new clause 14 sets out the relatively simple procedure for transfer, which provides merely for notification by the new operator within three weeks. Failure to do so will attract penalties, which are the subject of amendments Nos. 55 and 57.

New clauses 31 and 32 set out in more detail the procedures that must be followed when authorisations are to be varied. New clause 31 details the action to be taken by the enforcing authority, whether the proposal to vary was initiated by it or by the operator. It is intended to keep the public informed of the proposals for substantial change, and allows them to make representations about such proposals.

New clause 32 sets out the procedure to be followed by the operator, whether he has himself initiated the request for change or has been served with a variation notice by the enforcing authority.

Once an authorisation has been granted, not only will the regulatory authority be able to vary the authorisation from time to time, but the conditions of every authorisation will be reviewed from time to time as a matter of course. We believe that four years, for which amendment No. 38 provides, is an appropriate timetable by which to work as it allows enough time for new technology to develop in the relevant industrial sector.

Amendments Nos. 40 and 41 clarify which matters enforcing authorities must take into account when issuing authorisations for IPC and local authority air pollution control.

Amendment No. 40 makes clear on the face of the Bill the dividing line between the Bill and what more properly falls under the responsibility of the Health and Safety Executive. Amendment No. 41 requires enforcing authorities to have due regard to any guidance that may be issued by my right hon. Friend the Secretary of State on the best available techniques and environmental options to be required of operators generally or for a specific process or category of process.

7 pm

I notice that the right hon. Member for Halton (Mr. Oakes) has tabled amendment No. 103. I will not comment on it now, but if he speaks to it I will endeavour to answer the points that he makes.

Dame Elaine Kellett-Bowman (Lancaster): Will my hon. Friend give way?

Mr. Heathcoat-Amory: The new clauses are relatively uncontroversial and lie at the heart of our proposals to make effective improvements in industrial environmental protection.

Mr. Simon Hughes: May I put two questions to the Minister? First, are there any safeguards to prevent the transfer of an authorisation to an undesirable person—for example, someone who is known to have committed offences under pollution legislation?

My second question is more important and is on the guidance on the duties to which enforcing authorities must have regard. May I put a hypothetical case to ascertain whether a duty would be included? Would authorities have to take account of directions on Government policy, for example, on flue gas desulphurisation? The Government have said that there must be a 20 per cent. reduction in emissions by 1993. If authorities set their targets accordingly but the nature of the industry is changed substantially by imported coal, and if as a result by 1993 only one power station is fitted with flue gas desulpherisation equipment, as appears likely, will the Secretary of State be able to use his power of direction as a consequence of that? "Taking regard" can mean something or nothing. It can mean, "Yes, we hear what the Secretary of State says, but we do not have to do anything about it", or "Yes, we must do what the Secretary of State wants."

To what extent will amendment No. 41 allow the Secretary of State to influence the actions and practices of enforcement agencies? Concern has been expressed that if the Government seek to go back on international commitments—we are concerned that they are doing so —it could weaken the powers of the enforcement agencies, which would be a severe problem.

Dame Elaine Kellett-Bowman: I wish merely to ask my hon. Friend the Minister whether his observations of the best available techniques include the best available and most up-to-date modes of transport, for example, for transporting stuff to and from a waste disposal factory. Is transport included in his observations?

Mr. Oakes: I cannot understand why the Minister is giving directions when in almost every other clause he is making regulations. It seems to me, and particularly to the chemicals industry, that regulations would be far better than directions because it is essential that the people dealing with and controlling the processes have a clear understanding of the requirements from the outset.

Directions tend to be somewhat airy-fairy, but regulations made before the system comes into operation —that is the purpose of amendment No. 103—would be clear, precise and definite, and those operating the important system of integrated pollution control would know where they stood.

The Minister mentioned amendment No. 103, but I seek a reply merely to that point.

Mr. Heathcoat-Amory: The hon. Member for Southwark and Bermondsey (Mr. Hughes) seemed to suggest that the risk of a transfer to an unsuitable person or operator should be blocked in advance. That would be extremely difficult to operate in practice and I would rather, as the Bill does, lay reliance on the fact that any operator will have to meet the conditions of the licence. If he does not do so, prosecution or enforcement notices can follow and are available in the Bill. If such an operator must be set new conditions appropriate to evolving technology or changing circumstances, the enforcing authorities have the power to compel him to do so. That is a better, more certain and more reliable safeguard than a subjective assessment of the suitability of the operator.

Mr. Simon Hughes: I hear what the Minister says, but will he reconsider whether a person who has breached a duty under pollution legislation should automatically be the recipient of a transfer? Those shown to have failed a responsibility should be exempted.

Mr. Heathcoat-Amory: Under part II on the suitability of licensed operators for waste disposal, one of the criteria that can be taken into account is whether the operator has breached prior conditions. I hope that that meets the hon. Gentleman's point.

As to the hon. Gentleman's second point about guidance for the Secretary of State, draft guidance has been placed in the Library on the meaning of BATNEEC —best available techniques not entailing excessive cost —which interprets what is meant by "available" and tries to determine what costs should be judged as excessive. That has nothing to do with Government policy, but in addition to the guidance issued the enforcing authorities must have regard to any directions issued by the Secretary of State. It would be perfectly in order for him to issue directions on whether a country or industry should fall within the provisions of EC targets or directives. I hope that that meets the hon. Gentleman's second point.

I must apologise to my hon. Friend the Member for Lancaster (Dame E. Kellett-Bowman), but I genuinely did not hear her trying to intervene. I did not wish to prevent her from asking her question. She may appreciate that part I deals with prescribed processes from factories, but part II deals with waste disposal where transport over a considerable distance may be a material consideration. In setting the tenders for waste disposal and collection, the distance that the waste travels must be taken into account. In considering BATNEEC, we are dealing with static industrial plants or factories where transport costs are not relevant.

Dame Elaine Kellett-Bowman: I meant not just the distance but the standard of lorries to ensure that goods do not spill out. The best, up-to-date lorries should be included in the regulations.

Mr. Heathcoat-Amory: We are dealing in this part of the Bill with the need for industrial processes to comply with emission controls and standards. That is where the concept of BATNEEC is relevant. Therefore, transport costs, either to or from a factory, are not a material consideration.

Dame Elaine Kellett-Bowman: The point is that the better the techniques and the quicker the lorries, the easier it is to refine the goods. If the goods were carried haphazardly, they would arrive in a less easily processable state than if they were carried in the best possible lorries. The process is very much better if the goods have been transported efficiently because the stuff gets to the waste processing factory in a better condition.

Mr. Heathcoat-Amory: That consideration will obviously be taken into account by the owners, managers or

operators of the plant in question. It will not be enforced under this part of the Bill. That being so, I am sorry to disappoint my hon. Friend the Member for Lancaster.

The right hon. Member for Halton (Mr. Oakes) was worried about the powers of the Secretary of State and would prefer provisions to be laid out, where possible, in regulations. I am afraid that I cannot accept the right hon. Gentleman's amendment. The vast majority of cases will remain the responsibility of the issuing authorities and therefore will have nothing to do with either the Secretary of State or any regulations. I agree that in certain circumstances there may be a need in the national interest to take account of factors beyond the objectives set out in clause 7. In such cases, it is right that a higher authority should be able to require the inclusion of specific conditions.

Often such action will need to be taken quickly. In those circumstances, it is an advantage that there should be a direction from the Secretary of State rather than a more cumbersome requirement for the provisions to be set out in regulations. We have been under pressure, correctly, to ensure that the Bill's provisions are not unnecessarily unwieldy and unduly burdensome to business and industry. This is not—I think that I can give the right hon. Member for Halton an assurance—at the expense of reducing in any way the accountability of the process or the rights of the public or industries affected to understand and scrutinise what happens.

There is no question that directions from my right hon. Friend the Secretary of State will in any sense be less viable than the regulations that are subject to parliamentary scrutiny. New clause 11, which has been discussed, repeats the undertaking in old clause 19 that prescribed particulars or directions made by the Secretary of State in relation to an authorisation will be placed on public registers.

In framing the provisions, we have emphasised the need for speedy, flexible arrangements without in any way compromising our commitment to accountability and to public and business access to information.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 32

VARIATION OF CONDITIONS ETC: APPLICATIONS BY HOLDERS OF AUTHORISATIONS

'(1) A person carrying on a prescribed process under an authorisation who wishes to make a relevant change in the process may at any time—

(a) notify the enforcing authority in the prescribed form of that fact, and

(b) request the enforcing authority to make a determination, in relation to the proposed change, of the matters mentioned in subsection (2) below;

and a person making a request under paragraph (b) above shall furnish the enforcing authority with such information as may be prescribed or as the authority may by notice require.

(2) On receiving a request under subsection (1) above the enforcing authority shall determine—

(a) whether the proposed change would involve a breach of any condition of the authorisation;

(b) if it would not involve such a breach, whether the authority would be likely to vary the conditions of the authorisation as a result of the change;

(c) if it would involve such a breach, whether the authority would consider varying the conditions of the authorisation so that the change may be made; and

(d) whether the change would involve a substantial change in the manner in which the process is being carried on;

and the enforcing authority shall notify the holder of the authorisation of its determination of those matters.

(3) Where the enforcing authority has determined that the proposed change would not involve a substantial change, but has also determined under paragraph (b) or (c) of subsection (2) above that the change would lead to or require the variation of the conditions of the authorisation, then—

(a) the enforcing authority shall (either on notifying its determination under that subsection or on a subsequent occasion) notify the holder of the authorisation of the variations which the authority is likely to consider making; and

(b) the holder may apply in the prescribed form to the enforcing authority for the variation of the conditions of the authorisation so that he may make the proposed change.

(4) Where the enforcing authority has determined that a proposed change would involve a substantial change that would lead to or require the variation of the conditions of the authorisation, then—

(a) the authority shall (either on notifying its determination under subsection (2) above or on a subsequent occasion) notify the holder of the authorisation of the variations which the authority is likely to consider making; and

(b) the holder of the authorisation shall, if he wishes to proceed with the change, apply in the prescribed form to the enforcing authority for a variation of the conditions of the authorisation and advertise the change in the prescribed manner.

(5) The holder of an authorisation may at any time, unless he is carrying on a prescribed process under the authorisation and wishes to make a relevant change in the process, apply to the enforcing authority in the prescribed form for the variation of the conditions of the authorisation; and a person making such an application shall furnish the authority with such information as may be prescribed or as the authority may by notice require.

(6) On an application for variation of the conditions of an authorisation under any provision of this section—

(a) the enforcing authority may refuse the application or, subject to the requirements of section 7 above, vary the conditions as it thinks fit; and

(b) if the enforcing authority decides to vary the conditions, it shall serve a variation notice on the holder of the authorisation;

(7) Any application to the enforcing authority under this section shall be accompanied by the applicable fee (if any) prescribed by a scheme made under section 8 above.

(8) This section applies to any provision other than a condition which is contained in an authorisation as it applies to a condition with the modification that any reference to the breach of a condition shall be read as a reference to acting outside the scope of the authorisation.

(9) For the purposes of this section a relevant change in a prescribed process is a change in the manner of carrying on the process which is capable of altering the substances released from the process or of affecting the amount or any other characteristic of any substance so released.'.—*[Mr. Heathcoat-Amory.]*

Brought up, read the First and Second time, and added to the Bill.

New Clause 14

TRANSFER OF AUTHORISATIONS

'.—(1) An authorisation for the carrying on of any prescribed process may be transferred by the holder to a person who proposes to carry on the process in the holder's place.

(2) Where an authorisation is transferred under this section, the person to whom it is transferred shall notify the enforcing authority in writing of that fact not later than the end of the period of twenty-one days beginning with the date of the transfer.

(3) An authorisation which is transferred under this section shall have effect on and after the date of the transfer as if it had been granted to that person under section 6 above, subject to the same conditions as were attached to it immediately before that date.'.—*[Mr. Heathcoat-Amory.]*

Brought up, read the First and Second time, and added to the Bill.

New Clause 29

PRELIMINARY

' .—(1) The following provisions have effect for the interpretation of Part II.

(2) The "environment" consists of all, or any, of the following media, namely land, water and the air.

(3) "Pollution of the environment" means pollution of the environment due to the release or escape (into any environmental medium) from—

(a) the land on which controlled waste is treated,

(b) the land on which controlled waste is kept,

(c) the land in or on which controlled waste is deposited,

(d) fixed plant by means of which controlled waste is treated, kept or disposed of,

of substances or articles constituting or resulting from the waste and capable (by reason of the quantity or concentrations involved) of causing harm to man or any other living organisms supported by the environment.

(4) Subsection (3) above applies in relation to mobile plant by means of which controlled waste is treated or disposed of as it applies to plant on land by means of which controlled waste is treated or disposed of.

(5) For the purposes of subsections (3) and (4) above "harm" means harm to the health of living organisms or other interference with the ecological systems of which they form part and in the case of man includes offence to any of his senses or harm to his property; and "harmless" has a corresponding meaning.

(6) The "disposal" of waste includes its disposal by way of deposit in or on land and, subject to subsection (7) below, waste is "treated" when it is subjected to any process, including making it re-usable or reclaiming substances from it and "recycle" (and cognate expressions) shall be construed accordingly.

(7) Regulations made by the Secretary of State may prescribe activities as activities which constitute the treatment of waste for the purposes of this Part or any provision of this Part prescribed in the regulations.

(8) "Land" includes land covered by waters where the land is above the low water mark of ordinary spring tides and references to land on which controlled waste is treated, kept or deposited are references to the surface of the land (including any structure set into the surface).

(9) "Mobile plant" means, subject to subsection (9) below, plant which is designed to move or be moved whether on roads or other land.

(10) Regulations made by the Secretary of State may prescribe descriptions of plant which are to be treated as being, or as not being, mobile plant for the purposes of this Part.

(11) "Substance" means any natural or artificial substance, whether in solid or liquid form or in the form of a gas or vapour.'.—*[Mr. Heathcoat-Amory.]*

Brought up, read the First and Second time, and added to the Bill.

New Clause 33

EXCLUSION FROM REGISTERS OF INFORMATION

AFFECTING NATIONAL SECURITY

'.—(1) No information shall be included in a register maintained under section 57 above (a "register") if and so long as, in the opinion of the Secretary of State, the inclusion in the register of that information, or information of that description, would be contrary to the interests of national security.

(2) The Secretary of State may, for the purpose of securing the exclusion from registers of information to which subsection (1) above applies, give to the authorities maintaining registers directions—

(a) specifying information, or descriptions of information, to be excluded from their registers; or

(b) specifying descriptions of information to be referred to the Secretary of State for his determination;

and no information referred to the Secretary of State in pursuance of paragraph (b) above shall be included in any such register until the Secretary of State determines that it should be so included.

(3) An authority maintaining a register shall notify the Secretary of State of any information it excludes from the register in pursuance of directions under subsection (2) above.

(4) A person may, as respects any information which appears to him to be information to which subsection (1) above may apply, give a notice to the Secretary of State specifying the information and indicating its apparent nature; and, if he does so—

(a) he shall notify the authority concerned that he has done so; and

(b) no information so notified to the Secretary of State shall be included in the register kept by that authority until the Secretary of State has determined that it should be so included.'.—*[Mr. Heathcoat-Amory.]*

Brought up, read the First and Second time, and added to the Bill.

New Clause 34

EXCLUSION FROM REGISTERS

OF CERTAIN CONFIDENTIAL INFORMATION

'.—(1) No information relating to the affairs of any individual or business shall be included in a register maintained under section 57 above (a "register"), without the consent of that individual or the person for the time being carrying on that business, if and so long as the information—

(a) is, in relation to him, commercially confidential; and

(b) is not required to be included in the register in pursuance of directions under subsection (6) below;

but information is not commercially confidential for the purposes of this section unless it is determined under this section to be so by the authority maintaining the register or, on appeal, by the Secretary of State.

(2) Where information is furnished to an authority maintaining a register for the purpose of—

(a) an application for, or for the modification of, a licence;

(b) complying with any condition of a licence; or

(c) complying with a notice under section 61(2) below;

then, if the person furnishing it applies to the authority to have the information excluded from the register on the ground that it is commercially confidential (as regards himself or another person), the authority shall determine whether the information is or is not commercially confidential.

(3) Where it appears to an authority keeping a register that any information (other than information furnished in circumstances within subsection (2) above) which has been

obtained by the authority under or by virtue of any provision of this Part might be commercially confidential, the authority shall—

(a) give to the person to whom or whose business it relates notice that that information is required to be included in the register unless excluded under this section; and

(b) give him a reasonable opportunity—

(i) of objecting to the inclusion of the information on the grounds that it is commercially confidential; and

(ii) of making representations to the authority for the purpose of justifying any such objection;

and, if any representations are made, the authority shall, having taken the representations into account, determine whether the information is or is not commercially confidential.

(4) Where, under subsection (2) or (3) above, an authority determines that information is not commercially confidential—

(a) the information shall not be entered in the register until the end of the period of twenty-one days beginning with the date on which the determination is notified to the person concerned;

(b) that person may appeal to the Secretary of State against the decision;

and, where an appeal is brought in respect of any information, the information shall not be entered in the register pending the final determination or withdrawal of the appeal.

(5) Subsections (2A) and (7) of section 38 above shall apply in relation to appeals under subsection (4) above.

(6) The Secretary of State may give to the authorities maintaining registers directions as to specified information, or descriptions of information, which the public interest requires to be included in the registers notwithstanding that the information may be commercially confidential.

(7) Information excluded from a register shall be treated as ceasing to be commercially confidential for the purposes of this section at the expiry of the period of four years beginning with the date of the determination by virtue of which it was excluded; but the person who furnished it may apply to the authority for the information to remain excluded from the register on the ground that it is still commercially confidential and the authority shall determine whether or not that is the case.

(8) Subsections (4) and (5) above shall apply in relation to a determination under subsection (7) above as they apply in relation to a determination under subsection (2) or (3) above.

(9) Information is, for the purposes of any determination under this section, commercially confidential, in relation to any individual or person, if its being contained in the register would prejudice to an unreasonable degree the commercial interests of that individual or person.'.—*[Mr. Heathcoat-Amory.]*

Brought up, read the First and Second time, and added to the Bill.

New Clause 30

Transition from Control of Pollution Act 1974 to this Act

'.—(1) This section has effect for the purposes of the transition from the provisions of Part I of the Control of Pollution Act 1974 ("the 1974 Act") to the corresponding provisions of this Part of this Act and in this section—

"existing disposal authority" has the same meaning as in section 27 above;

"existing disposal licence" means a disposal licence under section 5 of the 1974 Act subsisting on the day appointed under section 133(3) below for the repeal of sections 3 to 10 of the 1974 Act;

"the relevant appointed day" means that day;

"relevant part of its undertaking", in relation to an existing disposal authority, has the same meaning as in section 27 above; and

"the vesting date"; in relation to an existing disposal authority and its waste disposal contractors, means the vesting date under Schedule 2 to this Act.

(2) An existing disposal licence shall, on and after the relevant appointed day, be treated as a site licence until it expires or otherwise ceases to have effect; and accordingly it shall be variable and subject to revocation or suspension under this Part of this Act and may not be surrendered or transferred except under this Part of this Act.

(3) As respects any relevant existing disposal authority—

(a) the restriction imposed by section 45(1) of this Act on the means whereby the authority arranges for the disposal of controlled waste shall not apply to the authority—

(i) in the case of an authority which transfers the relevant part of its undertaking in accordance with a scheme under Schedule 2 to this Act, until the date which is the vesting date for that authority; and

(ii) in any other case, until the date on which (to the satisfaction of the Secretary of State for the purposes of section 27(3) and (4) above) the authority transfers, or ceases itself to carry on, the relevant part of its undertaking or ceases to provide places at which or plant and equipment by means of which controlled waste can be disposed of or deposited for the purposes of disposal; and

(b) on and after that date, section 14(4) of the 1974 Act shall not authorise the authority to arrange for the disposal of controlled waste except by means of arrangements made (in accordance with Part II of Schedule 2 to this Act) with waste disposal contractors.

(4) In section 14(4) of the 1974 Act, after the words "this subsection", there shall be inserted the words "but subject to subsection (3) of section (*Transition from Control of Pollution Act 1974 to this Act*) of the Environmental Protection Act 1990 as respects any time after the date applicable to the authority under paragraph (a) or (b) of that subsection".'.—*[Mr. Trippier.]*

Brought up, and read the First time.

7.15 pm

Mr. Trippier: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Sir Paul Dean): With this it will be convenient to take the following: Government new clause 18—*Application of Part II to the Isles of Scilly*

New clause 20—*Minimisation of waste*—

'( )—(1) The Secretary of State shall, in making regulations under sections 3(2) or 3(4) below in relation to pollution from prescribed processes or particular substances have regard to the need to promote the reduction of the volume of waste.

(2) The authorities designated as waste regulation authorities under section 26(1) shall in the exercise of their functions have regard to the consideration specified in subsection (1) above.

(3) The Secretary of State shall within one year of the implementation of Part II below, and after consultation with the authorities specified in section 26 below, publish a national plan for the minimisation of waste, including such proposals, whether or not falling within existing enactments, as he considers desirable.

(4) For the purposes of facilitating the exercise by the Secretary of State of his duties under this section, the authorities specified in section 26 may submit advice to him on the promotion of waste minimisation and the Secretary of State shall have regard to any such submissions.'.

[Mr. Deputy Speaker]

New clause 26—*Incentives for waste recycling*—

'( )—(1) This section has effect for the purpose of facilitating the proper exercise of the powers conferred on waste disposal and waste collection authorities by section 48, and on waste disposal authorities by section 49 below in respect of the development of waste recycling.

(2) The Secretary of State shall publish and from time to time revise a scheme drawn up after examination of the plans produced by waste collection authorities under section 43 below for the purpose of securing adequate financial incentives to the development of the use of recycled materials, including the establishment of guaranteed prices for such materials as he considers appropriate.

(3) The Secretary of State shall satisfy himself that the resources available to waste collection and disposal authorities, whether in terms of revenue expenditure or of the cost of, or total in any financial year available of, credit approvals are adequate in each case to secure the proper use of the powers conferred by this Act for the promotion of recycling.'.

New clause 28—*Reserve powers to protect environment in respect of waste disposal*—

'( )—(1) A waste disposal authority falling within the description specified in section 27(1) below may form a date twelve months after the date of any transfer of functions under or in accordance with section 27 below transfer to itself from a company formed in accordance with section 27(2) or 27(3)(a) below such of its undertakings as it considers necessary to secure the effective disposal, or keeping, treatment or collection of waste, or the improvement thereof, in the interests of the environment.

(2) In circumstances where a waste regulation authority exercises its powers under 33(4) below to revoke entirely a waste management licence on environmental grounds; the authority may either—

(a) undertake itself the waste management operation concerned; or

(b) direct that no similar activity shall be undertaken in respect of the relevant site or, as the case may be, by means of the relevant process where it considers that the continuation of such activities would cause pollution of the environment or harm to human health or would be seriously detrimental to the amenities of the locality affected,

and in such circumstances as are specified in paragraph (b) above the authority may, in acordance with regulations made by the Secretary of State in respect of periods of notice and inspection arrangements, revoke any other licence applying within its area which it reasonably considers is having, or may have, a similar effect.'.

New clause 58—*Joint discharge functions*—

'(1) If it appears to the Secretary of State that any group of waste regulation authorities could with advantage make joint arrangements for the discharge of their functions under this Part, or if any group of waste regulation authorities so request, the Secretary of State shall by order establish for the areas covered by the group a single authority to discharge all such functions of such of them as are specified in the order.

(2) No person shall be a member of an authority established by an order under subsection (1) above unless he is a member of one of the councils for whose areas the authority is established.

(3) An order under this section may contain such supplementary and transitional provisions as the Secretary of State thinks necessary or expedient, including provisions for the transfer of property, staff, rights and liabilities.'.

Amendment No. 241, in clause 26, page 24, line 22, leave out from 'namely' to end of line 39 and insert—

'(a) for Greater London, the authority constituted as the London Waste Regulation Authority;

(b) in Scotland, an islands or district council;

(c) for any metropolitan or non-metropolitan county in England, and for any district in Wales, the authority constituted as the Waste Regulation Authority, pursuant to an order made by the Secretary of State;

and in making any such order the Secretary of State shall have regard to the boundaries of the existing water and sewerage undertakers within the meaning of the Water Act 1989 and existing patterns of waste arisings and disposals.'.

Amendment No. 242, in clause 26, page 24, line 39, at end insert—

'The Secretary of State shall give directions to waste regulation authorities mentioned in paragraph (e) above to form or participate in forming joint waste regulation units within the metropolitan counties, to determine the budget of the units so formed, and to delegate waste regulatory functions to such units; and the budgets of those units shall be met by the constituent authorities in proportion to their populations.'.

Government amendments Nos. 64, 93, 65, 109, 66 to 68, 151, 113, 114, 69, 115 and 116.

Amendment No. 243, in clause 29, page 30, line 19, leave out subsection (8) and insert—

'(8) A draft code prepared under subsection (6) above shall be laid before both Houses of Parliament and shall not be issued until after the end of the period of 40 days beginning with the day on which the code was so laid, or if the draft is laid on different days, the later of the days.

(9) If, within the period mentioned in subsection (8) above, either House resolves that the code the draft of which was laid before it should not be issued, the Secretary of State shall not issue that code.

(10) No account shall be taken in reckoning any period of 40 days for the purposes of this section of any time during which Parliament is dissolved or prorogued or during which both Houses are adjourned for more than four days.'.

Government amendments Nos. 70, 110 and 71 to 73.

Amendment No. 141, in clause 39, page 41, line 12, at end insert—

'(2A) In respect of the functions of a waste collection authority with regard to chemical waste, the Secretary of State shall lay before Parliament a report setting out the details of any inquiry into the disposal of such waste extant at the date of Royal Assent.'.

Government amendments Nos. 234, 74 to 76, 111, 63 and 112.

Amendment No. 316, in clause 64, page 69, line 49, at end add—

'(8) Where a waste regulation authority has determined whether a person is a fit and proper person to hold a waste management licence, that fact shall be a material consideration in any other application for a waste regulation authority.'.

Government amendments Nos. 95, 122 and 96 to 99.

Mr. Trippier: New clause 30 and Government amendment No. 63 contain transitional provisions to allow for a smooth transfer from the provisions of the Control of Pollution Act 1974 to the provisions of the Bill. In particular, they provide that an existing waste disposal licence will be treated as a site licence and be subject to the new stricter regime when the relevant licensing clauses of the Bill are implemented.

Government new clause 18 allows for some flexibility in applying the Bill's provisions to the Isles of Scilly.

New clause 20 requires the Secretary of State and waste regulation authorities to have regard to the need to promote waste minimisation when issuing regulations and discharging their functions. There is no locus in the functions of waste regulation authorities or the Secretary of State under part II which is relevant to waste

minimisation. The functions of waste regulation authorities are to license the disposal or other management of waste once it has been created. They have no functions regarding the production of waste. I therefore do not believe that the new clause is relevant to part II.

New clause 20 also requires the Secretary of State to produce a national plan for waste minimisation. I am disappointed, although not entirely surprised, that the Opposition still press for the reintroduction of national plans. A number of my hon. Friends who are members of the Select Committee on the Environment have sympathy for the idea of adopting some kind of strategy. I have already said that there should be some national strategy. I should prefer to see it in the White Paper which is to be published in the autumn. I told members of the Standing Committee that discussions have already taken place with representatives from the local authority associations and I am comforted by their reaction in moving in the direction sought by members of the Select Committee, especially in terms of regions becoming self-sufficient in waste minimisation.

New clause 26 proposes that my right hon. Friend the Secretary of State should draw up a scheme based on recycling plans incorporating financial incentives and guaranteed prices for recycling materials. I entirely agree that there should be incentives for those who recycle. That is why I am pleased to announce that we are consulting on a new scheme of recycling credits which will strengthen the existing rebates system provided for in clause 45(5). We intend to introduce an amendment to achieve that at a later stage.

On the subject of recycling, Government amendment No. 74 builds on the amendment tabled in Committee by the hon. Member for Gordon (Mr. Bruce), for which I thank him. It ensures that once a plan has been completed, all those who had a hand in its preparation and anyone else with an interest will have a right to see and buy a copy of the plan. I am sure that the House will agree that that is only fair and reasonable.

On Government amendment No. 234, it seems right that we should have an opportunity to look at the plans before they have been completed to ensure that they cover all the areas that are relevant. Government amendment No. 111 achieves the same effect for waste disposal plans, and both measures are reasonable and desirable. I trust that the House will agree.

I have some difficulty with new clause 28 and regard it as rather a puzzle. If I understand the intention correctly, it would allow an authority that had transferred its disposal operations to an arm's-length company to transfer them back again within a year if it felt like it. That seems bizarre. Why should it be necessary for an authority that has set up a disposal company to get involved directly in disposal again? Each disposal authority will let a contract, taking account of environmental factors, either with its arm's-length company or with another disposal company, and that authority's waste will be disposed of under the terms of the contract. If any improvements are needed in the interests of the environment once the contract has been let, it is up to the relevant regulation authority to impose them by modifying waste management licences if necessary or simply by enforcing the existing licences.

Subsection (2) is more worrying. The idea of local authorities taking back powers to run disposal sites is linked to regulation authorities, completely undermining the separation of poacher and gamekeeper that has been achieved. If an authority decides to revoke a waste management licence, that authority will be able to take over the running of the site. We have heard many accusations of back-door privatisation, but now we have as an alternative the back-door nationalisation not just of current local authority sites but of any site.

The last part of the new clause adds a wholly unnecessary power.

Mr. Tony Banks (Newham, North-West): The proposal does not sound so unreasonable. What happens if, for example, the company that is running the recycling plant area suddenly goes bankrupt or fails to discharge its responsibilities? In many cases, local authorities have been forced to move back in, to take over from a private sector company that has gone bust or failed to discharge its responsibilities adequately.

Mr. Trippier: I suggest that that eventuality could not arise. The bids made by those arm's-length local authority companies—concerned not only with recycling, which is only one aspect, albeit an important one, but with the disposal of the waste—will be made to the local authority. In the main they will be made to county councils and, in the case of the metropolitan counties, the existing mechanism will be used. They will either bid by themselves, as local authority companies, or in conjunction with a private sector company. If they are not successful in winning or securing a particular contract, they will not exist as local authority companies under the definition in the Local Government and Housing Act 1989.

All parties have tabled new clauses. One appears on the amendment paper in the name of my hon. Friend the Member for Gainsborough and Horncastle (Mr. Leigh), although I understand that that is a mistake and that the new clause was in fact tabled by my hon. Friend the Member for Norfolk, North-West (Mr. Bellingham), who has joined forces with the Chairman of the Select Committee, my hon. Friend the Member for Hornsey and Wood Green (Sir H. Rossi). The proposals in new clause 58 would either require or enable my right hon. Friend the Secretary of State to set up regional waste regulation authorities. I touched on that subject earlier. Perhaps we shall be able to set up informal groups of those responsible for waste regulation. I met that point on several occasions in Committee, and I do not demur from what I said then. I simply add that the matter will have to be addressed in the forthcoming White Paper. I hope that that will meet the principal concerns outlined by the members of the Select Committee.

Let there be no doubt that the Government are committed to strengthening the present framework for waste regulation and securing effective arrangements for regional co-ordination. We want to consider with the local authority associations how best to do that. What we do not want to do is to undermine the existing waste disposal authority structure or remove the responsibility for waste disposal from the existing authorities—the planning authorities with responsibility for considering planning applications for the new disposal facilities. It would be unhelpful to divorce those responsibilities.

The Government do not have a closed mind on the question of reserve powers for the Secretary of State to establish regional groupings where voluntary co-operation

[Mr. Trippier]

is not forthcoming. We shall be considering the matter further in the light of our discussions with the local authority associations and I believe that it will be best dealt with in the White Paper.

Ms. Joan Walley (Stoke-on-Trent, North): I listened with interest to the Minister's remarks. I welcomed the Government's concessions on contaminated land, and I had hoped that the Minister would make slightly more concessions on the matters dealt with in this group of proposals.

We are concerned about the wider environmental issues. At no point in our debates on the Bill have we dealt with the problem of how to minimise the creation of waste at the point of production rather than dealing with cleaning up and disposal after the event. The concept of waste disposal has entered our language, whereas Governments have not grasped the concept of waste reduction. Despite the Minister's references to waste reduction, it has still not been taken into account to the extent that we should like. The Minister should tell us how much importance he attaches to waste reduction at source.

If we can get the Government to deal with the problem at source, we shall have gone some way towards adopting a precautionary approach. If we can do that, we shall be able to deal more efficiently and effectively with the waste that is produced. The House has debated waste incineration plants in the north-east. If more emphasis were placed on waste reduction, we should not need to increase the capacity of those waste incineration plants.

New clause 26 tightens the provisions that deal with recycling. I welcome the support that the Minister has given to the concept of waste recycling, but he has not gone far enough. I know that time is limited in this debate, but I should like to put down a marker and say that I hope that the recycling debate can continue elsewhere before the Bill is passed.

Equally important to the Opposition is new clause 28. We accept the principle of separating waste regulation and waste disposal functions but we do not believe that the setting up of local authority waste disposal companies chosen by the Government is the right way of achieving that aim. The Minister said that he found the new clause puzzling. There is no doubt, however, that LAWDCs will be subject to financial constraints imposed by the Treasury and by central Government. The Government seem to have overlooked the extent of the investment that will be needed by local waste disposal companies if they are to deal with recycling, source separation, recovery and all the other operations related to waste disposal and environmental protection. We feel that the safeguards outlined in new clause 28 are sensible and we should like them to be debated more fully.

Reference has been made to amendments that seek to mitigate the fiasco that we have had since the abolition of the Greater London council and the metropolitan counties, as a result of the Government's inability at the time to understand that waste disposal was an important function of those authorities. It is important that that issue should be resolved, either this evening or in another place and certainly before the publication of the White Paper. Voluntary arrangements at regional level or the type of arrangements that already exist in the London area may be introduced, but if we wait until the White Paper is published and any legislation resulting from it is introduced, the likelihood is that the good practice that has been built up by the replacement of the Greater London council and metropolitan counties will be lost. It will be too late to use the framework that has already been established.

It is important that we reduce the amount of waste produced and that the waste regulation authorities take decisions about waste reduction. I am sorry that the Minister felt that waste reduction was outside the terms of reference of the Bill. A national plan for waste minimisation is essential. Perhaps if we talked about a national strategy rather than a national plan, the Minister would be more likely to take our suggestions on board. If it is possible to compile a national register of contaminated land, it is possible to consider a national plan for waste minimisation.

7.30 pm

It is important that the Secretary of State should obtain advice from the waste authorities. We should not want new clause 20 to apply only to processes that come under integrated pollution control. The Minister must tell the House who is responsible for waste reduction and waste minimisation. Is his Department responsible? What discussions is he holding with other Secretaries of State and has the Secretary of State for Trade and Industry considered these issues? How will those operating waste disposal facilities advise on the most environmentally sound way of dealing with the waste chain when it is in their economic interest to make profit from disposal?

Before we debate waste reduction, we must take account of the principles laid down by the European Commission. The first principle is that the quantities of waste generated should be minimised, and that wherever possible we give priority to recycling waste that we cannot avoid producing. Any remaining waste must be safely and appropriately disposed of in a manner that minimises the effect on the environment. Those matters are key to the debate.

In considering new clause 26 we must ask ourselves whether the Government have given real priority to recycling or whether they are simply paying lip service to it. We must examine carefully and closely the discussions that the Minister says are taking place or that are about to take place with the local authority associations. The outcome of those discussions and the proposals that the Minister brings forward later will enable us to distinguish whether the measures in the Bill genuinely encourage recycling rather than simply enthusing people about collecting things. Many of us can give examples where local authorities have gone full speed ahead with recycling but, because of the Government's failure to intervene and their insistence on leaving recycling to market forces, even Conservative-controlled councils have ended up throwing carefully collected waste into landfill sites simply because there was no other place to dispose of it. That, too, is an important issue. The Government should set targets for recycling. We look forward to hearing further details of specific proposals.

While we agree with separating regulation and operation of waste disposal, the local authority waste disposal companies are not the right way to go about it. Our proposal is one way of introducing a safeguard. If it is found that LAWDCs are not going about their business

properly and if their failure to deal with the operations in hand causes environmental problems, the Secretary of State should have a reserve power to deal with them.

The Minister said that he was puzzled about our proposal. I refer him to other legislation. Despite all the powers provided under the Control of Pollution Act 1974 to prevent rubbish from being fly-tipped or dumped in our boroughs, it was necessary to introduce the Control of Pollution (Amendment) Act 1989. The powers to stop fly-tipping and to stop operators from damaging the environment were insufficient. Once the Minister has laid regulations before Parliament and they have been enacted, the Act will provide that those who cannot operate properly will have their livelihood taken away and their vehicles confiscated. There is no difference between that principle in the Control of Pollution (Amendment) Act 1989 and the principle of our new clause, which would give the Secretary of State powers to make sure that the LAWDCs operated in the interests of the environment. It would ensure that the functions of the LAWDCs were carried out in an environmentally sound way.

We may not be able to resolve some issues in the debate tonight, but I hope that we shall return to them before the Bill is put on the statute book and before the White Paper is presented, presumably at the Tory party conference later this year.

Mr. Robert B. Jones (Hertfordshire, West): I wish to speak to amendment No. 241 and new clause 58 tabled by my hon. Friend the Member for Norfolk, North-West (Mr. Bellingham). Although amendment No. 241 appears on the amendment paper in the name of Conservative Members on the Select Committee on the Environment, it is an all-party amendment. It has the support of the hon. Member for Burnley (Mr. Pike), one of the Labour Members on the Select Committee. It reflects the Select Committee report on the important subject of hazardous and toxic waste.

In Standing Committee we had a lengthy debate on regional authorities. I shall not make a lengthy speech on that subject tonight. I am rather cynical about the Report stage of Bills. Often when one looks around the Chamber one sees that exactly the same hon. Members who served on the Committee have come along to air their views once more. However, what my hon. Friend the Minister has said today requires some response. I welcome the fact that he is considering both voluntary arrangements and reserve powers, though it is a little much to be asked to wait until the publication of the White Paper in the autumn.

Those matters commanded the support of both Conservative and Opposition Back-Bench Members of the Committee. I cannot recall any other Committee stage of a Bill in which every Conservative Back Bencher and every Opposition Member spoke in favour of an amendment but there was no movement by the Government on Report. I hope that later in this short debate my hon. Friend the Minister will put some flesh on the bones of what precisely he means by taking reserve powers and considering voluntary arrangements.

The faults in the present system are parochialism and a lack of professionalism. They will continue unabated in the new system if we do not do something to improve the legislation. Even if it is not improved in this House, I hope that in the other place when the Bill is considered in detail the comments made by everyone who supported my amendment in Committee will be read carefully.

There has been a catalogue of failure by local authorities throughout the land. The Select Committee found considerable evidence of that failure in the form of adverse consequences for the environment. Only one local authority in the country—Staffordshire county council—has a waste disposal officer of principal officer grade. In many other local authorities this responsibility has actually been downgraded over the years, despite its importance——

Mr. Henry Bellingham (Norfolk, North-West): Run by one man and a dog.

Mr. Jones: Indeed—almost literally so, although I am never quite sure what function the dog had.

Low staffing, low pay, low morale and a lack of consideration by authorities have been responsible for failures in policy and in complying with legislation. It is extraordinary that, all these years after the requirement for waste disposal plans, there are still local authorities that have not produced them. I know that the Minister has been keen to pursue that point, but I understand that some local authorities have still not submitted plans, and the plans of some of those that have are weak to say the least.

I still believe that the only way in which the Government can produce a framework that will lead to high-quality officers with specialisation and resources will be to concentrate them in a scheme that is parallel to that of the water authorities, the water plcs, and the regional branches of the National Rivers Authority. Ground water and waste are indissolubly linked because of the effects of hazardous and toxic wastes on ground water. It would be sensible to follow the lines that were unanimously agreed by the Select Committee and to create regional waste disposal authorities.

The amendments relate to a reserve power on which my hon. Friend the Minister touched in his opening remarks, and amendment No. 241 mentions a specific set of proposals. I am not wedded to either idea. I have said several times during consideration of this subject that I am prepared to be open minded and flexible about the answer to this problem—but of two things I am certain: the present arrangements leave far too much to local authorities that are not sufficiently staffed for the task, and, even given the strengthening of controls under this excellent Bill, they will still suffer from many disadvantages. I hope that my hon. Friend will expand on what he has already said and will reassure me and my hon. Friends.

7.45 pm

Mr. Andrew F. Bennett: At the beginning of the year people in Manchester, together with the *Manchester Evening News*, ran an impressive campaign against litter. The Minister starred in it, on at least one occasion chastising one of the local authorities for its failure to pick up litter. I approve of the Minister's campaign on litter, but I suggest to him and to the *Manchester Evening News* that there are two approaches to the problem. One is to stop people dropping litter; the other is to reduce the amount of litter that people are likely to have.

I was disappointed in Committee not to hear more enthusiasm from the Minister for minimal packaging. In this country products are wrapped up far too much and there is a great deal of scope for reducing the amount of

[Mr. Andrew F. Bennett]

packaging and hence the amount of rubbish that ends up having to be disposed of, whether properly—through the dustbin and refuse collection system—or dropped about.

I shall not, as I did in Committee, use visual aids and unwrap a shirt, but all hon. Members will be aware of how much packaging there is around a man's shirt, some of which I find infuriating when I am trying to remove the plastic and pins in a hurry to put the shirt on. Most of it is wholly unnecessary, and there are many other examples.

The other day I was amazed when I collected a set of photographs that I had had printed in a local shop. I was given them back in a little wallet, as is traditional—the negatives in one side, the prints in the other. However, the wallet was placed in a self-sealing envelope on which my name was written and that in turn was placed in a small envelope provided by the shop. Finally, the whole thing was put in a natty little carrier bag which bore an advertisement for the shop. Almost all that packaging was unnecessary.

Such examples when shopping are common. In Committee hon. Members gave examples of fast and convenience foods in fancy cardboard boxes that try to convince us that the food inside is edible. The Minister has said that a great deal is being done to reduce packaging, but a great deal of lobbying from the industry has failed to convince me that attempts to reduce packaging are having any impact. I hope that the Minister will tell us what progress will be made in this area, and that he will not say that this, too, will be left to the White Paper which can then be presented to the Tory party conference. It should be dealt with properly in the House.

Next, I refer to a booklet entitled

"A Load of Old Rubbish! A guide to recycling in Tameside",

which is put out by the Ashton Council of Churches. I congratulate that council on producing such a good guide to recycling. We all know of examples of voluntary groups, local authorities and others producing guidance on recycling, but the Ashton Council of Churches has taken a lot of trouble to examine issues that people do not usually talk about. We all talk about paper, plastic and bottles, but this document goes into great detail about ways in which other items can be recycled—sewing machines, tools, wool, and a vast number of other products.

There is a great deal of scope for that sort of recycling and I pay tribute to all voluntary groups and local councillors who are involved in it, particularly to groups that manage to keep projects going for a long time. The worst aspect of paper collections, for instance, is that groups embark on them for a few months; then prices fall and they give up. The local group to which I hand my paper—St Thomas's Heaton Chapel school parents' association—has kept the project going for many years and I pay tribute to its efforts to maintain continuity. But I am worried about appeals such as the Blue Peter appeal for aluminium cans, which briefly distort the market and then disappear.

I ask the Minister not only to encourage household recycling of materials, but to put much more Government emphasis on post-collection sorting. People can sort out their bottles and papers, thereby making some contribution, and if they do that in the next few years, well and good; but that will not be a long-term solution. Sorting by the householder will reduce some waste and ensure some recycling, but the most effective way of dealing with the problem is to ensure that waste disposal authorities re-sort all household waste.

I was much impressed, when I went to Greater Manchester waste disposal authority's experimental plant at Radcliffe, to see how far it had gone in being able to sort household rubbish into materials that can be reclaimed. I understand that that has also been done in Birmingham and elsewhere, although almost all the projects are at the experimental stage and are not yet commercial. It will be very good for the environment if we can set up plants that will sort out paper and plastics, sort plastics into various grades, separate glass, aluminium and other tins and produce a residue that will make a good compost.

The Government take the view that they will encourage these recycling initiatives by making landfill sites expensive. The new clause does not deal with that and we could go much further. First, we should make sure that there is a guaranteed price for recycled materials. That would be one of the most helpful things that the Government could do. There is no point in encouraging the collection of paper, whether by individual groups or by a sorting process, unless there is a market for it. That applies to all other waste materials.

We must also ensure that waste disposal plants are reasonably close to the points of collection. Greater Manchester council has been collecting tin cans for some time, but almost half the profit is lost in the cost of transporting them to Hartlepool, which has the only detinning plant in the country. The Government should look carefully at encouraging waste disposal authorities or the new companies that are to be set up to look at ways in which they can put in sorting plants. Such plants are expensive, but they are the best way to ensure that all collected rubbish is recycled. That brings me to the question of the size of unit that is required for waste disposal.

Some areas are far too small and do not benefit from the economies of scale that are available with a large-scale plant and not enough plastic, glass or tin will be produced if the separating plant is too small. I was horrified to find that one of the local authorities in my constituency was talking about going to the Minister to see whether it could be separated from the rest of Greater Manchester to become a disposal authority. We have heard about one man and a dog. Stockport would be far too small to reach the required standards. Greater Manchester is just about big enough to deal with the matter. I support the approach of the Select Committee of looking at regional waste disposal and I am certainly not in favour of having it carried out by individual local authorities.

It is important to reduce the amount of waste through better packaging and the Government should encourage local authorities to go in for close collection sorting to that they can reclaim everything from rubbish and can also make sure that there is a market. In the meantime, we should continue with household sorting, although it is not the long-term solution. The long-term solution is to make sure that the disposal authorities can reclaim virtually everything from the refuse that they collect.

Mr. Paul Marland (Gloucestershire, West): I want to take part in the debate because I am anxious to discover the extent and overall effectiveness of new clause 30 now

and in the future in connection with the emission of harmful gases, whether they are those that we know of now or new ones that will be discovered.

There is enormous concern throughout the British Isles about the release of chlorofluorocarbons into the atmosphere. Consumer pressure has done much to reduce that emission because one of the major sources of CFC gas was aerosols. Insulated containers and wall insulation in houses and refrigerators are another gigantic source of CFC gas and attempts to reduce CFC emissions from those sources have so far been small and unco-ordinated. Can the clause be used to regulate against the release of CFCs in the future when technology is available to extract them from insulation materials?

I am concerned not only about CFCs but about the gas emissions from the dumping of cadmium and mercury batteries that are used in Walkmans and transistor radios. They currently go to landfill but technology exists to clean them up before they are dumped. It is not now a cost-effective exercise, but perhaps it will be in future. Who knows what other gases and substances we may learn about in the future.

It is beyond doubt that CFCs, halons and related chemicals are causing massive depletion of the ozone layer and giving rise to a substantial increase in the global greenhouse effect. I and other hon. Members attended a briefing meeting on Thursday chaired by my hon. Friend the Member for Hornsey and Wood Green (Sir H. Rossi). We heard first hand from Joe Farman of the British Antarctic survey, who was the leader of the team that first reported on the thinning of the ozone layer, about the damaging effect of the build-up of ozone-depleting gases and the effect that that will have on the planet.

Mr. Farman's presentation was technical but nevertheless chilling about the long-term effects. The ozone layer shields the earth's surface from damaging ultra-violet radiation. A weakened ozone layer could mean millions of extra cases of skin cancer, cataracts and possibly infectious diseases. Enormous damage would also be caused to the natural environment, ranging from substantial losses in crop yields to potential collapse of the marine food chain. Climatic disruption from the greenhouse effect will bring havoc to the world's agriculture, coast lines and forests, and resulting stresses will threaten to fracture the economic, social and political structures that are necessary for global security and development. We in the developed world have a responsibility to do something about that.

My speech deals mainly with CFCs, but in a few years who knows what other gases could be emitted from the earth to deplete the ozone layer. One of the main characteristics of CFC gas is that it is an efficient and inexpensive propellant. Friends of the Earth told us at Thursday's presentation that 62 per cent. of CFC released into the atmosphere comes from aerosols—or it did, because consumer pressure has substantially reduced the amount of CFC that aerosols give out. Obviously, that is of tremendous advantage in saving the ozone layer.

Some 12 per cent. of CFC emissions are from solvents or cleaners, but there, too, consumer pressure is bearing down on the industries producing those materials and doing something to try to solve the problem. The remaining 26 per cent. comes from refrigerators and foam insulation. As the first two sources that I mentioned of CFC emission are reduced, the 26 per cent. emission will become much greater. What is being done about that? Some county councils are milking refrigerators of the coolant which circulates inside the appliance and which is a mixture of lubricating oil and CFC. Gloucestershire county council was one of the first to do that, and all credit to it for that. However, it is a haphazard and piecemeal operation.

It costs Gloucestershire county council about £3·50 per fridge but the council has no idea what happens to the CFC gas when it has been extracted. It does not know whether the contractor takes it around the back of a shed and releases it into the atmosphere. CFC does not smell, cannot be seen and is not harmful to humans. The source of refrigerators for Gloucestershire county council is the county tip to which people bring fridges voluntarily. The council receives only a few of the refrigerators that are destroyed in Gloucestershire out of the many hundreds that are scrapped every month. The frightening aspect is that the coolant in a refrigerator represents only 20 per cent. of the total CFC within the appliance. The remaining 80 per cent. is contained in the insulating foam around the cabinet.

What is being done about the technology for removing the CFC from that foam? The technology is in its infancy, but I hope that help is on the horizon. As hon. Members will know, I am the parliamentary adviser to the British Scrap Federation. Through the federation I have met one of its leading members, the Bird Group, which is working with Lindamanns, a highly respected West German company, and ICI to try to solve this problem. The company has taken the trouble to familiarise the Government with much of its work and a great deal of interest has been shown in the project, not only by my hon. Friend the Minister for the Environment and Countryside, but by other Ministers.

Squeezing CFC gases out of insulation foam is right at the sharp end of metal recycling technology and, because of the nature of the objects handled, and the need to contain the gas at all stages, the operation is expensive. The value of recycled metal from a scrap refrigerator is about £1·60, and the CFC is virtually worthless. On present calculations, the shortfall between the value of the saleable material and the cost of safely processing the fridge and transporting it to the site is about £18 per unit.

8 pm

The Gloucestershire county council has demonstrated its willingness to underwrite such a project in a modest way, but the whole project of containing CFC from foam will be put in jeopardy and progress towards widespread CFC recovery will be pitifully slow unless it is made mandatory, or there are financial incentives for industry, or legislation enacting the "polluter pays" principle is strengthened.

I was interested to hear my hon. Friend the Minister say that new clause 26 can provide incentives for those involved in recycling if it will not stand on its own feet, so I hope to see something helpful. Public pressure to encourage such action is building up, and that is backed by many in the industry. In virtually every high street, shops selling new refrigerators urge people to dispose of their old refrigerators properly rather than just dumping them.

The problem is growing and is becoming more embarrassing for the Government. One third of CFCs is in Government-controlled equipment—blood banks, munitions stores, mortuaries and so on. A recent report from the Department of Trade and Industry estimated that our CFC bank—the CFCs in existing working refrigerators

and so on—exceeds 100,000 tonnes. The report also said that the disposal of CFC-containing waste will be a problem for the reclamation industry, causing it to reject the waste. The problem will then become transferred to the municipal waste disposal sector, which will similarly be unable to cope.

The technology to squeeze foam dry of CFC is not practised on a large commercial scale anywhere in the world. The development of a United Kingdom plant would be a world first, and the cost of the process would fall as the techniques improved. This technology could then be exported and Great Britain could claim a world first. We would be the first country not only to discover the depletion of the ozone layer but to do something serious about it on a big scale. In answer to a question from me on 26 July 1989, my right hon. Friend the Secretary of State agreed that this technology must be cracked.

I ask that the Department of Trade and Industry identify itself closely with this important project for reducing CFC released into the atmosphere from foam and insulation material. Secondly, I am anxious to learn whether new clause 30 can be used to implement legislation for the control of emissions of CFC and other noxious gases, odours and substances when the technology is available to control that.

Mr. Richard Livsey (Brecon and Radnor): I am aware that time is short and that we want to move on to other matters, but I should like to place on record some aspects of my party's attitude to new clause 30 in particular and others of the new clauses grouped with it.

New clause 30 incorporates many aspects of the Control of Pollution Act 1974, but a whole host of powers in that Act have yet to be invoked, 16 years after it received Royal Assent. Eleven of its sections, starting at section 6 and ending at section 103, have not yet been used. It is extraordinary that there has not been the will to invoke those sections to protect the environment. One hopes that, if this Bill becomes an Act, there will be a greater will to invoke its sections.

We support new clause 20, which requires the Secretary of State to have regard to the need to promote a reduction in the volume of waste, and new clause 26, which gives incentives for recycling and includes financial incentives and guaranteed prices for recycled products.

I draw the attention of the Minister to a serious incident in my constituency. Some 10 million tyres were dumped near a village called Heyope and then set on fire by an arsonist in the autumn. This released 11 toxic materials into water courses and only the efforts of the National Rivers Authority in stemming the pollution prevented a major pollution incident. Nevertheless, 4 million water consumers downstream in the west midlands would have been affected if the fire had got out of control. The drinking water from the river Teme would have been undrinkable.

This serious incident arose because far too many tyres were dumped. Tyres should be recycled and made into other products such as rubber matting. It is no longer acceptable to dump tyres in the countryside. One hopes that the DTI and the tyre industry will clean up their act. We believe that there should be tax measures to make recycling more attractive. This could improve our balance of payments by reducing our imports of paper pulp and aluminium. Making all bottles and jars reusable or recyclable as soon as possible would also help.

The law should insist that the industries concerned provide recycling facilities, and that is true of the tyre industry. Local authorities should be able to give a rebate for every tonne of waste that is recycled. There should be legislation to encourage the use of packaging designed for recycling. We would welcome any such measures arising out of the Bill.

New clause 28, which deals with waste disposal authorities, is linked closely to amendments Nos. 241 and 242. I agree with much that the Minister said about this. New clause 28 would undermine the establishment of arms-length companies to separate waste disposal and regulation, both of which are performed by the counties in many parts of England.

Amendment No. 68 refers to Scotland and Scottish authorities, but the Welsh Select Committee recently published a report on waste disposal and waste disposal authorities in Wales, which are different from those in England, because the districts in Wales are the waste disposal authorities. We should like to think that we are further down the road in waste disposal because we have three voluntary regional groupings in Wales which are there to advise.

It is significant that the Welsh Select Committee recommended that the three regional groups be given statutory powers that would cover licensing, monitoring and technical expertise. However, it felt that planning should remain the responsibility of district councils in Wales, because that is where democratic control and accountability reside. It is particularly important that it should remain there because if waste disposal sites are imposed there will be a grave undermining of the democratic process and communities will feel powerless to protect their areas.

Amendments Nos. 115 and 116 refer to imports and exports. The House will recall the way in which toxic waste was hawked around half the world by the Karin B, and will thereby appreciate the need for tight controls. It is rather alarming that special waste imports, which are classified in the European Communities as toxic and hazardous wastes, increased from 3,000 tonnes in 1981-82 to 80,000 tonnes in 1987-88. In my party's view, all wastes originating in OECD countries should be disposed of in the country of origin and should not be exported to other countries.

Mr. Robert B. Jones: In many areas in the Netherlands the ground is not suitable for the disposal of hazardous and toxic wastes. Does the hon. Gentleman still think that there is no case for international trade? Secondly, does he agree with the European Community view that such trade, provided that it is properly controlled and professionally dealt with, is valid and acceptable?

Mr. Livsey: I do not agree with the argument that lies behind the hon. Gentleman's second question. We have surely reached the stage at which a stop should be put to the trade in toxic and hazardous wastes. I accept that special provision may have to be made for countries such as the Netherlands where there is a high water table.

My colleagues and I have no wish to see imports of toxic wastes directly to landfill sites in the United Kingdom. Such imports should be stopped immediately. They are certainly not in the interest of the environment of the United Kingdom.

Mr. Bellingham: My remarks will be directed to new clause 58 and amendments Nos. 241 and 242 which, in effect, were tabled by the Select Committee on the Environment. First, I declare my interest as a parliamentary adviser to the National Association of Waste Disposal Contractors and an unremunerated managing director of a recycling company.

I endorse wholeheartedly the comments made by my hon. Friend the Member for Hertfordshire, West (Mr. Jones) on new clause 58. He summed up eloquently and succinctly the arguments that were advanced in Standing Committee and those that were presented by the members of the Select Committee. The Minister will be aware that Select Committees, Standing Committees, and other bodies have strongly favoured the concept of regional groupings.

My hon. Friend the Member for Hertfordshire, West referred to wide variations throughout the country, and we know that with 190 waste disposal authorities there will be a great deal of disparity. There will be tremendous differences in their practices and standards. We know that many of the old WDAs have not filed their waste disposal plans. It is disgraceful that 150 have not done so. When representatives of the Institute of Wastes Management gave evidence to the Select Committee they said that the variation in performance is enormous. They said that in some areas the function of waste disposal has been downgraded to the extent that it has become a Cinderella service that is undertaken by a man and a dog, as it were. In the better authorities the function is taken much more seriously. I shall not rehearse those arguments.

Under the Bill, the Secretary of State will have considerable default powers if it is found that an authority is not doing its job properly. What happens, however, if the entire system starts to go wrong? What happens if what the Select Committee anticipates, and what the Standing Committee anticipated, takes place and there is a wide variation in performance? It would seem that there is a serious regional diversity in performance and professionalism. Surely the Secretary of State should have the reserve powers that are being sought. We are not saying that the Secretary of State must have such powers as a matter of course. We are saying only that there should be reserve powers in future if things do not work out properly and if this excellent Bill, which will shortly become an Act, does not provide a structure for waste disposal of the sort for which we hope.

8.15 pm

Perhaps the reserve powers will not be necessary, but why run the risk of having to introduce another Bill in two, three or four years time, or whatever? I anticipate that the Select Committee will re-examine the matter. If it comes to the conclusion that the Bill should have had fall-back provisions, it will say, "What a wasted opportunity". The new clause is not asking for very much, and it is not enough to say that everything will be included in a White Paper and considered.

Apart from waste disposal, we must consider the regional structure of Her Majesty's inspectorate of pollution and the responsibilities of the National Rivers Authority. We must consider also the drinking water directive and how it will interface with and impinge upon various other matters.

We have a golden opportunity to amend the Bill to give the Secretary of State reserve powers. I hope that my hon. Friend the Minister will recognise that in Committee there was unanimous support for the concept. That position was shared by the all-party Select Committee. When the Select Committee on Welsh Affairs considered the matter only the other day, that was also clearly its view.

I urge my hon. Friend the Minister to use this opportunity to give a firm undertaking that the Government will reconsider the matter and introduce a new clause in the other place that will put things right.

My amendment No. 316 would enable a waste regulation authority, when it has determined whether someone is a fit and proper person to hold a waste management licence, to say that that fact should be a material consideration in any other application for a waste management licence for any other waste regulation authority. The issue was discussed in Committee and the Minister said, in effect, that he was extremely sympathetic to my argument. We have many national waste disposal companies and each one may operate in many different parts of the country. Obviously they will be operating under the auspices of several different authorities. It is for those authorities to assess whether a company is a fit and proper person.

Waste regulation authorities will be fairly hard pressed on the bureaucratic and administrative fronts. A national company that has been accepted as a fit and proper person by, perhaps, 20 waste regulation authorities may not be accepted by one or two others. The amendment seeks to provide that the waste regulation authorities should take account of the fact that another authority has already carried out the exercise of determining whether a company is a fit and proper person and has reached a positive conclusion. It is a modest amendment.

In Committee, my hon. Friend the Minister asked what would happen if an individual operated a number of different facilities. I recall that he mentioned a mobile plant or incinerator at a landfill site. That consideration can be taken care of—I wish that I had thought of this at the time—by the licence conditions. The facility will have to be operated by someone who is competent to do so. I do not think that the argument that my hon. Friend advanced in Committee holds water. I hope that he will reconsider the matter along the lines of the undertaking that he gave in Committee and accept my modest amendment. I had the devil's own job trying to find my way around the amendment paper because of the number of new clauses and amendments and the way in which they are spaced out. I have been pulling out my hair most of the afternoon——

Mr. Robert B. Jones: Balding.

Mr. Bellingham: I am not bald yet, although I do not have the same amount of facial hair as my hon. Friend.

Government amendment No. 97 refers to so framing

"the terms and conditions as to avoid undue discrimination in favour of one description of waste disposal contractor as against other descriptions of waste disposal contractors."

Why do we need the word "undue"? Surely there is no need for it. If it is not deleted, that surely means that the Government accept that there will be some discrimination. I urge my hon. Friend the Minister to deal with that point. It is a matter of considerable concern that the amendment is faulty. If the word "undue" remains, there will be serious problems.

Mr. Pike: I wish to concentrate on amendment No. 241. Had time permitted, I would have wished to follow the line taken by the hon. Member for Gloucestershire, West (Mr. Marland) when he referred to CFCs, a subject in which he has great interest. He will recall that I was in the chair for the latter part of the meeting on the Thursday to which he referred. We were all interested in the presentation. It was clear that, even with the current action, there is still a long way to go in dealing with these issues. It is no use trying to limit the use of CFCs in this country if we continue to manufacture and export them. We must carefuly consider alternatives and also labelling. If there were time, I would expand that debate, because it is of great importance and we should be concerned about it. If CFC production and all emissions into the atmosphere were stopped now, it would be 70 years before there was any positive improvement. That statistic illustrates the scale of the problem.

As the hon. Member for Hertfordshire, West (Mr. Jones) said, amendment No. 241 should have my name on it. I do not know how the error arose. My hon. Friend the Member for Carmarthen (Mr. Williams) also signed the amendment. The debate in Committee on this issue was the best that I have experienced since I came to the House. Not only should it have persuaded the Government of the problem, but it should have convinced anyone listening to the case that recommendation 23 of the Select Committee in its second report of 1988-89 was most sensible. Indeed, that recommendation followed closely the recommendation that led to the establishment of the National Rivers Authority following the investigation into river and estuary pollution a few years ago. The logic for proposing 10 regulatory authorities is identical to that proposed, and ultimately accepted, during the passage of the Water Act 1989. That is why we find it difficult to understand why the Government are not prepared to accept this recommendation when they accepted the previous recommendation.

The whole issue rests on whether it is possible for a body that is carrying out certain functions, whether disposal or collection, also to be the regulatory body. We are minded to support the proposal because we believe that there is a strong case that if regulation is to be seen to be independent and objective, it is better to separate it from the responsibility of carrying out a function.

As I said in Committee, the Bill divides responsibility for collection, disposal and regulation in different ways throughout the country. I do not intend to waste the time of the House by going into detail, but there is no single system for England and Wales. There is an extremely good case for accepting amendment No. 241. There is a strong link between waste disposal and leachates into the water with areas roughly corresponding with the NRA. We are not prepared to say whether that should go to an environmental protection agency, although there is a good case for that. The Labour party is committed to the principle of an environmental protection agency, as is the Select Committee on the Environment—by unanimous decision on more than one occasion.

If a Labour Government were to introduce such a body following the next election, it could be argued that such a function should go to regional councils. However, it would be wrong for the Minister to divert along that avenue tonight. We should use this opportunity to ensure that there is even-handed regulation throughout the country, with issues being considered objectively and in the best interests of the environment. This is a Bill to protect the environment. When I have referred to it as the Environmental Protection Bill, on more than one occasion the Minister has said that it is not only about protection but about enhancement. Both sides of the House accept that. The amendment is a step in that direction.

If the Minister does not accept the amendment or agree to introduce an amendment in another place, there will have to be further legislation within two or three years. He may not be in government then because, I hope, the Labour party will be in office. However, whoever is in government in two or three years' time will have to accept that the direction recommended by the Select Committee and embodied in amendment No. 241 is the right way to move forward and is in the best environmental interests. The Government should accept the amendment because it is a sensible and constructive proposal. The Minister should respond positively to the debate.

Mr. Trippier: What a pity. I was about to respond to the hon. Member for Burnley (Mr. Pike)—my neighbouring Member of Parliament in Costa del Lancashire—by saying that I agreed with most of what he said, but he blew it out of the water by coming out with absolute drivel at the end of his remarks. That devalued the currency of what he had said previously. Neither he nor my hon. Friends the Members for Hertfordshire, West (Mr. Jones) and for Norfolk, North-West (Mr. Bellingham) can have it both ways.

This is a serious matter. Hon. Members must stop saying that Ministers will address the matter in a White Paper. The truth is that what has been suggested in this interesting debate is extremely radical—the joining together of regulatory agencies that would incorporate not only waste regulation but the National Rivers Authority. That was specifically mentioned by my hon. Friend the Member for Hertfordshire, West. In addition, although no one has mentioned it yet—although it slipped between the cracks—perhaps the drinking water inspectorate and Her Majesty's inspectorate of pollution should be included.

If we want to follow that route, the issues need to be carefully considered. It needs to be a strategy for the 1990s. The way in which I am responding to the debate fits closely with what the hon. Member for Burnley wants. I give him the solemn undertaking that we shall consider the issues in that light. I assure my hon. Friends the Members for Hertfordshire, West and for Norfolk, North-West that we shall consider those matters at one and the same time. One cannot strip out from a regulatory agency—whether it is responsible for matters relating to pollution of the land, water or atmosphere—one particular regulatory function from a White Paper dealing with the enhancement of the environment to the end of the century. That would be ludicrous.

I take on board the points made by hon. Members who are members also of the Environment Select Committee and repeat my assurance that we shall examine them. The hon. Member for Burnley is right to say that something must be done. If the way in which we should proceed over the next decade is to be spelt out, legislation must be introduced to bring that policy into being.

8.30 pm

Mr. Pike: Does not the Minister accept that the Government have already done as I suggest, with the establishment of the National Rivers Authority? We are only asking them to adopt the same approach in respect of this Bill.

Mr. Trippier: That the Government did so is the hon. Gentleman's opinion, not a statement of fact. Such an approach does not fit very neatly between, for example, the Health and Safety Commission and the Health and Safety Executive. It does not fit neatly either with Her Majesty's inspectorate of pollution. Should we or should we not move more towards the situation that appertains under the sponsorship of the Department of Employment? It is not as easy as the hon. Gentleman makes it sound.

We are clear that those issues must be addressed, and the hon. Member for Burnley need not tear his hair—to use the phrase of my hon. Friend the Member for Norfolk, North-West—waiting for the White Paper, as he will have to wait only until September.

I assure the hon. Member for Stoke-on-Trent, North (Ms. Walley) that there is no lack of commitment to recycling on the part of the Government. Perhaps she prepared her speaking notes before hearing my introductory remarks, in which I referred to the new credit system that we shall introduce in respect of recycling. I touched also on waste minimisation.

I did not say—and I do not want the record to remain uncorrected—that we would have a national register of contaminated land. That is nothing like what I said. I said that we are making it compulsory for all district authorities to keep such a register, which is somewhat different from a national register. It would be extremely difficult to keep a national register up to date, and wrong to put local authorities through the wringer in trying to keep up with the dreadful bureaucracy that such a register would demand. However, I think that the hon. Lady shares my concern that there should be increased awareness among potential developers and others who may go near contaminated land that it is contaminated. I am prepared to meet her on that point.

I shall return to the question of a national strategy—let us at least agree on that phrase—for waste disposal in my concluding remarks.

My hon. Friend the Member for Hertfordshire, West asked me to put flesh on the bones of the reserve powers to which I referred in my introductory remarks. Amendment No. 242 makes as good a starting point as any. I share my hon. Friend's view that there is a need to ensure consistent regulation of a high standard in the metropolitan areas. I draw his attention to the powers that were given to my right hon. Friend the Secretary of State for the Environment in the Local Government Act 1985 to give directions to metropolitan borough councils to establish a form of regulation satisfactory to him. My hon. Friend the Member for Hertfordshire, West will recall that the 1985 Act dealt with the dismemberment of the metropolitan county councils. We are considering the reserve powers that that legislation gives in terms of the new statute. It may be possible to transform or to transpose them.

My hon. Friend the Member for Gloucestershire, West (Mr. Marland) referred to CFC disposal. I agree that the disposal and reclamation of CFCs is not something that we should lose sight of when debating ozone-depleting substances. Disposal must be by total destruction of the molecule, through incineration. A better option is recycling, provided that it can be done safely. As my hon. Friend said, we have discussed the matter on several occasions—not only in Committee but at my Department. I am pleased that a British company, the Bird Group, is at the forefront of developing equipment safely to remove CFCs from various types of machinery. My hon. Friend catalogued them. In that technology, the Bird Group is, I believe, a world leader. We hope that its equipment will be of great benefit both environmentally and commercially. The Department of Trade and Industry has commissioned a study on the recovery, recycling and destruction of CFCs, for which the Bill provides ample powers.

The hon. Member for Denton and Reddish (Mr. Bennett) asked whether the Government are committed to the minimisation of packaging. We are, and are currently reviewing the recycling of all materials and of packaging in particular. The options are currently being discussed with the Department of Trade and Industry. They include mandatory deposits and raw material levies. My Department participates with the DTI in the recycling forum. Recently, two of the 10 expert groups in that forum reported on glass and paper recycling, and the Government are considering those reports now.

The only aspect of the hon. Gentleman's remarks that unnerved me was his apparent preference for the post-collection sorting mechanism for dealing with waste for recycling. I ask him seriously to consider the Sheffield experiment, which I am pleased to say has the support of the hon. Member for Stoke-on-Trent, North, using pre-collection sorting. I invite all-party support for that superb initiative, which is backed by the Government, the Post Office and Friends of the Earth, working in partnership to ensure that it is a success. If it is, I should love to see it replicated throughout the United Kingdom. That would mark a dramatic step forward in our objective of recycling 50 per cent. of domestic waste.

Mr. Andrew F. Bennett: If it is true that Manchester and Birmingham waste disposal authorities can recycle just as much, if not more, by post-collection sorting than by pre-collection sorting of the type used for the Sheffield scheme, that overcomes the problem of householders who find it extremely difficult to sort their waste—such as the handicapped or elderly. The Minister knows that, although the Sheffield experiment is a great success, some people still refuse, sadly, to co-operate by sorting their waste.

Mr. Trippier: There is little difference between the hon. Gentleman and myself. I cannot disagree with his observation. The majority of the people in the Sheffield experiment co-operate, and the signal that should go from the House today is that we very much welcome their support. It is common sense that if waste is sorted before collection—known as kerb collection in Sheffield—the cost will be lower than if someone else has to undertake that chore later at the sorting bay.

I congratulate my hon. Friend the Member for Norfolk, North-West on his precise amendment No. 316, which clearly recognises the argument that a licensee who is perfectly fit to hold a licence for one operation may not be suitable for another. His amendment seeks to make the fact that an applicant has once been judged fit and proper

[Mr. Trippier]

a material consideration in making judgment of his fitness for another licence. Even so, I am not, I regret to say, prepared to accept my hon. Friend's amendment. It is essential that a licensing authority should judge each applicant for a licence on his or her merits in relation to a particular operation. I give my hon. Friend my assurance that detailed guidance to local authorities, which they will statutorily be bound to regard, will cover that aspect, together with all other matters concerning fit and proper persons.

The hon. Member for Stoke-on-Trent, North and several other hon. Members referred to a national strategy on waste. I have already referred to the delight that I felt when senior officials consulted senior officers in the local authority associations that want to move in that direction. It is a problem that can be dealt with only in terms of self-sufficiency on a regional basis and I am the first to accept that. An effective target could be for each region in the United Kingdom to be self-sufficient in waste disposal. Many hon. Members know that that is not the case. Some hon. Members represent constituencies in regions that are massive exporters of waste, which means that other regions have to take more than their fair share. I am reluctant to mention a particular region, but hon. Members know that we have had considerable deliberations about one part of the country that is north of Watford—so I can hardly be accused of being anti-southern—where we need a more rational approach to that incredible problem.

The Opposition remonstrated with me and with my right hon. Friend the Secretary of State to speed up the programme announced at the North sea conference for the disposal of treated sewage sludge. Will any Opposition Member who was in Committee who wishes us to accelerate the programme—remember that we can dispose of such waste only in landfill or through incineration—nominate a landfill or incinerator site in their constituency? Suddenly everything goes quiet, and no one wishes to participate in the debate any more.

Mr. Bellingham: Has my hon. Friend had the chance to consider my remarks about the word "undue"? Will he delete that word?

Mr. Trippier: I feel that I am under an obligation to consider that. It is clearly a legal point, and if I am able to accommodate my hon. Friend, I shall ensure that the word is changed prior to the Bill going to another place.

Ms. Walley: The Minister clearly has a problem about the extent to which arrangements can be made to organise the proper disposal of waste. In view of what he has said, I do not think that we have had a final answer on how he will deal with amendments tabled by many of his hon. Friends.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 18

Application of Part II to Isles of Scilly

'Part II shall have effect in its application to the Isles of Scilly with such modifications as the Secretary of State may by order specify.'.—*[Mr. Trippier.]*

Brought up, read the First and Second time, and added to the Bill.

New Clause 56

Powers in relation to abandoned shopping and luggage trolleys

'.—(1) A local authority may resolve that Schedule (*Abandoned shopping and luggage trolleys*) is to apply in its area; and if a local authority does so resolve, that Schedule shall come into force in its area on the day specified in the resolution, which must not be before the expiration of the period of three months beginning with the day on which the resolution is passed.

(2) A local authority shall publish in at least one newspaper circulating in its area a notice that the authority has passed a resolution under this section and indicating the general effect of that Schedule.

(3) It shall be the duty of a local authority from time to time to consult about the operation of Schedule (*Abandoned shopping and luggage trolleys*) with the persons or representatives of persons who appear to be affected by its operation.

(4) In this section "local authority" means—

(a) the council of a district;

(b) the council of a London borough;

(c) the Common Council of the City of London;

(d) the council of the Isles of Scilly; and

(e) in Scotland, an islands or district council.

(5) In Schedule (*Abandoned shopping and luggage trolleys*) "the local authority" means any local authority which has resolved that that Schedule is to apply in its area.'.—*[Mr. Trippier.]*

Brought up, read the First and Second time, and added to the Bill.

New Clause 35

Risk assessment and notification requirements

'.—(1) Subject to subsections (2) and (7) below, no person shall import or acquire, release or market any genetically modified organisms unless, before doing that act—

(a) he has carried out an assessment of the potential of the organisms for causing harm and of any risks there may be (by reference to the nature of the organisms and the manner in which he intends to keep them after their importation or acquisition or, as the case may be, to release them) of damage to the environment being caused as a result of doing that act; and

(b) in such cases and circumstances as may be prescribed, he has given the Secretary of State such notice of his intention of doing that act and such information as may be prescribed.

(2) Subsection (1) above does not apply to a person proposing to do an act mentioned in that subsection who is required under section 93(1)(a) below to have a consent before doing that act.

(3) Subject to subsections (4) and (7) below, a person who is keeping genetically modified organisms shall, in such cases or circumstances and at such times or intervals, as may be prescribed—

(a) carry out an assessment of any risks there may be of damage to the environment being caused as a result of his continuing to keep them;

(b) give the Secretary of State notice of the fact that he is keeping the organisms and such information as may be prescribed.

(4) Subsection (3) above does not apply to a person who is keeping genetically modified organisms and is required under section 93(1A) below to have a consent authorising him to continue to keep the organisms.

(5) It shall be the duty of a person who carries out an assessment under subsection (1)(a) or (3)(a) above to keep, for the prescribed period, such a record of the assessment as may be prescribed.

(6) A person required by subsection (1)(b) or (3)(b) above to give notice to the Secretary of State shall give the Secretary of State such further information as the Secretary of State may by notice in writing require.

(7) Regulations under this section may provide for exemptions, or for the granting by the Secretary of State of exemptions to particular persons or classes of person, from the requirements of subsection (1) or (3) above in such cases or circumstances, and to such extent, as may be prescribed.

(8) The Secretary of State may at any time—

(a) give directions to a person falling within subsection (1) above requiring that person to apply for a consent before doing the act in question; or

(b) give directions to a person falling within subsection (3) above requiring that person, before such date as may be specified in the direction, to apply for a consent authorising him to continue keeping the organisms in question;

and a person given directions under paragraph (a) above shall then, and a person given directions under paragraph (b) above shall from the specified date, be subject to section 93 below in place of the requirements of this section.

(9) Regulations under this section may—

(a) prescribe the manner in which assessments under subsection (1) or (3) above are to be carried out and the matters which must be investigated and assessed;

(b) prescribe minimum periods of notice between the giving of a notice under subsection (1)(b) above and the doing of the act in question;

(c) make provision allowing the Secretary of State to shorten or to extend any such period;

(d) prescribe maximum intervals at which assessments under subsection (3)(a) above must be carried out;

and the regulations may make different provision for different cases and different circumstances.

(10) In this section "prescribed" means prescribed by the Secretary of State in regulations under this section.'.—*[Mr. Trippier.]*

Brought up, and read the First time.

Mr. Trippier: I beg to move, That the clause be read a Second time.

Madam Deputy Speaker (Miss Betty Boothroyd): With this it will be convenient to take the following:

Government new clause 36—*General duties relating to importation, acquisition, keeping, release or marketing of organisms.*

Government new clause 37—*Prohibition notices*

Government new clause 40—*Consents: limitations and conditions*

Government new clause 41—*Onus of proof as regards techniques and evidence*

Government new clause 38—*Power of court to order cause of offence to be remedied*

Government new clause 39—*Power of Secretary of State to remedy harm*

New clause 8—*Genetic Modification Commission*—

'(1) There shall be established a body to be called the Genetic Modification Commission (in this Clause referred to as "the Commission") to perform the functions assigned to the Commission by or under this Clause.

(2) The members of the Commission, of whom there shall be not less than eight, shall be appointed by the Secretary of State after consultation with such persons and organisations as he considers appropriate.

(3) The Commission shall give to the Secretary of State advice on matters relating to the execution of this Clause of the Act or the exercise of any power conferred by it, or otherwise relating to genetic modification, where the Commission consider it expedient, or they are requested by the Secretary of State to do so.'.

New clause 22—*Advice and information on genetically modified organisms*—

'(1) The Secretary of State shall within six months of the passing of this Act establish an Advisory Committee on Releases into the Environment for the purposes of—

(a) advising him as to the making of regulations under Part VI below;

(b) making such recommendations as it considers appropriate in respect of the future regulation of activities to which Part VI applies;

(c) advising him in respect of each application for a consent to release a Genetically Modified Organism (GMO) into the environment.

(2) The Advisory Committee established under this section shall include persons representative of industry, trade unions, local authorities, environmental organisations and scientists with knowledge of the techniques of genetic modification and of the likely effect of the introduction of modified organisms into the environment.

(3) It shall be the duty of the Advisory Committee to publish its advice to Ministers and, in respect of advice relating to any applicaton for a consent made under subsection (1)(c) above, to include such advice in any register established under subsection (4) below.

(4) The Advisory Committee shall establish and maintain a register on behalf of the Secretary of State containing prescribed particulars of applications, consents and notifications under Part VI.

(5) In preparing any advice under subsection (1)(c) above relating to applications for consent to the release of GMOs the Advisory Committee shall—

(a) require the applicant to advertise his intention to introduce organisms into the environment and any such advertisement shall include information as to the organisms and the type of modification proposed to be made; the grounds for making the modification; the place or places at or in which the release is to occur; the probable extent of the area in which the organisms may be found; the likely risk to humans; and the likely effects on the environment and other organisms;

(b) consider all representations made following such an advertisement;

(c) advise on the conditions to be applied to the granting of a consent and, where the GMO is to be sold as a product, recommend and give reasons as to whether it should be labelled as a Genetically Modified Organism.

(6) The Secretary of State shall place on the register established under subsection (4) above information relating to any notification of an intention to release a GMO and such information shall include—

(a) a description of the GMO;

(b) the name and address of the notifier;

(c) the reason for the release;

(d) the location of the release;

(e) plans drawn up by the notifier for monitoring the GMO and for dealing with any emergency; and

(f) any other information which may be prescribed by regulations.'.

Government amendments Nos. 268 to 276, 267 and 244.

Amendment No. 131, in clause 91, page 98, line 17 after 'it', insert—

[Madam Deputy Speaker]

'(aa) apply for a consent under subsection (1)(b) of section 93 below'.

Amendment No. 132, in page 98, line 35, leave out subsection (5).

Government amendments Nos. 256 and 262.

Amendment No. 133, in clause 93, page 100, leave out lines 3 to 6.

Government amendment Nos. 277, 245, 263, 291 and 264.

Amendment No. 101, in page 100, line 16 at end insert—

'(3A) Regulations under this section shall provide, in the case of any organism proposed to be imported and for which an assessment of the potential for causing damage to the environment or the risk of such damage has been carried out in any country outside the United Kingdom and is likely to be relevant to the question of deciding whether consent under subsection (1) above is to be granted or the limitations or conditions to be applied to that consent, for details of that assessment to be included with the application and to be taken into account.'.

Government amendment No. 265.

No. 134, in page 100, leave out line 32 and insert

'only in circumstances where a release is proposed to be undertaken within the terms of an existing consent, subject to the giving of such notice and the making of such conditions as the Secretary of State may on the advice of the Advisory Committee specify.'.

Government amendment No. 289.

Amendment No. 308, in page 100, line 40, at end insert—

'(8A) On granting any consent under subsection (6) above the Secretary of State shall—

(a) furnish the person to whom the consent is granted with a certificate containing all material particulars of the consent; and

(b) subject to subsection (8B) below, send a copy of the certificate to each local authority in whose area, in accordance with the consent, genetically modified organisms are to be kept or released, and to the National Rivers Authority.

(8B) Where it appears to the Secretary of State that compliance with paragraph (b) of subsection (8A) above would prejudice the commercial viability of the undertaking concerned he may amend the certificate issued under paragraph (a) of that subsection in such a way as appears to him will protect the viability of that undertaking.'.

Government amendments Nos. 254, 278 to 280, 290, 257, 281, 282, 246 to 258, 266, 255, 248 to 250, 259, 260, 251 to 253, 283 to 287, 261, 295 and 288.

Mr. Trippier: I shall attempt to be brief but to justify this important subject by concentrating on the amendments before the House.

New clause 35 relates to part VI of the Bill. Biotechnology using genetic modification is still in the early stages of development and the existing health and safety controls for genetically modified organisms have a good record which we are determined to maintain.

Part VI will contribute by protecting the environment and will form a unified structure with the existing health and safety controls. We will have a proper system to protect safety and the environment without inhibiting industry or research. Part VI takes fully into account the report last year by the Royal Commission on environmental pollution and it implements two EC directives adopted this month.

The proposals allow for risk assessment notification or consent depending on the risk from a GMO release, all subject to BATNEEC, to protect the environment. Against that background new clause 36 clarifies the BATNEEC requirement, while new clause 40 ensures that BATNEEC operates even where GMO operations have consent from the Secretary of State. If conflict develops between consent conditions and BATNEEC, the consent holder is to inform the Secretary of State to allow him to review the consent conditions.

New clause 35 sets out the risk assessment and notification requirements. We intend to use subsection (7) to exempt individuals who might import finished GMO products for private use.

New clause 37 improves the conditions on prohibition notices. For example, it requires safe and rapid disposal of GMOs.

New clause 39 provides that where an offence has caused harm the Secretary of State may remedy that harm and may recover the cost from any person convicted of the offence. In parallel, new clause 38 provides for the court to order a person convicted of an offence to remedy matters, and new clause 41 puts the onus of proof in those proceedings on to the accused.

I hope that hon. Members will agree that our new clauses are valuable.

I fear that new clauses 8 and 22 would risk diluting the Secretary of State's responsibility for the operation of part VI and I cannot support such an idea because it is crucial that the Secretary of State should be seen by all to be fully responsible for part VI. Having said that, it is for the Opposition spokesmen to make their case and I shall respond later if I am fortunate enough to catch your eye, Madam Deputy Speaker.

8.45 pm

Mr. Elliot Morley (Glanford and Scunthorpe): We welcome the fact that the clause has been extensively amended since we were in Committee. In the amendments brought forward by the Government they have picked up many of the points that we wanted to strengthen this part of the Bill.

There is no doubt that the Minister is correct to say that this type of research is in its infancy. We believe that it has potential benefits to our society and we want to see such research encouraged within a tight framework of control that will give protection to the consumer and to society.

We recognise that such research can bring benefits. Plants and animals can be modified to produce important antibodies for medical use. Plant breeders, such as the British Society of Plant Breeders, can improve crop performance, reduce input, build in resistance to stress, disease and pests and can tailor crops to meet the needs of consumers. That promises more environmentally friendly agriculture with less harmful input.

There is no doubt that while those techniques are rapidly advancing, understanding of them is somewhat shallow. The Minister will recognise that there are risks to the environment and to health and safety. He will know that it is possible to produce pathogenic organisms that can be targeted to particular groups in society or to particular organs. It is possible to insert recognition sites into bacteria or viruses that can distinguish between racial groups. Viruses that exist in non-human hosts can be retargeted for human tissues. Bearing those modifications

in mind, one can understand why there has to be tight and detailed control on such research and the release of any organism into society.

We appreciate that the Government are setting up an advisory committee on the release of genetically modified organisms. However, we find it strange that the Government are not in favour of a statutory advisory committee as proposed by new clause 22. Given the seriousness of the situation, we believe that statutory powers are important to any committee. I recognise that the membership of the ad hoc advisory committee, which has already been announced, is welcome. We do not quibble with the wide range of experience of the people that the Minister has chosen to serve on the committee.

The Minister will note, however, that new clause 22 goes further and proposes a series of rights to information. The question of commercial confidentiality arises in terms of the development of GMOs—genetically modified organisms. Organisations and businesses that are doing research into that technology must be protected. However, the needs of the environment and the consumer must be put before commercial confidentiality. We must strike a correct balance between those rights and the legitimate needs of the companies concerned.

New clause 22 recognises that, in line with the recent EC directives on GMOs, there ought to be a right to information in terms of the description of the GMOs, the name and address of the notifier, the reason for the release of the GMO, the location of the release, the plans for monitoring and any other relevant information. These are important rights. The Minister will recall the concern that was expressed by a wide variety of organisations when it was announced that there was to be the commercial release of the world's first commercial food GMO—a form of yeast to be used in commercial bakeries. There was no consultation or warning prior to the announcement. There was no information about a trial programme. Commercial confidentiality should not overrule exclusively the right of consumers to know exactly what is going on and what is being done.

I should appreciate assurances that the Minister accepts the logic of the argument. I draw the House's attention to Government amendment No. 274 under which new subsection (4B) of clause 90 allows the Secretary of State to declare any organism harmless, regardless of its nature. I assume that that is to cover GMOs that have been designed as pesticides. By their very nature, they will do harm to target species. The wording needs to be tightened up. Regulations ought to be laid before Parliament. It should not be done by means of a directive from the Secretary of State.

There is insufficient time to go over all these points in debate. However, I draw attention to that issue in the hope that when the Bill goes to the other place this matter will be considered in greater detail and the wording will be tightened up.

Government new clause 35 removes the requirement to inform the Secretary of State of any assessment of risk. I hope that the Minister will ask the Secretary of State to clarify that point and to ask himself whether that is a wise decision.

Government amendment No. 263 stipulates that applications for consent should be advertised. Is the Minister able to say whether the terms of article 19 of the EC directive on GMOs relating to the information contained in new clause 22 are recognised in Government amendment No. 263 and whether the Government will comply with the EC directive?

Government amendment No. 289 introduces Government new clause 40. It reinforces the need to use the best available technology that does not entail excessive cost to regulate the release of GMOs. That goes some way towards limiting the liability of those who use GMOs commercially. Is the Minister aware that during the discussion of the EC directive the German Government asked for stricter liability on those who use GMOs commercially? Is not that a better approach? Anyone who releases GMOs would understand such a strict liability. That would be preferable to the requirement to use the best available technology.

I accept that Government new clause 39 goes some way towards meeting the criticism. It allows the Secretary of State to take action if there is damage or to recover costs that have been incurred, due to the irresponsible or illegal release of a GMO. However, I wonder whether that provision will be undermined by the fact that it is not always possible to recover costs. It would be much better to clarify from the beginning that any organisation that intends to release a commercial GMO must accept liability for any damage that is caused. It might also deter any speculative development of GMOs when there is no obvious direct benefit to be derived from their production. The social consequences of producing such organisms must be taken into account. That must be considered by the advisory committee.

GMOs can be beneficial. They should be encouraged. The amendments to part VI are, in the main, welcome, apart from those matters that I have identified. I hope that the Minister will think again about these points and give the assurances that we need.

Mr. Alan W. Williams (Carmarthen): When part VI of the Bill was debated in Committee we accused the Government of having drafted it hurriedly. The number of amendments and new clauses bears testimony to that fact. Initially, there were 15 clauses in part VI; five have been deleted. Six new clauses have been tabled and there are no fewer than 60 amendments to this part of the Bill.

The Labour party welcomes the changes. They show that the Government accept many of the points that were made in Committee. Genetic engineering is an exciting aspect of research. I read in *The Observer* yesterday, yet again, of a little weed whose DNA structure is to be worked out from A to Z. Geneticists will be able to identify the individual genes that are responsible for individual characteristics and may be able to transplant them and produce new strains. It opens up immense possibilities. Widely differing species will be able to be modified much more easily than is possible with present techniques.

In medicine, the opening up of opportunities will be immense. There have been reports of the manufacture of insulin by means of genetic engineering. It may be possible to cure muscular dystrophy and other genetic diseases. It opens up exciting possibilities in cancer research. It will also lead to the possibility of introducing pest resistance or disease resistance in agriculture. However, there are grave dangers to be faced. That is why the safeguards must be complete. We are interfering with nature, in that we are creating new forms of life. When they are released into the environment they multiply. Something that is released for the best of reasons may become a pest.

[Mr. Alan W. Williams]

I thank the Minister for his letter giving the composition of the advisory committee on releases into the environment. We note that he accepted much of the advice that we gave him in Committee and that the advisory committee will be broadly based. However, I wish that its composition had been fairer. Twelve of the 22 members of the committee are academic professors or research workers; three are from industry; three are trade unionists; one member is from the Green Alliance; one is from the Nature Conservancy Council; one is a farmer and one is an environmental health officer. I should have preferred a more balanced composition with far more environmentalists and consumer representatives. Not one single consumer representative will serve on that body. Nevertheless, we broadly welcome the fact that the committee is not comprised solely of scientists.

Must the decisions and recommendations of the advisory committee be unanimous as is the case now with the international introduction sub-committee of the advisory committee on genetic manipulation? As there are good safety reasons for that, we should like that provision to be retained because the consequences of a mistake could be serious.

My next question relates to the powers of the Secretary of State for the Environment. When the advisory committee reports to the Secretary of State and recommends releases, can the Secretary of State negate that recommendation? When the Committee advises against a release, can the Secretary of State overturn that recommendation? As we find that point disturbing, will the Minister provide a specific answer to the question whether the Secretary of State can advise in favour of a release if the advisory committee has advised against it?

9 pm

As my hon. Friend the Member for Glanford and Scunthorpe (Mr. Morley) said, we are particularly anxious because, as drafted, new subsection (4B) of clause 90 gives the Secretary of State for the Environment an incredible power. My reading of it suggests that any harmful organism can be declared harmless almost by the decree of the Secretary of State for the Environment. As the provisions are loosely drawn, perhaps the parliamentary draftsman will reconsider those that seem to give the Secretary of State such extraordinary powers.

We also have reservations about new clause 40 because the liability of those releasing genetically modified organisms is limited by the BATNEEC principle, which means that provided the company conforms to the best available techniques not entailing excessive cost, it will be okay. Like the Royal Commission on environmental pollution, we want strict liability so that if anything goes wrong, the company that releases that organism will carry the full financial cost of the consequences.

I understand that in the past few weeks a new Bill has been introduced in West Germany, relating to deliberate releases of GMOs, which stipulates absolute liability and compulsory insurance for those who intend to release such organisms into the environment. If that is what West Germany wants, it is certainly what Britain should have.

New clause 22 relates to the composition of the advisory committee. As I have said, we should like to broaden its base, but, more specifically, we believe that everything to do with releases should be published in a register. The advice of the advisory committee should be made public as should the Minister's response to that advice. Before any release can be made, the details should be fully advertised to the public so that interested bodies are given the proper opportunity to object. We want openness. If we are to have public confidence, we need maximum openness.

We know that the big companies would be concerned if new clause 22 were accepted. However, if there is a choice between commercial confidentiality and the environment, there should be no question but that the environment should be our overriding concern.

Finally, we believe that it is important to demonstrate social need before undertaking the release of GMOs. We are talking about an incredibly clever technology in which we are creating new life forms. However, if it is simply a case of adding to the food mountains and stockpiles by increasing agricultural yields and producing surplus products, we must question whether we need that technology. It should have to pass a "social need" test. I do not believe that anyone would argue against the medical application of the technology, but, given the possible major problems and dangers, it must pass the test of social need before it is applied to agriculture.

Mr. Simon Hughes: In a sense, all the contributions that I have heard today have been similar. The issue is archetypally one that should not be confined to, for instance, a Standing Committee; our procedures are arguably inadequate to deal with it. Some legislatures allow certain legislation to go to the equivalent of a Select Committee, which can take evidence, and such a process allows informed discussion to take place.

Today's debate is as important as last week's debate on embryology. It concerns what we do with life forms, and how science allows us to intervene in the natural process. As the Minister has accepted—and the record shows that the Standing Committee accepted it, too—the genetic engineering that we are discussing can create not only new life forms, but life forms that may be dangerously uncontrollable, so we must legislate very carefully. Given the constraints that have been placed upon us in the House of Commons, I hope that our decisions will be scrutinised in detail in the other place, and that the best possible advice will be available.

We tabled new clause 8 because we believe that responsibility for genetic engineering should be collective. There should be no Frankenstein creations behind closed doors; the maximum information should be provided, and decisions should not be made in isolation. We are not talking only about animals, for what happens to animals today happens to human beings tomorrow. I understand, for example, that it will soon be possible to identify the gene that governs skin pigmentation. If that is so, we can imagine the possible implications for human genetic engineering. I do not wish to be alarmist, as some hon. Members were in last week's debate, but it occurs to me that, if Hitler had had access to a gene that allowed him to alter skin pigmentation, the history of the 20th century might have been even more distressing.

At the beginning of the century, a fungus called Endothea was released accidentally in the United States. There is evidence that within 40 years it had wiped out the American chestnut within an area of 1 million sq km. Scientific change can become horrendously out of control. That is why new clause 8 suggests the establishment of a

commission—a wide-ranging standing public body—whose eminent members could monitor and report developments perpetually.

I do not believe that there is a great deal of disagreement between us and the Minister. I do not insist on principle that ours is the only possible formulation. I am, however, adamant that scientists alone should not be responsible for such activity, and that it should not be in the private domain. A series of scientific experiments will be necessary, and they should be performed with extreme care and only after extensive debate.

Let me ask some questions, and make some comments, about what I consider to be omissions. I shall not repeat what has already been said by the hon. Members for Carmarthen (Mr. Williams) and for Glanford and Scunthorpe (Mr. Morley), among others. New clause 35 requires anyone who proposes to

"import or acquire, release or market any genetically modified organisms"

to carry out an assessment of their environmental implications. If the Secretary of State is to allow exemptions, what will they be? It would be worrying if they were related to military use. I have tabled written questions, as have others, but the Government clearly do not intend to tell us the purpose for which the Ministry of Defence intends to use such experimentation. They say that its purpose is defence and is therefore secret, but that is a worrying secret. We should know whether the Secretary of State is allowed to grant unspecified exemptions for military use. We shall have to probe that issue carefully.

New clause 37 allows the Secretary of State to issue prohibition notices to prevent the entry of GMOs into Britain. Two questions arise from that. First, will it apply to imports from other European Community countries, especially after 1992? Secondly, how do we control airborne releases from other countries? There is no practical way of doing that, but what is the intention and what are we legislating to do?

New clause 38 rightly contains provision for penalties or punishments, but how practical are the punishments? What penalty or punishment will be appropriate if sombody releases a strain of plant that becomes an uncontrollable weed or creates something with the reproductive capacity of a rabbit or a mink? There is inadequate correlation between penalty and action. It is far better carefully to control what happens rather than to provide penalties for the abuse of science.

New clause 39 contains the phrase,

"which it is possible to remedy",

but that recognises that it would be impossible to remedy some things that are beneficial or harmless to the environment which, once changed, will be there for ever.

As my hon. Friend the Member for Gordon (Mr. Bruce) said in Committee, missing from the Bill, first, is an acknowledgement that some scientific activity can produce releases that are harmful and unhelpful to the environment; secondly, a duty to inform neighbouring or adjoining landowners of intended releases, as the European Parliament suggested there should be; thirdly as the hon. Members for Carmarthen and for Glanford and Scunthorpe said, an absolute insurance liability for released GMOs to ensure proper protection, which I understand was also recommended by the European Parliament and the Law Society; fourthly, much more public discussion and debate about GMOs; fifthly, a requirement that a potential GMO release should be proven or varified as not having negative impact on the environment, which, again, I understand was recommended by the European Parliament; and, finally, a requirement for proper insurance cover.

We are not clear about the relative responsibilities of Departments. I understand that, technically, the patenting of living creatures is the responsibility of the Department of Trade and Industry. If it is now possible, as it is in the United States—we have never received an answer to this point—to create a new animal, a mouse, and to give it a patent number 4736866, will we have patented creatures here? What is the Government's response to this important issue? In the context of an environmental Bill, it would be helpful if the Minister gave the Government's moral response. Are we in favour of patenting life forms? Such questions underlie the debate, which is only the beginning. I hope that we take part in the debate intelligently enough to ensure that we do not make terrible mistakes.

9.15 pm

Mr. Trippier: I welcome the comments that have been made in the debate. I have no doubt that it is only the beginning, as the hon. Member for Southwark and Bermondsey (Mr. Hughes) said, and that the debate on this specialised matter will continue for some time, especially in the upper House, not least because it includes two distinguished members of the Royal Commission on environmental pollution. I had some sympathy with the hon. Member for Southwark and Bermondsey, who believes that this is such a technical and complicated matter that it could have been considered by not just a Standing Committee but a Standing Committee with special powers to interview or hear witnesses before deliberating—along the lines, perhaps, of the procedure followed on the Mental Health (Amendment) Bill in 1982. I wonder how far we would have gone in that direction.

I have the greatest admiration for the members of the Royal Commission, although the hon. Member for Carmarthen (Mr. Williams) was right to point out that there were some matters—only two—on which there was a difference of opinion between the Royal Commission and Environment Ministers. I must confess that the bulk of the legislation that has been introduced either was suggested by the Royal Commission or has been amended to meet its concerns. We have amended the Bill on Report in the way suggested by the hon. Member for Glanford and Scunthorpe (Mr. Morley) because we have met some of the constructive points raised in Committee by the Opposition.

Hon. Members should not be worried about the issue of advice given to the Secretary of State. I still believe that it is better for the final decision in these matters to be made by a Secretary of State rather than by some faceless panel. Whatever one says about any Secretary of State, Secretaries of State are subject to incredible scrutiny not only in the House but outside it, as are the junior Ministers under them. I do not want that changed. I think that that meets the points made by the hon. Member for Southwark and Bermondsey about moral responsibility.

I accept that there is a moral responsibility. The hon. Member for Glanford and Scunthorpe will remember that we discussed that matter at length in Committee. I understand that Ministers change roles. I am sorry that the party of the hon. Member for Southwark and Bermondsey

[Mr. Trippier]

did not exist in those days, for reasons which I understand. I urge him to look at the debate again, when pertinent points were made by the hon. Member for Dagenham (Mr. Gould). I still want the responsibility to be left in the hands of the Secretary of State for the Environment, whoever he may be. I am convinced that we have got that right.

I like the point made by the hon. Member for Carmarthen about members of the advisory committee. Everyone seems to have welcomed the idea, with perhaps one reservation about the idea of having more consumers. The members are all consumers. I do not want to start altering these provisions again, although I have no doubt that certain suggestions will be made in the upper House.

I am happy to confirm that we intend to set up registers of information, which again meets the point made in new clause 22. We have considered the proposal made in Standing Committee that provision should be made for the Secretary of State to send a copy of GMO consents, as appropriate, to local authorities and the National Rivers Authority. We believe that it is not necessary to make this a statutory requirement because we already do exactly that.

The hon. Member for Glanford and Scunthorpe touched on a number of amendments. Amendment No. 101 seems unnecessary because the Bill provides in clause 93, for example, for obtaining further information such as data from risk assessments carried out abroad and because we will not ask for unnecessary repetition of risk assessment work done overseas. Amendments Nos. 131 and 134 would make all GMO releases subject to consent, but it surely cannot be right not to allow the flexibility of having risk assessment notification or consent, depending on circumstances. Given that part VI will cover all releases of GMOs—even innocuous GMOs—in waste from contained industrial operations, and given that we are seeking in part VI to develop an anticipatory approach that would allow us to exempt organisms which, over time, came to be seen not to threaten the environment, amendment No. 308 is unnecessary. As I said, we shall pass consent information to local authorities and the National Rivers Authority.

Article 19 of the directive that I have already mentioned on the contained use of GMOs imposes requirements on the competent authority concerning the disclosure of information. The Secretary of State is the competent authority and he will, of course, comply with those requirements. No additional powers are required in the Bill to allow him to do that. That is in contrast with other parts of the Bill, in which the competent authority is the chief inspector. Chief inspectors' powers need to be set out in statute; those of the Secretary of State do not.

It is left to the discretion of each member state to decide what arrangements will be made as regards insurance and liability. I do not think that West Germany should serve as a precedent. We consider that new clauses 38 and 39 adequately address the position and bring it into line with part I of the Bill.

The hon. Member for Carmarthen asked about the decisions that will be made by the committee under Professor Beringer. He and I have both welcomed the fact that the committee is at least broadly based. The committee's decisions do not need to be unanimous, but I hope that the committee will proceed on the basis of consensus. Ultimately, its role will be to give advice to the Secretary of State and that it will do. There is no escape from making that final decision and, as I have explained several times, the Secretary of State is answerable to this House.

I think that I have dealt with the principal points. I was interested in some of the technical points raised by the hon. Member for Glanford and Scunthorpe. I should like time to consider them seriously as I hope the hon. Gentleman will acknowledge I have done in respect of arguments that the Opposition advanced in Committee. If I think that it is necessary, we shall of course return to them in the other place.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 36

General duties relating to importation, acquisition, keeping, release or marketing of organisms

'.—(1) A person who—

(a) is proposing to import or acquire any genetically modified organisms, or

(b) is keeping any such organisms, or

(c) is proposing to release or market any such organisms,

shall, subject to subsection (5) below, be subject to the duties specified in subsection (2), (3) or (4) below, as the case may be.

(2) A person who proposes to import or acquire genetically modified organisms—

(a) shall take all reasonable steps to identify, by reference to the nature of the organisms and the manner in which he intends to keep them (including any precautions to be taken against their escaping or causing damage to the environment), what risks there are of damage to the environment being caused as a result of their importation or acquisition; and

(b) shall not import or acquire the organisms if it appears that, despite any precautions which can be taken, there is a risk of damage to the environment being caused as a result of their importation or acquisition.

(3) A person who is keeping genetically modified organisms—

(a) shall take all reasonable steps to keep himself informed of any damage to the environment which may have been caused as a result of his keeping the organisms and to identify what risks there are of damage to the enviroment being caused as a result of his continuing to keep them;

(b) shall cease keeping the organisms if, despite any additional precautions which can be taken, it appears, at any time, that there is a risk of damage to the environment being caused as a result of his continuing to keep them; and

(c) shall use the best available techniques not entailing excessive cost for keeping the organisms under his control and for preventing any damage to the environment being caused as a result of his continuing to keep the organisms;

and where a person is required by paragraph (b) above to cease keeping the organisms he shall dispose of them as safely and as quickly as practicable and paragraph (c) above shall continue to apply until he has done so.

(4) A person who proposes to release genetically modified organisms—

(a) shall take all reasonable steps to keep himself informed, by reference to the nature of the organisms and the extent and manner of the release (including any precautions to be taken against their

causing damage to the environment), what risks there are of damage to the environment being caused as a result of their being released;

(b) shall not release the organisms if it appears that, despite the precautions which can be taken, there is a risk of damage to the environment being caused as a result of their being released; and

(c) subject to paragraph (b) above, shall use the best available techniques not entailing excessive cost for preventing any damage to the environment being caused as a result of their being released;

and this subsection applies, with the necessary modifications, to a person proposing to market organisms as it applies to a person proposing to release organisms.

(5) This section does not apply—

(a) to persons proposing to import or acquire, or to release, any genetically modified organisms, in cases or circumstances where, under section (*risk assessment and notification requirements*) above, they are not required to carry out a risk assessment before doing that act;

(b) to persons who are keeping any genetically modified organisms and who—

(i) were not required under section (*risk assessment and notification requirements*) above to carry out a risk assessment before importing or acquiring them;

(ii) have not been required under that section to carry out a risk assessment in respect of the keeping of those organisms since importing or acquiring them; or

(c) to holders of consents, in the case of acts authorised by those consents.'—*[Mr. Trippier.]*

Brought up, read the First and Second time, and added to the Bill.

New Clause 37

PROHIBITION NOTICES

'(1) The Secretary of State may serve a notice under this section (a "prohibition notice") on any person he has reason to believe—

(a) is proposing to import or acquire, release or market any genetically modified organisms; or

(b) is keeping any such organisms;

if he is of the opinion that doing any such act in relation to those organisms or continuing to keep them, as the case may be, would involve a risk of causing damage to the environment.

(2) A prohibition notice may prohibit a person from doing an act mentioned in subsection (1)(a) above in relation to any genetically modified organisms or from continuing to keep them; and the prohibition may apply in all cases or circumstances or in such cases or circumstances as may be specified in the notice.

(3) A prohibition notice shall—

(a) state that the Secretary of State is, in relation to the person on whom it is served, of the opinion mentioned in subsection (1) above;

(b) specify what is, or is to be, prohibited by the notice; and

(c) if the prohibition is not to be effective on being served, specify the date on whch the prohibition is to take effect;

and a notice may be served on a person notwithstanding that he may have a consent authorising any act which is, or is to be, prohibited by the notice;

(4) Where a person is prohibited by a prohibition notice from continuing to keep any genetically modified organisms, he shall dispose of them as quickly and safely as practicable or, if the notice so provides, as may be specified in the notice.

(5) The Secretary of State may at any time withdraw a prohibition notice served on any person by notice given to that person.'.—*[Mr. Trippier.]*

Brought up, read the First and Second time, and added to the Bill.

New Clause 40

CONSENTS: LIMITATIONS AND CONDITIONS

'(1) The Secretary of State may include in a consent such limitations and conditions as he may think fit.

(2) Without prejudice to the generality of subsection (1) above, the conditions included in a consent may—

(a) require the giving of notice of any fact to the Secretary of State; or

(b) prohibit or restrict the keeping, releasing or marketing of genetically modified organisms under the consent in specified cases or circumstances;

and where, under any condition, the holder of a consent is required to cease keeping any genetically modified organisms, he shall dispose of them, if no manner is specified in the conditions, as quickly and safely as practicable.

(3) Subject to subsection (6) below, there is implied in every consent for the importation or acquisition of genetically modified organisms a general condition that the holder of the consent shall—

(a) take all reasonable steps to keep himself informed of any risks there may be of damage to the environment being caused as a result of their importation or acquisition; and

(b) if at any time it appears that any such risks are more serious than were apparent when the consent was granted, notify the Secretary of State forthwith.

(4) Subject to subsection (6) below, there is implied in every consent for keeping genetically modified organisms a general condition that the holder of the consent shall—

(a) take all reasonable steps to keep himself informed of any damage to the environment which may have been caused as a result of his keeping the organisms and of any risks there may be of such damage being caused as a result of his continuing to keep them;

(b) if at any time it appears that any such risks are more serious than were apparent when the consent was granted, notify the Secretary of State forthwith; and

(c) use the best available techniques not entailing excessive cost for keeping the organisms under his control and for preventing any damage to the environment being caused as a result of his continuing to keep them.

(5) Subject to subsection (6) below, there is implied in every consent for releasing or marketing genetically modified organisms a general condition that the holder of the consent shall—

(a) take all reasonable steps to keep himself informed of any risks there may be of damage to the environment being caused as a result of their being released or, as the case may be, marketed;

(b) if any time it appears that any such risks are more serious than were apparent when the consent was granted, notify the Secretary of State forthwith; and

(c) use the best available techniques not entailing excessive cost for preventing any damage to the environment being caused as a result of their being released or, as the case may be, marketed.

(6) The general condition implied into a consent under subsection (3), (4) or (5) above has effect subject to any conditions imposed under subsection (1) above; and the obligations imposed by virtue of subsection (4)(c) or (5)(c) above shall not apply to any aspect of an act authorised by a consent which is regulated by such a condition.

(7) There shall be implied in every consent for keeping, releasing or marketing genetically modified organisms of any description a general condition that the holder of the consent—

(a) shall take all reasonable steps to keep himself informed of developments in the techniques which may be available in his case for preventing damage

to the environment being caused as a result of the doing of the act authorised by the consent in relation to organisms of that description; and

(b) if it appears at any time that any better techniques are available to him than is required by any condition included in the consent under subsection (1) above,shall notify the Secretary of State of that fact forthwith.

But this general condition shall have effect subject to any conditions imposed under subsection (1) above.'.—*[Mr. Trippier.]*

Brought up, read the First and Second time, and added to the Bill.

New Clause 41

ONUS OF PROOF AS REGARDS TECHNIQUES AND EVIDENCE

' .—(1) In any proceedings for either of the following offences, that is to say—

(a) an offence under section 101(1)(d) above consisting in a failure to comply with the general condition implied by section (*Consents: limitations and conditions*) (4)(c) or (5)(c) above; or

(b) an offence under section 101(1)(e) above consisting in a failure to comply with section (*General duties relating to importation, acquisition, keeping, release or marketing of organisms*) (3)(c) or (4)(c) above;

it shall be for the accused to prove that there was no better available technique not entailing excessive cost than was in fact used to satisfy the condition or to comply with that section.

(2) Where an entry is required by a condition in a consent to be made in any record as to the observance of any other condition and the entry has not been made, that fact shall be admissible as evidence that that other condition has not been observed.'.—*[Mr. Trippier.]*

Brought up, read the First and Second time, and added to the Bill.

New Clause 38

POWER OF COURT TO ORDER CAUSE OF OFFENCE TO BE REMEDIED

'(1) Where a person is convicted of an offence under section 101(1)(a),(aa),(d),(e),(ee) or (f) above in respect of any matters which appear to the court to be matters which it is in his power to remedy, the court may, in addition to or instead of imposing any punishment, order him, within such time as may be fixed by the order, to take such steps as may be specified in the order for remedying those matters.

(2) The time fixed by an order under subsection (1) above may be extended or further extended by order of the court on an application made before the end of the time as originally fixed or as extended under this subsection, as the case may be.

(3) Where a person is ordered under subsection (1) above to remedy any matters, that person shall not be liable under section 101 above in respect of those matters, in so far as they continue during the time fixed by the order or any futher time allowed under subsection (2) above.'.—*[Mr. Trippier.]*

Brought up, read the First and Second time, and added to the Bill.

New Clause 39

POWER OF SECRETARY OF STATE TO REMEDY HARM

'(1) Where the commission of an offence under section 101(1)(a),(aa),(d),(e),(ee) or (f) above causes any harm which it is possible to remedy, the Secretary of State may, subject to subsection (2) below—

(a) arrange for any reasonable steps to be taken towards remedying the harm; and

(b) recover the cost of taking those steps from any person convicted of that offence.

(2) The Secretary of State shall not exercise his powers under this section, where any of the steps are to be taken on or will affect land in the occupation of any person other than a person convicted of the offence in question, except with the permission of that person.'.—*[Mr. Trippier.]*

Brought up, read the First and Second time, and added to the Bill.

New Clause 1

PRODUCT AUDIT AGENCY

'(1) The Secretary of State shall establish, within 12 months of the coming into operation of this Act, a Product Audit Agency.

(2) The Agency's duty will be to review any product referred to it to see if the product is produced in the most environmentally friendly way, whether alternative products could be substituted which are more environmentally friendly and to publish reports on such reviews.

(3) Any government Minister or local authority may refer products to the agency.'.—*[Mr. Andrew F. Bennett.]*

Brought up, and read the First time.

Mr. Andrew F. Bennett: I beg to move, That the clause be read a Second time.

Madam Deputy Speaker: With this we may take new clause 2—*Import Controls*—

'It shall be an offence to import into the United Kingdom any product produced anywhere else in the world, if that product is produced in conditions which would be in contradiction of any provision of this Act were that production to have taken place in the United Kingdom.'.

Mr. Bennett: I shall not detain the House for long, but we need to get some information from the Government on the progress that they are making in relation to one or two subjects that came up in Committee. Tabling the idea of a product audit agency gives us the opportunity to probe the Government on what point they have reached on green labelling, whereas new clause 2, dealing with import controls, was tabled to enable us to ascertain whether the Government propose to consider skeleton labels to warn people. We should then have labels to tell people that a product was genuinely environmentally friendly and a system to protect people from certain products or warn them that they are produced in other countries by methods that would not be allowed in Britain because of the dangers that they would cause.

Mr. Pike: Is my hon. Friend aware that last Thursday the Chairman of the Select Committee on the Environment drew attention to a propellant whose label indicated that the container was environmentally friendly but failed to mention the fact that the substance that it was designed to propel was not environmentally friendly? Such cases must be a matter of concern.

Mr. Bennett: I accept that point. It is worrying that people are making claims that products containing CFCs or alternatives to them are environmentally friendly when they are not. If consumers have a choice of product, they are often willing to choose one that is environmentally friendly. Clearly there is a great deal of misleading information.

In Committee the Minister said that the Government were seriously considering green labels to make it clear which product is environmentally friendly and which is not. I hope that the Government can tell us today how far they have progressed with green labelling and will not tell us again that we must await for the Tory party conference and the White Paper, which looks increasingly more like the Tory party manifesto than something important for the country that is to be unveiled.

To give some illustrations of the problems that people face, if one goes to the supermarket looking for detergents or soap powders one finds a whole range that claim to be environmentally friendly and have "green" somewhere in their packaging and often in their title. However, as far as I can make out, it is necessary to look carefully at each one, what they claim to do and what is in them. One has to make a sophisticated judgment about which is environmentally friendly and which is not.

From the amount of space that toilet rolls made from recycled paper take up on supermarket shelves, it seems that companies manufacturing them have had considerable success in taking part of the market share. However, I understand that most toilet rolls made from recycled paper are made from high grade recycled paper. That is not particularly useful to the environment. It would have a much better environmental impact if they were made from the poorest grade of recycled paper.

I am curious about another point to which no one will give me an answer. Many people who sell kitchen furniture push the advantages of having a pulveriser in the kitchen sink. I can see the attraction of getting rid of some of the kitchen waste down the sink rather than via the dustbin. However, I am not sure whether that is environmentally friendly or not. It might simply increase the problems of the sewage authorities and reduce those of waste disposal authorities.

There are many other problems. In Committee we made great play of the problem of plastic sacks which increasingly litter the countryside. I hope that the Government will soon suggest ways in which we can eradicate the problem, perhaps by making plastic sacks returnable. Certainly we should look for an environmentally friendly solution.

The last point that I wish to raise is that of bottled water. Ten years ago one had a choice of tap water or perhaps soda water on the bar. It is amazing how the amount of bottled water sold over the past 10 years has increased. Clearly people have their own view about taste, but I should have thought that the Government could provide guidance about which bottles were environmentally friendly. Is it glass bottles, plastic bottles or plastic ones with metal tops? It is disturbing to see bottles bobbing about on beaches and on river banks.

It is time that we began to check out the environmental claims made for all sorts of products. If the Government intend to introduce green labels on products, they should tell us how soon and how they will organise it.

As the Bill sets out, it is important that we should protect the environment of people in this country and protect the health of workers in factories. However, it is not satisfactory simply to drive an industry out of this country to some Third world country or other part of the world. The product could simply be made there and reimported here. That would be completely unsatisfactory. If, rightly, we have strict regulations on products made in this country, we should also insist that products from abroad conform to those same high standards. It would be wrong if my constituents were protected from pollution only to find that the product was made to the detriment of people in the Philippines or Nigeria.

I hope that the Government will tell us their thinking on the two issues that I have raised in this brief debate.

Mr. Adley: The hon. Member for Denton and Reddish (Mr. Bennett) and I shared a number of debates in Committee. He referred a moment ago to supermarkets' trading methods in green products. As I was unable to catch your eye, Madam Deputy Speaker, a few moments ago, may I in passing give a strong welcome to Government amendment No. 314, and to the introduction of penalties for errant supermarket trolleys that disappear to railway stations? That is an example of the changes that have crept up on society without anyone being consulted. Huge supermarket lorries appearing in small towns and the increase in shoplifting—it would be out of order to discuss that now—are similar changes.

9.30 pm

The Government are to be congratulated on amendment No. 314, which grasps an important nettle and establishes a welcome principle to try to control some of the giants who so reorganise our lives.

The new clause moved by the hon. Member for Denton and Reddish is an attempt to establish on the statute book a body to enable us to keep up with changes to contemporary life. The hon. Gentleman mentioned plastic sacks; he will recall that, even before he tabled an amendment in Committee about those huge plastic fertiliser sacks that have appeared in the countryside, I had done so. I should not be able to look my wife in the eye when I go home tonight if I had not at least made the point, in agreement with the hon. Gentleman, that those sacks are environmentally unacceptable. They are a classic example of how an industry—the jute industry in Dundee in this case—can be decimated purely at the behest of the plastics industry. Even if my hon. Friend the Minister cannot accept the new clause, he should recognise that the House, on behalf of the people, expects to be able to keep up with changes taking place before our very eyes. I hope that he will be able to say something about the Government's thinking on those evolutionary changes.

Mr. Heathcoat-Amory: New clause 1 would create a new public agency whose job would be to assess a wide variety of products and to try to grade them according to their environmental friendliness. I ask the House to reject the measure, not because I disagree with the need to encourage environmentally cleaner products but because we are taking this forward by other means.

The hon. Member for Denton and Reddish (Mr. Bennett) mentioned our environmental or eco-labelling scheme. On 9 January we announced proposals for developing a scheme of positive labelling which, when it is up and running, will provide reliable information to consumers and encourage environmentally cleaner products. It will also assist trade, because we hope that the environmental labels will be recognised and accepted throughout the European Community.

We want the scheme to be as voluntary and flexible as possible and we want it to work with the grain of market forces whenever possible. We also want it to assess products from cradle to grave, which means that it will take account of their environmental impact right through

[Mr. Heathcoat-Amory]

from raw material state, to manufacturing, through distribution and use and right up to disposal. The scheme will also cover a wide variety of products, including, I hope, packaging; perhaps there should not be separate environmental labels for packaging, but I hope that in assessing the environmental friendliness of a product the committee administering the scheme will take into account the quantity and type of packaging.

My hon. Friend the Member for Christchurch (Mr. Adley) introduced the very different issue of what to do with plastic sacks, especially those in use on farms. He will know from the debates that we had in Committee that the plastics recycling industry is very much in its infancy, but we are doing what we can to increase the low percentage of plastic that is recovered and recycled. We are always looking for a cycle or loop. It exists in glass, in the normal doorstep delivery of milk: the same person who delivers the milk takes away the empties. That practice could be followed with plastic sacks, and the delivery of bags full of fertiliser could be extended to encompass the removal and reuse of empty sacks. I certainly undertake to consider further my hon. Friend's suggestions.

The hon. Member for Denton and Reddish mentioned bottled water.

Mr. Devlin: My hon. Friend spoke about plastic sacks. He may not be aware that I have introduced a Bill for the recycling of plastics at the behest of the plastics industry, which is substantially based in my constituency. The industry wants to encourage the recycling of plastics throughout Britain and would look favourably on a deposit or collection scheme, especially for agricultural plastics and plastics used in the packaging industry. There are only five main types of polymer, all of which can be reused time and again. It is important for the industry and for the public to recycle as much of that plastic as possible.

Mr. Heathcoat-Amory: I congratulate my hon. Friend. No doubt where his constituency proceeds the rest of us will follow. Certainly we want to make a concerted effort to increase the percentage of plastic that is recovered for recycling.

I was speaking about bottled water. The campaign organised last year against water in our taps was perhaps aimed at sabotaging water privatisation. It was unsuccessful in that, but it has a most unfortunate environmental side effect in that it drove some people to drinking a great deal more bottled water. It is by no means clear that the consumption of bottled water is more environmentally benign. The water has to be collected at source, bottled and transported. It then has to be sold and drunk and somebody has to take the bottles away. There is also the danger of some bottled waters containing small quantities of benzene. As some of the bottled waters are more expensive than petrol, there may be some irony there. The hon. Member for Denton and Reddish makes the serious point that judgments on those matters are difficult to make. I hope that when we have the eco-labelling scheme in place, it will assist consumers to make the right choice.

Mr. Andrew F. Bennett: When will the first of the labels be in place?

Mr. Heathcoat-Amory: We hope that the first labels will be awarded by the end of next year. Unfortunately, we can go only at the same pace as the European Commission, which is working out its own proposals on the matter. However, my right hon. Friend the Secretary of State for the Environment has made it clear that if the Commission is too dilatory, we shall implement our own environmental labelling scheme anyway.

New clause 2 was also spoken to by the hon. Member for Denton and Reddish. It is a reminder that the battle to protect the environment is international and that international action and co-operation is essential. Other countries, especially developing ones, have great difficulty in coming up to the environmental standards that increasingly we insist upon for Britain. The difficulties faced by those countries are often a direct consequence of poverty and lack of technical expertise. I hope that the hon. Gentleman will recognise that by effectively banning certain imports from those countries, his clause would make the problem of poverty much worse.

In effect, the hon. Gentleman is advocating a fairly spectacular system of import controls. Quite apart from anything else, I am sure that they would be in contravention of GATT. It would be a nightmare to run such a system because it is difficult enough to assess environmentally benign or harmful products in this country. To try to extend that and make the same judgments about every country would be impossible and it would be wrong even to try.

Although I sympathise with many of the sentiments behind the hon. Gentleman's two new clauses, I invite the House to reject them.

Mr. Andrew F. Bennett: In view of the Minister's reply and the need to get a move on, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New Clause 4

FLUE GAS DESULPHURISATION

'( )—(1) This section shall have effect for the purpose of reducing pollution from electricity generating stations.

(2) The Secretary of State shall, in making any regulations establishing standards, objectives or requirements in relation to prescribed processes or harmful substances under section 3(1) below lay before parliament on behalf of Her Majesty's Government a programme for the introduction of flue gas desulphurisation in electricity generating stations.'.—*[Mrs. Ann Taylor.]*

Brought up, and read the First time.

Motion made, and Question proposed, That the clause be read a Second time.—*[Mrs. Ann Taylor.]*

Madam Deputy Speaker: With this it will be convenient to take new clause 7—*Plan to reduce carbon dioxide emissions*—

'(1) The Secretary of State shall draw up a plan to achieve a reduction of total annual emissions of carbon dioxide, based on measurements of such emissions made in 1980 in the United Kingdom, of:

(a) 20% by 31st December 1999;
(b) 25% by 31st December 2004;
(c) 35% by 31st December 2010;
(d) 50% by 31st December 2020;

(2) The plan established in subsection (1) above may include—

(a) measures for the promotion of combined heat and power schemes;
(b) measures to promote the use of passive solar heating;
(c) provisions for progressive improvement in the design of new or improved building or heat generating products for energy efficiency;
(d) a programme to improve energy efficiency in the public sector;
(e) the introduction of least-cost planning in the electricity industry;
(f) a comprehensive programme of other energy efficiency measures, including a campaign to increase energy saving and the provision of grants to householders and others for specified energy saving measures;
(g) a programme of research and development into techniques for removing carbon dioxide from motor vehicle exhaust gases;
(h) increased provision for energy generation by sources that do not emit carbon dioxide or produce radioactive wastes.

(3) The plan established under subsection (1) above may include measures that achieve a proven increase in the absorption of carbon dioxide by natural means.

(4) The Secretary of State shall before establishing the plan under this clause consult with such persons and organisations as he deems appropriate.'

Mr. Kevin Barron (Rother Valley): The new clause is a test of the Government's commitment to the environment. The fitting of flue gas desulphurisation has had a chequered passage in the past 12 months. Three months ago, the Secretary of State for Energy admitted that the Government have backed down on their previous commitment to reduce the emissions from power stations of gases that cause acid rain. On 4 April, he gleefully announced that an 8 GW flue gas desulphurisation capacity is likely to be fitted by National Power and PowerGen, as if it were an achievement of which he could be proud. Since June 1989, the Government have been committed to a 12 GW programme. The then Secretary of State announced:

"I am able to confirm today that we have asked the privatised generators to continue to plan on the basis of installing 12,000 MW of FGD capacity during the 1990s." —[*Official Report*, 26 June 1989; Vol. 155, c. 764.]

In August 1989, the consultation paper from the Department of the Environment said:

"In order to achieve the necessary reduction in its SO_2 emissions, the electricity supply industry plans to retrofit 12,000 MW of generating capacity with FGD equipment. It estimates that this will cost £1·9 billion."

Events moved on. In November 1989, the Prime Minister joined in. She told a United Nations conference on the global environment:

"We already have a £2 billion programme of improvement to reduce acid rain emissions from our power stations."

In December, the Minister restated the Government's promise that the electricity industry would be retrofitting at least 12,000 MW of electricity generating capacity with flue gas desulphurisation equipment.

Something happened between December last year and now. In the new year, Energy Ministers told us that, while they were committed to meeting European targets for the reduction of sulphur emissions, it was up to the industry to decide how that would be done. Yet again, they are rolling over to fall in with the demands of the City and the two generating companies to secure the sale of the electricity industry.

The £2 billion programme about which the Prime Minister boasted to the rest of the world is to be slashed in the interests of privatisation. Cleaning our electricity industry is too big a liability for the City to take on. Despite their claims, the Government are unlikely to meet even the low targets set by the large combustion plant directive. After consistent protestations by the Government that lower targets are needed in the United Kingdom because of the need to install FGD equipment, the European Commission allowed us to set relatively low targets for the reduction of sulphur dioxide emissions, at 20 per cent. by 1993, 40 per cent. by 1998 and 60 per cent. by 2003.

Our targets are far lower than those set for West Germany, the other major European coal producer. It has targets of 40, 60 and 70 per cent. over the same period. It has had a retrofitting programme for over a decade. It has worked internationally in co-operation with the Electric Power Development Company of Japan, which has been setting standards in power generation using advanced technology on pollution controls for over a decade. That is why, by 1993, sulphur emissions from West German power stations will have been cut by over 80 per cent., through the fitting of over 40,000 MW of plant with 116 desulphurisation units.

In comparison, Britain has a pathetic record. It has delayed the start of retrofitting Drax B since October 1987, which was part of the game of poker played between the Government and the Central Electricity Generating Board, which knew that it was to be privatised. Despite the announcement that it would be retrofitted, the project to deal with Fiddler's Ferry, a large coal-fired power station, has been cancelled. It is no wonder that we now expect a European Community inquiry into the latest Government U-turn from an agreement. After all, our European partners might justifiably argue that if FGD is not to be fitted, the reason for the lenient targets agreed for Britain has disappeared and that those targets should be tightened. The Government want to move on to a privatised Employment Services Agency, lower targets and no commitment to a full FGD programme. They claim that the European targets can be met either by importing low-sulphur coal—British pits that were producing that sort of coal have been closed over the past five years—or by burning gas. These so-called solutions are not options to retrofitting FGD.

9.45 pm

Mr. Ian Bruce (Dorset, South): Would the proposals that the Opposition would like to see implemented increase the cost of electricity or would they, if they were in government, subsidise the extra costs by the use of central Government funds? How large would the extra bill be? I refer especially to the percentage rise in electricity prices and-or the subsidy from the taxpayer.

Mr. Barron: There would not have to be any extra cost. Over the past three years, electricity prices have been increased because of the privatisation of the industry. In 1987-88, the trading profit of the Central Electricity Generating Board was £579 million. In 1988-89, it was £864 million. In 1989-90, the third successive year in which electricity prices increased as a result of a Government directive, the Central Electricity Generating Board's trading profit was £1·1 billion. That sum would be enough to complete half of the programme of retrofitting FGD.

The importing of low-sulphur coal is not an alternative to the retrofitting of FGD. If that coal is used in all

[Mr. Barron]

coal-burning power stations, emissions will be cut by only 50 per cent., but the retrofitting of FGD could slash emissions by 90 per cent. The use of low-sulphur coal would not eliminate the need for FGD, and we should not let this Government or any other Administration tell us that it would.

Last year, I visited some power stations in Japan. One of the stations burnt coal with a relatively low sulphur content of about 4·46 per cent. It also had desulphurisation equipment, which had been fitted in 1976. The original technology was designed in Britain but was not used, as it should have been. Without FGD, low-sulphur coal imports could increase to 40 million tonnes early in the next century. That would worsen our balance of payments and expose the electricity industry to grave risks in terms of security of supply and of prices.

Gas burn to generate electricity is accepted to be a waste of a premium resource. To burn gas to any great extent would hasten the day when we would become a net importer of gas. It would pose a threat to prices, to security of supply and to our balance of payments. There are no easy options for the Government.

Mr. Hardy: Will my hon. Friend confirm that, with the balance of payments deficit as horrifying as it is, it would be a lunatic course for Britain to develop a dependence on ever-increasing supplies of low-sulphur coal at an ever-increasing price, and that to place additional reliance on imported gas at an ever-increasing price would be equally unwise?

Mr. Barron: I confirm what my hon. Friend has said.

In the past six months we have moved into a deficit in the energy sector of the balance of payments. That is ridiculous when the United Kingdom is so rich in fossil fuel resources. The rest of the world must be laughing at us.

There are some people at the Department of the Environment who agree with our analysis of gas burn. In a written answer on 1 March, the Minister for the Environment and Countryside stated:

> "Her Majesty's inspectorate of pollution regard the fitting of flue gas desulphurisation equipment as the best practicable means for limiting emissions of sulphur dioxide from coal or oil fired power stations."—[*Official Report*, 1 March 1990; Vol. 168, c. *291*.]

In the "Digest of Environmental Protection and Water Statistics", the Department maintains that

> "to achieve the Directive targets, 12 billion watts of generating capacity (the equivalent of six large coal-fired powers stations, over 38 per cent. of coal-fired capacity) will need to be retrofitted with flue gas desulphurisation equipment."

I wonder whether anyone told the Department of Energy about the views of the Department of the Environment, or whether the Department of Energy understands the commitment to implement the large combustion plant directive to which this country is a signatory. While Energy Ministers say that the targets achieved are a matter for the electricity generators, Environment Ministers say that the pollution inspectorate, on behalf of the Government,

> "is preparing detailed notes on the operation of large combustion plants which will specify the SO_2 emission standards to be achieved in plants of different sizes."—[*Official Report*, 15 February 1990; Vol. 167, c. *411*.]

While Energy Ministers say that a greater use of natural gas will have a role, Environment Ministers say that it will cost more than twice as much as FGD per tonne of SO_2 abated. Even civil servants cannot defend the Government's change of heart, or so it would appear from the performance of the Under-Secretary in the electricity division of the Department of Energy at a meeting of the Select Committee last week. Mr. Wilcock apparently could tell the Committee only that it was for the generating companies to decide what would be retrofitted.

Mr. Geoffrey Lofthouse (Pontefract and Castleford): During the many years that I have served on the Select Committee, I have never known a witness to treat it with more contempt than was shown by Mr. Wilcock. However, I have some sympathy with him. The Prime Minister's speech, to which my hon. Friend referred, said that there would be a £2 billion programme. Mr. Wilcock had to come to the Select Committee and defend a 40 per cent. cut in that programme. Had he been at liberty to do so, he could have said that the 40 per cent. cut would mean a further rapid rundown of the mining industry and that the chief executives of both National Power and PowerGen had admitted that there would be further imports of 25 million tonnes of low-sulphur coal. If that is true, during the next decade the mining industry will be down to between 5,000 and 10,000 men, having had a 170,000 work force in 1984. Is not it lunacy to run down an industry providing a national source of energy and depend instead on foreign competition?

Mr. Barron: I can only agree with my hon. Friend. Of course, 10 or 15 years ago no one would have thought that Britain could sustain a £20 billion trade deficit, yet that fact is hardly even referred to by the Government.

It is for the Government to make decisions, as they will have to in the summer on the question of the inspectorate of pollution. It is no wonder that the European Commission is confused about the Government's policies. Ministers appear to be equally confused. Should their priority be the sale of the electricity industry on terms acceptable to the City or should it be the achievement of an effective and lasting cleaner environment?

The new clause was tabled to try to get answers from the Government. We want to know whether the Bill will prove to our European partners that the Government are serious about the EEC directive to which this country is now a signatory, and prove to the people of Britain that they are committed to the environment and not to the whims of the City by privatising industries such as electricity generation.

Mr. Simon Hughes: I wish to speak to new clause 7. Like the hon. Member for Rother Valley (Mr. Barron), who asked the Minister to explain the Government's view on desulphurisation, I want the Minister to explain the Government's policy on the reduction of carbon dioxide. New clause 7 makes clear the view held by many environmentalists that the Government need to be far more committed to the reduction of carbon dioxide through a phased but urgent programme, as set out in the new clause. In recent years the Government's energy policy has been a reluctant statement on desulphurisation and on carbon dioxide emissions, from which the Government then resiled. That is sad.

If the Government want to be seen as entering the 1990s and the next century as committed environmentalists, they

have an opportunity to do so through energy policy. The Government's response to new clauses 4 and 7 is the most crucial test of their sense of urgency—which will be revealed for all to see, or otherwise. I hope that the Minister has persuaded his colleagues to be far more enthusiastic than they have been in the past.

Mr. Trippier: There can be no doubt of our commitment to reducing gas emissions from power stations and other sources. Right hon. and hon. Members in all parts of the House are aware that we shall cut emissions of both SO_2 and NOx by implementing the EC's combustion plants directive, which requires staged reductions in both gases in existing plants. Clause 3(5) gives my right hon. Friend the Secretary of State the power to issue a national plan to reduce emissions from each industrial centre sector covered by the directive. That plan will provide the framework for Her Majesty's inspectorate of pollution in dealing with emission limit authorisations on a plant-by-plant basis to ensure that the planned reductions are achieved.

So far as those reductions are to be met by means of flue gas desulphurisation, that will be reflected in the conditions on the plant authorisation. But we have no intention of dictating to the oil refiners or to manufacturing industry how they are to achieve their share of the cuts in emissions the United Kingdom will make. Nor shall we do so, as the electricity generators amendment would seem to require. One of the aims of privatising the supply industry is precisely to get away from that kind of state planning.

For the medium term, FGD will play an important role in reducing SO_2 emissions from existing power plants. The 4,000 MW retrofit at Drax is already under way, and applications for a further 4,000 MW of FGD are expected from PowerGen. But the generating market has changed markedly even since the directive was agreed in 1988, and in the longer term it would be absurd not to capitalise on the environmental and commercial advantages of alternative means of generation.

For example, power generation by combined cycle gas turbines has advantages of efficiency and reduced carbon dioxide emissions as well as a considerable potential for sulphur abatement. A clause in effect requiring the Government to compel the electricity industry to invest in FGD retrofits when environmentally better means of reducing sulphur dioxide emissions are available would serve no useful purpose, and it would cut across the freedom to decide how to implement the directive that we consistently said operators would have.

Turning to new clause 7, the Government have made it clear on many occasions that they share the hon. Member's concern about climate change, but we have also stressed the need for an effective response to have two essential elements. First, it should have a sound scientific basis, and our understanding of climate change will be significantly improved by the report of the inter-governmental panel on climate change in August. Right hon. and hon. Members may know that we are playing a more active and constructive part in the work of the IPCC leading up to that report. Secondly, our response must be through concerted international action. That is why we have urged that preparations begin for negotiating an international convention on climate change. Of course we are already taking many steps to help reduce our emissions of CO_2 through actions that are justified in their own right. We support the promotion of energy efficiency, fund research and development into renewable energy sources, launched a drive to improve energy efficiency in Government, and are pressing the EC to bring forward proposals to control CO_2 emissions from cars. The full range of steps described in clause 7(2) are already in hand.

The amendment lacks a credible scientific basis. What reduction in atmospheric concentrations of greenhouse gases will these reductions achieve? What will be the effect on temperature rises? How will we avoid simply exporting these emissions elsewhere? It is an extremely complex area.

I am delighted that the chairman of working group 1 within the IPCC, Dr. John Houghton, who heads the Meteorological Office, has produced a report making it clear that there is a degree of global warming, that none of us can be complacent, and that we cannot carry on business as usual. I had the privilege of leading British delegations, in particular to the conference at Noordwijk where we were party to that declaration. We shall stand by it. How we deliver the reductions or achieve stabilisation will have to be outlined in the forthcoming White Paper.

The most important international conference to take place this year will be the world climate change conference in Geneva in November in which we hope to play a significant part. We hope that internationally we can move forward on that front.

It being Ten o'clock, the debate stood adjourned.

Ordered,

That, at this day's sitting, the Environmental Protection Bill may be proceeded with, though opposed, until any hour.—*[Mr. Dorrell.]*

As amended, again considered.

Question again proposed, That the clause be read a Second time.

Mr. Barron: I am dissatisfied with what the Minister has said. Three years ago a commitment was made about this issue. The Government have ratted on that commitment, not just to the industry but to the environment. We shall therefore divide the House on the new clause.

Question put, That the clause be read a Second time:—

The House divided: Ayes 210, Noes 325.

Division No. 186] **[10 pm**

AYES

Abbott, Ms Diane	Buchan, Norman
Adams, Allen *(Paisley N)*	Buckley, George J.
Allen, Graham	Caborn, Richard
Alton, David	Callaghan, Jim
Anderson, Donald	Campbell, Menzies *(Fife NE)*
Archer, Rt Hon Peter	Campbell, Ron *(Blyth Valley)*
Armstrong, Hilary	Campbell-Savours, D. N.
Ashdown, Rt Hon Paddy	Canavan, Dennis
Ashley, Rt Hon Jack	Carlile, Alex *(Mont'g)*
Ashton, Joe	Cartwright, John
Barnes, Harry *(Derbyshire NE)*	Clark, Dr David *(S Shields)*
Barnes, Mrs Rosie *(Greenwich)*	Clay, Bob
Barron, Kevin	Clelland, David
Battle, John	Clwyd, Mrs Ann
Beckett, Margaret	Cohen, Harry
Beith, A. J.	Coleman, Donald
Benn, Rt Hon Tony	Cook, Frank *(Stockton N)*
Bennett, A. F. *(D'nt'n & R'dish)*	Cook, Robin *(Livingston)*
Bermingham, Gerald	Corbett, Robin
Bidwell, Sydney	Cousins, Jim
Blunkett, David	Cox, Tom
Boateng, Paul	Crowther, Stan
Boyes, Roland	Cryer, Bob
Bradley, Keith	Cummings, John
Brown, Nicholas *(Newcastle E)*	Cunningham, Dr John

Dalyell, Tam
Darling, Alistair
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H'l)*
Dixon, Don
Dobson, Frank
Doran, Frank
Duffy, A. E. P.
Dunnachie, Jimmy
Dunwoody, Hon Mrs Gwyneth
Eadie, Alexander
Evans, John *(St Helens N)*
Ewing, Harry *(Falkirk E)*
Fatchett, Derek
Faulds, Andrew
Fearn, Ronald
Field, Frank *(Birkenhead)*
Fisher, Mark
Flannery, Martin
Flynn, Paul
Foot, Rt Hon Michael
Foster, Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Galloway, George
Garrett, John *(Norwich South)*
Garrett, Ted *(Wallsend)*
George, Bruce
Godman, Dr Norman A.
Golding, Mrs Llin
Gordon, Mildred
Gould, Bryan
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Hardy, Peter
Harman, Ms Harriet
Heal, Mrs Sylvia
Henderson, Doug
Hinchliffe, David
Hoey, Ms Kate *(Vauxhall)*
Hogg, N. *(C'nauld & Kilsyth)*
Home Robertson, John
Hood, Jimmy
Howarth, George *(Knowsley N)*
Howell, Rt Hon D. *(S'heath)*
Howells, Geraint
Howells, Dr. Kim (Pontypridd)
Hoyle, Doug
Hughes, Robert *(Aberdeen N)*
Hughes, Simon *(Southwark)*
Ingram, Adam
Janner, Greville
Johnston, Sir Russell
Jones, Barry *(Alyn & Deeside)*
Jones, Martyn *(Clwyd S W)*
Kaufman, Rt Hon Gerald
Kennedy, Charles
Kinnock, Rt Hon Neil
Kirkwood, Archy
Leighton, Ron
Lestor, Joan *(Eccles)*
Lewis, Terry
Litherland, Robert
Livingstone, Ken
Livsey, Richard
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum A.
McFall, John
McKay, Allen *(Barnsley West)*
McKelvey, William
McLeish, Henry
McNamara, Kevin
McWilliam, John
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Mitchell, Austin *(G't Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Mowlam, Marjorie
Mullin, Chris
Murphy, Paul
Nellist, Dave
Oakes, Rt Hon Gordon
O'Brien, William
O'Neill, Martin
Orme, Rt Hon Stanley
Parry, Robert
Patchett, Terry
Pendry, Tom
Pike, Peter L.
Powell, Ray *(Ogmore)*
Primarolo, Dawn
Quin, Ms Joyce
Radice, Giles
Redmond, Martin
Rees, Rt Hon Merlyn
Reid, Dr John
Richardson, Jo
Robertson, George
Robinson, Geoffrey
Rogers, Allan
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Sedgemore, Brian
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Smith, Rt Hon J. *(Monk'ds E)*
Smith, J. P. *(Vale of Glam)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Steel, Rt Hon Sir David
Steinberg, Gerry
Stott, Roger
Straw, Jack
Taylor, Mrs Ann *(Dewsbury)*
Thompson, Jack *(Wansbeck)*
Turner, Dennis
Vaz, Keith
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N.
Watson, Mike *(Glasgow, C)*
Welsh, Andrew *(Angus E)*
Welsh, Michael *(Doncaster N)*
Wigley, Dafydd
Williams, Rt Hon Alan
Williams, Alan W. *(Carm'then)*
Winnick, David
Wise, Mrs Audrey
Worthington, Tony
Wray, Jimmy
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Frank Haynes and
Mr. Ken Eastham.

NOES

Adley, Robert
Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael
Allason, Rupert
Amery, Rt Hon Julian
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Tom *(Hazel Grove)*
Ashby, David
Aspinwall, Jack
Atkins, Robert
Atkinson, David
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Batiste, Spencer
Beaumont-Dark, Anthony
Bellingham, Henry
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Bevan, David Gilroy
Biffen, Rt Hon John
Body, Sir Richard
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, A *(Brighton K'pto'n)*
Bowden, Gerald *(Dulwich)*
Bowis, John
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Brooke, Rt Hon Peter
Brown, Michael *(Brigg & Cl't's)*
Bruce, Ian *(Dorset South)*
Buchanan-Smith, Rt Hon Alick
Buck, Sir Antony
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Chris
Butterfill, John
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher
Churchill, Mr
Clark, Hon Alan *(Plym'th S'n)*
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Colvin, Michael
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Couchman, James
Cran, James
Critchley, Julian
Currie, Mrs Edwina
Davies, Q. *(Stamf'd & Spald'g)*
Day, Stephen
Devlin, Tim
Douglas-Hamilton, Lord James
Dunn, Bob
Durant, Tony
Dykes, Hugh
Eggar, Tim
Emery, Sir Peter
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Fallon, Michael
Farr, Sir John
Favell, Tony
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Finsberg, Sir Geoffrey
Fookes, Dame Janet
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fox, Sir Marcus
Freeman, Roger
French, Douglas
Gardiner, George
Garel-Jones, Tristan
Gill, Christopher
Gilmour, Rt Hon Sir Ian
Glyn, Dr Sir Alan
Goodhart, Sir Philip
Goodlad, Alastair
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, John
Gow, Ian
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Grist, Ian
Ground, Patrick
Grylls, Michael
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Haselhurst, Alan
Hawkins, Christopher
Hayes, Jerry
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heathcoat-Amory, David
Heseltine, Rt Hon Michael
Hicks, Mrs Maureen *(Wolv' NE)*
Higgins, Rt Hon Terence L.
Hill, James
Hind, Kenneth
Hogg, Hon Douglas *(Gr'th'm)*
Hordern, Sir Peter
Howard, Rt Hon Michael
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howe, Rt Hon Sir Geoffrey
Howell, Rt Hon David *(G'dford)*
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Irving, Sir Charles
Jack, Michael

Jackson, Robert
Janman, Tim
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
Kilfedder, James
King, Roger *(B'ham N'thfield)*
King, Rt Hon Tom *(Bridgwater)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Knox, David
Lamont, Rt Hon Norman
Lang, Ian
Latham, Michael
Lawrence, Ivan
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lester, Jim *(Broxtowe)*
Lilley, Peter
Lloyd, Sir Ian *(Havant)*
Lloyd, Peter *(Fareham)*
Lord, Michael
Luce, Rt Hon Richard
Lyell, Rt Hon Sir Nicholas
McCrindle, Robert
Macfarlane, Sir Neil
MacGregor, Rt Hon John
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, David
Major, Rt Hon John
Malins, Humfrey
Mans, Keith
Maples, John
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Maude, Hon Francis
Mawhinney, Dr Brian
Maxwell-Hyslop, Robin
Mayhew, Rt Hon Sir Patrick
Meyer, Sir Anthony
Miller, Sir Hal
Mills, Iain
Miscampbell, Norman
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Moate, Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Moore, Rt Hon John
Morris, M *(N'hampton S)*
Morrison, Sir Charles
Morrison, Rt Hon P *(Chester)*
Moss, Malcolm
Moynihan, Hon Colin
Neale, Gerrard
Nelson, Anthony
Neubert, Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Page, Richard
Paice, James
Patnick, Irvine
Patten, Rt Hon Chris *(Bath)*
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Price, Sir David
Raffan, Keith
Raison, Rt Hon Timothy
Rathbone, Tim
Redwood, John
Renton, Rt Hon Tim
Riddick, Graham
Ridley, Rt Hon Nicholas
Ridsdale, Sir Julian
Rifkind, Rt Hon Malcolm
Roberts, Wyn *(Conwy)*
Roe, Mrs Marion
Rowe, Andrew
Ryder, Richard
Sackville, Hon Tom
Sainsbury, Hon Tim
Sayeed, Jonathan
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shelton, Sir William
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsfield)*
Speed, Keith
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Steen, Anthony
Stern, Michael
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Stewart, Rt Hon Ian *(Herts N)*
Stokes, Sir John
Stradling Thomas, Sir John
Sumberg, David
Summerson, Hugo
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Teddy *(S'end E)*
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thornton, Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Tredinnick, David
Trippier, David
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Waddington, Rt Hon David
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(T'side North)*
Ward, John
Wardle, Charles *(Bexhill)*
Warren, Kenneth
Watts, John
Wells, Bowen
Wheeler, Sir John
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Wilkinson, John
Wilshire, David
Wolfson, Mark
Wood, Timothy
Yeo, Tim
Young, Sir George *(Acton)*
Younger, Rt Hon George

Tellers for the Noes:
Mr. David Lightbown and
Mr. Stephen Dorrell.

Question accordingly negatived.

New Clause 5

DOG REGISTRATION

'(1) For the purposes of protecting the environment, the Secretary of State shall by order, in accordance with paragraphs (5) and (6) below, make provision for a scheme for the registration, identification and control of dogs.

(2) In making an order the Secretary of State shall provide, inter alia, for the scheme to be administered by local authorities, and for the fixing of registration fees, including such variations as may be prescribed, to be paid by the owners or keepers of dogs to the relevant authorities.

(3) An owner or keeper of a dog who fails to register it or to ensure that it can be identified in accordance with regulations made under a scheme in accordance with this section shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale.

(4) In performing their duties under this section, local authorities may enter such agreements with any person as may in their opinion facilitate the registration and identification of dogs.

(5) The Secretary of State shall not later than 12 months from the passing of this Act lay an order under this section before Parliament for approval in accordance with paragraph (6) below.

(6) Any order made under this section shall be exercisable under statutory instrument and no order shall be made unless a draft of the instrument containing the order has been laid before and approved by resolution of each House of Parliament.

(7) In this section "Local Authority", means in England and Wales a District Council, a London Borough Council or the Common Council, and in Scotland means a District or Island Council.'.—*[Dame Janet Fookes.]*

Brought up, and read the First time.

10.15 pm

Dame Janet Fookes (Plymouth, Drake): I beg to move, That the clause be read a Second time.

Mr. Speaker: With this we may take new clause 57—*Dog Registration No. 2*—

'(1) For the purposes of protecting the environment, the Secretary of State shall by order, in accordance with paragraphs (6) and (7) below, make provision for a scheme for the registration, identification and control of dogs.

(2) In making an order the Secretary of State shall provide, inter alia, for the scheme to be administered by local authorities, and for the fixing of registration fees, including such variations as may be prescribed, to be paid by the owners or keepers of dogs to the relevant authorities.

(3) In preparing any orders under this section the Secretary of State shall have regard to:

(a) the efficacy of existing dog control measures,

(b) the merits of creating additional offences with respect to the causing or permitting of dogs to stray, and

(c) the levels and types of penalties for dog control offences.

(4) An owner or keeper of a dog who fails to register it or to ensure that it can be identified in accordance with regulations made under a scheme in accordance with this section shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale.

(5) In performing their duties under this section, local authorities may enter such agreements with any person as may in their opinion facilitate the registration and identification of dogs.

(6) The Secretary of State shall not later than 12 months from the passing of this Act lay an order under this section before Parliament for approval in accordance with sub-section (7) below, and may subsequently lay such amending orders as he may deem appropriate from time to time.

(7) An order made under this section shall be exercisable by statutory instrument and no order shall be made unless a draft of the order has been laid before and approved by resolution of each House of parliament.

(8) In this section "Local Authority", means in England and Wales a District Council, a London Borough Council or the Common Council and in Scotland means a District or Island Council.'.

Dame Janet Fookes: The new clause is in the names of Opposition as well as Conservative Members. It has cross-party support. I shall not seek to move the other clause that stands in my name; I shall concentrate on new clause 5.

I am an unrepentant advocate of dog registration, having been convinced some 15 years ago that greater restrictions and control of dogs were absolutely essential. At that time I sought to revamp the dog licence as it was then. I am nothing if not persistent. I hope that I shall carry the day, but I give due notice to the Government that if I do not I shall continue to work for something that I believe to be right and practical.

New clause 5 is an enabling clause. I do not intend to go into the details of what the precise level of the registration fee might be. There is a good reason for that. I believe that it is more important to establish the general principles, and then to allow all interested parties—on the assumption that the clause is carried—to get together with the Government to work out a practical system.

The reason for that is partly that there are perfectly good alternative ways of doing things, and partly that a full detailed scheme could come back to the House in the form of an order, so that the House could pass judgment on it. I am not asking hon. Members to swallow everything unseen; I ask them to accept the principle that each dog should be registered, together with the name and address of the owner, that that scheme should be administered by the local authorities—primarily the district councils or their counterparts—and that there should be fines for those who fail to register.

Hon. Members will be aware of the powerful campaign recently mounted by the Royal Society for the Prevention of Cruelty to Animals——

Mr. Ian Bruce: A disgraceful campaign.

Dame Janet Fookes: I strongly disagree. The RSPCA waged a low-key campaign—*[Interruption.]* I wish that hon. Members would do me the courtesy of listening. The RSPCA has waged a low-key campaign for the past 15 years. It found that trying to do things quietly and reasonably in conjunction with many other bodies had no effect on successive Governments. Let me make it clear that, although the campaign has been mounted by the RSPCA, it has the wholehearted support of several other organisations, including the Joint Committee on Pets in Society, of which the RSPCA is a founder and constituent member, and it embraces several organisations, notably the Association of District Councils. It also has the full support of the National Farmers Union, which some Conservative Members may regard as a respectable campaigning body. I have not seen eye to eye with the

NFU on several issues, but on this we are at one. I have here a long list, which hon. Members will be glad to hear I shall not read out, of those who agree with the proposal.

Hon. Members may be sceptical about the efficacy of or reasons for the scheme. I welcome some of the Government's commitments to changes in the law to achieve greater control, but it is essential that one is able to identify the owner of a dog. That is why it is important that each dog is registered with its own identification number, which can be linked to a computer. That is very much easier in these days of computerised systems, and I see no reason why that should be a bar to a perfectly workable system.

A revamped dog licensing scheme operates in Northern Ireland. If, as the Department of the Environment claims, it is not much good, or words to that effect, it amazes me that it allows it to continue. The chief environmental health officer of Belfast, whom I had the pleasure of hearing recently, believes that it is useful. I shall quote from a paper that he gave at a recent conference:

"My experience over the last 5 years leads me to the conclusion that the Northern Ireland Dog Control legislation is steadily bringing about a real improvement in dog control in Belfast"—

not the easiest city in which to enforce anything. He continues:

"Enforcement and education hand in hand is, I believe, beginning to work".

He points out that, although not all the problems have been solved, the scheme is worth while.

In response to a written parliamentary question on 1 March, the Under-Secretary of State for Northern Ireland said that the scheme "is working well". Does that mean that one arm of the Government is not speaking to the other?

Mr. Ian Bruce: The RSPCA states that 1,000 dogs are being killed every day because we have no dog registration scheme. Will my hon. Friend confirm that about 10,000 dogs were being destroyed before the registration scheme was introduced in Northern Ireland, but that the same number are being destroyed today?

Dame Janet Fookes: I should like to obtain further information on that point. The Irish equivalent of the RSPCA is convinced that improvements have resulted from the scheme. The Ulster Farmers Union in Northern Ireland believes that there has been a marked decrease in livestock worrying, which is one of the reasons why the scheme was introduced. I shall obtain further information about the precise figures for Northern Ireland and give them to my hon. Friend the Member for Dorset, South (Mr. Bruce).

Mr. Iain Mills (Meriden): In England, 10,000 farm animals are worried by dogs.

Dame Janet Fookes: I am not sure what the purpose of that intervention was, unless it was in support of my contention.

Mr. Mills: I am giving my hon. Friend my full support.

Dame Janet Fookes: I thank my hon. Friend. One never knows where one's friends and opponents are.

This is why the National Farmers Union in England is so keen to have this system. It is extremely anxious about the worrying of livestock, which creates much economic damage, quite apart from the damage that it causes to the animal concerned.

Mr. Dafydd Wigley (Caernarfon): I greatly welcome the new clause. Is the hon. Lady aware that monitoring of the number of dogs going up Snowdon during the summer has shown that as many as 200 dogs a day go up one path alone? With half a dozen paths, it is estimated that 1,000 dogs a day go up. The substantial danger in terms of worrying sheep and dirt, which affects children, adds another dimension.

Dame Janet Fookes: Perhaps I may deal with one aspect that worries some people—the fee. This is one reason why I have not attempted in the new clause to set a fee.

Sir Peter Emery (Honiton): Why not?

Dame Janet Fookes: If my hon. Friend will do me the honour of listening, I shall tell him why not.

It is possible to set different fee levels depending on whether one wants a one-off fee for the life of a dog; whether one wants a fee on an annual basis, as used to happen with dog licensing; whether one wishes, as I do, to have a much lower fee for those who take the trouble to get their dogs neutered or bitches spayed, which very much helps in control; or whether one has exemptions or partial exemptions for working dogs or the dogs of retirement pensioners. One can use many figures. I suggest that the provisions should be embodied in an order, which would come back to the House for it to say yea or nay. That is the best way to approach the matter.

The Association of District Councils believes that it could run a scheme involving a one-off fee of £15 to £20 for a dog. It is so keen to run this scheme that, some months ago, it sent a package of measures to the Department of the Environment. I am not sure what the Department has done with it, but it does not seem to have seen the light of day and I should be interested to know what has happened to it.

Mr. Richard Tracey (Surbiton): I am grateful to my hon. Friend for being so generous in taking interventions. I am a long-time dog owner and am broadly sympathetic to my hon. Friend's comments about the welafare of dogs. I am sure that she agrees that the Kennel Club must be as respectable as the RSPCA in wanting to promote the welfare of dogs. As I understand it, its view is that the system could not work because we cannot pick up those who do not pay their road tax or enough of those who do not pay their television licence fee. How will it be possible to pick up people for not paying their dog registration fee?

Dame Janet Fookes: There is a difference. Television sets stay quietly in the home; dogs that are a nuisance make themselves felt.

I am assuming that the Government will continue to give their blessing to the introduction of dog wardens universally. I foresee that dog wardens will have an important role in rounding up strays and, where necessary, polishing them off, to use a rather horrid expression. They would also have a duty to enforce dog legislation and to ensure that registration is dealt with. That is extremely important, as enforcement is the key. Registration and knowing who the owner of a dog is is important if the changes that the Government want, to get control over dogs, are to work.

[Dame Janet Fookes]

I know that Ministers have made great play of the fact that when there have been court cases as a result of dogs biting people, the owners of the dogs concerned have been known. That is true, but it is not, I think, appreciated by those same Ministers that there are many more cases that never go to court because ownership cannot be established.

10.30 pm

Mr. Graham Riddick (Colne Valley): Does my hon. Friend accept that, just as irresponsible dog owners failed to buy the old dog licence, irresponsible dog owners would fail to register their dogs under her scheme? Would not we need an enormous army of dog cops to enforce a registration scheme?

Dame Janet Fookes: No. It would require no more than the dog wardens whom the Government have said that they want. Dogs that are a nuisance make themselves apparent, and I think it highly likely that they would therefore come to the attention of dog wardens or be reported by members of the public. The public already report dogs that are a nuisance but, most of the time, very little can be done about them. The new clause would provide a real opportunity to do something. It represents our best chance of dealing with an otherwise intractable problem, a great nuisance and, for stray dogs, great misery.

Mr. Adley: I am intrigued by my hon. Friend's analogy of the dog and the television set. It is rather similar to the analogy about houses and the poll tax, which is one of the reasons why I voted against the poll tax. On the basis of what my hon. Friend has said, I shall not vote for her proposal because the dog moves and the television set does not. Would my hon. Friend's scheme be based on dogs' or people's ability to pay?

Dame Janet Fookes: No, except, if the House so wished, it would be possible to have a lower fee for retirement pensioners or in respect of working dogs, or there might be a block fee for people who keep a number of dogs for a perfectly good reason.

Mr. Robert B. Jones: I am grateful to my hon. Friend for giving way—she has been extremely patient. What percentage of the cost of wardens and administration would be met by the licence or registration fee, or does she assume that that will be paid for by local authorities out of the community charge? In view of the exemptions that she has just mentioned, the charge would have to be high for the scheme to break even.

Dame Janet Fookes: It is perfectly possible to set the fee at a level that makes the scheme self supporting or to have a combination of registration fee and subsidy from community charge. We already know that the Government want local authorities to undertake certain duties that have to be paid for. At the moment, so far as I can understand it—no doubt my hon. Friend the Minister will tell me if I am wrong—the Government do not intend, except in the most general sense, to offer a penny piece towards the cost, so to that extent any money raised by a registration fee would be a bonus. My main concern is to see that each dog and its owner are linked up and that there should be permanent identification of the dog.

Mr. Hardy: Will the hon. Lady confirm that the likely registration fee that she mentioned earlier would cover merely the administrative cost of registration, which is estimated at about £25 million, and that it would make no contribution to the cost of running any warden scheme in any local authority area?

Dame Janet Fookes: It has been estimated that at worst it might cost about £20 million for registration and all that is associated with it. That comes out at about £2·50 per dog.

I had not intended to speak for so long, but I hope that the House will understand that I have been generous in giving way. Those who are at the sharp end of the problem, such as dog wardens, RSPCA inspectors and local authorities, are the people who most want a dog registration scheme. They are the people who have to deal with the problems on a day-to-day basis. If I am asked to choose between Ministers at the Department of the Environment who believe that it is not the right idea and those who have practical day-to-day experience, I know who I would choose.

Sir Gerard Vaughan (Reading, East): My hon. Friend has not answered the question about the Kennel Club.

Dame Janet Fookes: Let me deal with the Kennel Club. It is a perfectly acceptable organisation, but it deals with pedigree dogs, breeds and showing. I admit that. It does not deal with the problems of strays and other matters with which other organisations have to deal.

Mr. Tony Marlow (Northampton, North): Will my hon. Friend give way?

Dame Janet Fookes: No, I shall not give way again because I have already done so far too often.

I have given as much information as I feel is necessary to start the debate. There is one last important point to make. The House is being asked to judge not a detailed scheme but a general principle. It will be able to judge a precise scheme through an order at a later stage. If it is felt that that is impractical or wrong, hon. Members will have the opportunity to vote against it then.

Mr. Hardy: First, I should make it clear that the hon. Member for Plymouth, Drake (Dame Janet Fookes) is entitled to her views. She would not have acted with consistency if she had not maintained the campaign that she has gracefully pursued for the past 15 years. As she will be aware, on many occasions and on a variety of subjects, I have supported some of her initiatives and some of the causes espoused by the RSPCA.

However, I regret that on this occasion, after careful consideration of a rather complex subject, I cannot vote for the new clause. There are several reasons for that. Basically they come down to the identification of responsibility. The hon. Lady mentioned Belfast. There is a great deal of dissatisfaction in official quarters about the position there, because, as the Minister will confirm, fewer than half the dogs in Belfast are registered even though the system has been in operation for a long time.

If we introduce a registration scheme in Britain and people have to pay £20 or £25 or more, the people who would pay would be the same people who paid the old

licence. They would be the people who look after their dogs, who are and would remain responsible and do not contribute to the problem that rightly worries the hon. Lady and other hon. Members. The House is worried about the problems that dogs present. But, unfortunately, the people who would pay would be those whose dogs do not cause the problems.

It is all very well for Conservative Members to be worried. Only three or four years ago when the Government wished to encourage farmers to get out of agricultural production they sent advisers from the Ministry of Agriculture, Fisheries and Food to the farmers of England to persuade them to set up commercial puppy farms. One only hopes that the sensible proposal to be put to the House by my right hon. Friend the Member for Swansea, West (Mr. Williams)—to control and regulate puppy farms—will be accepted by the Government as a matter of urgency later in the year. I think that I would carry——

Mr. Gerald Bermingham (St. Helens, South): If it became a condition precedent that any dog that was sold had to be sold with a registration licence, and if it became a condition precedent that an unregistered dog seized by a warden had to be registered before it could be re-obtained by the owner, would not most dogs soon be registered, and most undesirable owners be brought under control?

Mr. Hardy: My hon. Friend is more confident of that than I am. We should need an effective dog warden scheme to achieve that in the first place. Coming as he does from St. Helens, my hon. Friend is well aware that his authority, which, like mine, has been poll tax capped, has no resources to devote to such a project. My hon. Friend may think rightly that the present situation is daft, but I want as far as possible to influence the House to arrive at a sensible arrangement.

In the 1970s I proposed that the then dog licence system was ridiculous and had fallen into disrepute, because of the low charge and because of the need to prevent people from acquiring a dog or puppy unless they obtained a licence for it on acquisition, not merely when it was six months old. Unfortunately, the Government, acting with considerable irresponsibility, refused to take action and sheltered behind certain requirements that they imposed on hon. Members who sought to resolve the issue by means of private Members' legislation.

The Minister cannot deny that on a number of occasions when such legislation was presented, the Government sought to apply the condition that the determination of the licence fee and responsibility for the operation of the system should fall exclusively on local authorities. Several of us made the point at the time that the licence fee should be set nationally, because it was a matter for which the Government should take responsibility.

I am anxious about new clause 5(4), which has serious implications:

> "In performing their duties under this section, local authorities may enter such agreements with any person as may in their opinion facilitate the registration and identification of dogs."

Does that mean that there will be an effort to introduce the transponder—the insertion into the scruff of a dog's neck of a device that will facilitate identification? I should need convincing that the transponder was likely to be effective, that it would last for a reasonable time and that the financial basis on which it was introduced was defensible and responsible. I have not yet heard satisfactory answers on these issues, although I was reassured at a meeting of the RSPCA that I attended that the device would not be inserted into the dog's ear. The dogs that I exhibit and judge at shows would not benefit from such an insertion into their ears. I hope for an explanation of this subject.

One aspect of the problem may be ignored. It is that the overwhelming majority of stray dogs are cross bred. Hon. Members who look at the evidence will find that to be the case. Whether my hon. Friends like it or impute social factors to it, the fact is that, as the number of cross-bred dogs diminishes, the number of pedigree dogs increases. As a result, the scale of the problem is likely to diminish. That is a reasonable theory to advance, because most dogs that are obtained after deliberation, and probably at high cost, tend to be more carefully looked after and in many cases —this is a generalisation—rather more treasured.

10.45 pm

Some of my hon. Friends do not approve of the Kennel Club, although it is not a political organisation. It is responsible for the administration of dog shows, and my hon. Friends should understand that that is a rapidly growing activity. I shall give hon. Members an illustration of that. Twenty years ago anyone with a registered pedigree dog could show it at Cruft's. Over the last two decades more and more people started to enter their dogs and the Kennel Club had to introduce qualifications. It had to increase the number of days. Cruft's used to be a one-day show but it is now a four-day show. Dogs have to qualify and the standard is very high.

I use that example to show that dog showing is a large-scale activity. There are 7,000 or more dog shows a year and at some of the larger shows, for example at the Leeds or the Driffield championship shows in Yorkshire, 17,000 dogs will be present. The people who take part in those activities look after their dogs and are not necessarily those who write to their Members of Parliament. They would be very angry—and many of them have expressed that anger to me in the past two or three months—if they had to pay for dog wardens. They would have to pay for the wardens and the registration scheme, yet they are not the people who cause the problem.

Mr. Stan Crowther (Rotherham): I am sure that my hon. Friends will accept that the members of the Kennel Club are not likely to cause the problem and of course, my hon. Friend's dogs are kept under control. My hon. Friend opposes the new clause. What is his alternative proposal for identifying the owners of the dogs that roam around the streets in packs in my constituency and in his, terrorising old-age pensioners to such an extent that they cannot leave their houses?

Mr. Hardy: That leads me to my final conclusion and I am delighted to respond to my hon. Friend. There are already on the statute book Acts to deal with the problem. There is an Act requiring all dogs in a public place to wear a collar and an identification tag. There is also an Act, which I accept dates from the 19th century, which makes it an offence for any ferocious dog to be at large unmuzzled and not on a leash.

Mr. Ian Taylor (Esher): Will the hon. Gentleman give way?

Mr. Hardy: No, because I am trying to reply to my hon. Friend the Member for Rotherham (Mr. Crowther). As I think my hon. Friend will admit, there are clear laws on the statute book. They have been there for a long time and they are completely ignored.

Only a small proportion of those who ought to have paid for dog licences did so and no one took any notice of them. Very little notice has been taken for a long time of the statute that says that a dog in a public place must wear a collar and be capable of identification. Many people think that bringing in a new Act which to a large extent merely replicates existing statutes will compound the problem by adding to the burden on those who are responsible and appearing to reward those who are not.

Mr. Jimmy Hood (Clydesdale): Like my hon. Friend, I own a dog, which does not get into trouble. I would not object to paying a licence fee for him. Twelve years ago, when I was chairman of Ollerton parish council in Nottinghamshire, the district council was not doing anything about the stray dog problem, so the parish council employed its own dog warden, and that system worked. Had we had a registration system, it would have worked a lot better. Therefore, I support the new clause.

Mr. Hardy: I am delighted that my hon. Friend has thought about the matter, and that he does not object to paying a registration fee for his dog. However, many people find it difficult to make ends meet, and would find it hard to bear an additional burden, particularly if they saw the dogs of their neighbours straying, and they knew that the fee had not been paid by those neighbours.

The matter deserves serious consideration. Those who could contribute to finding a solution should be consulted properly by the Minister. However, the proposal from the RSPCA, although it has the support of a number of my right hon. and hon. Friends for whose view I have regard, is inadequate and ill-considered.

There is a problem which, although sometimes overstated, causes much concern. My hon. Friend the Member for Clydesdale (Mr. Hood) referred to a successful dog warden scheme, but not all such schemes are effective. Given the pressures on local authorities today, the vast majority of them could not embark on additional financial responsibility, unless they received a great deal more support from the Secretary of State than seems likely, especially in authorities such as mine. Without proper central support and consideration, after a long period of governmental irresponsibility, the situation will remain unsatisfactory. However, the new clause is not the answer to the problem.

Mr. Robert B. Jones: It is clear that this debate is about real problems, but I rather fear that it is about unreal solutions to them. From the letters that we have received, we all know full well that dog mess, straying and attacks by dogs are problems about which people are genuinely concerned, and rightly so. However, the scheme set out in the new clause will do nothing to solve them. Some of the legislation already on the statute book, and some of the measures about to go on it, will help. For example, the Bill deals with dog mess because the measures on litter deal with cleanliness on the streets. We are right to rely on what the Bill will enact.

The problem of dog attacks would, in part, have been dealt with by the private Member's Bill introduced by my hon. Friend the Member for Plymouth, Drake (Dame J. Fookes)—the Dangerous Dogs Bill.

We are told that the solution is a dog registration scheme, and that in force in Northern Ireland is usually cited. The hon. Member for Wentworth (Mr. Hardy) said that only half of the dog owners in Northern Ireland had taken out licences for their dogs. That would happen in the United Kingdom as a whole, and the tax would be concentrated on reponsible owners. I could not go along with that. If one talks either to local authorities or to the man in the street in Northern Ireland, one will find that they admit that there has been a reduction in the worrying of animals—that is why the National Farmers Union takes the view that it does—but I believe that they would say that there are still major problems of straying and of dog attacks in Northern Ireland, and that those problems are attributable to those who have not taken out dog licences.

This would be the wrong time to put a further burden on local authorities, and if that view is accepted the scheme would have to be self-financing. If there were to be an exemption for old-age pensioners, exemptions would have to be extended to others with low incomes, including perhaps the unemployed. When all the exemptions have been take into account, the implication is that there will be a much higher charge than there would have been for those who have to pay. It is calculated that in Northern Ireland it costs three times as much to administer the registration scheme as the revenue that it brings in. If we were to have registration, dog wardens and all the other paraphernalia for which the RSPCA argues, the charge would have to be £50. That would lead to widespread evasion and widespread resentment among responsible dog owners, and no diminution of the problems. That is why I reject the argument of my hon. Friend the Member for Drake.

Sir David Steel (Tweeddale, Ettrick and Lauderdale): I support the new clause. The hon. Member for Plymouth, Drake (Dame J. Fookes) should be congratulated on her persistence on this issue over many years and on the support that she has received. I remind the House that on a previous occasion the hon. Lady persuaded us to accept a measure—it is on the statute book—which said that the Secretary of State for the Environment "may" issue regulations. This evening she did not draw attention to the most important word in the new clause, which is "shall". Lines 1 and 2 state that

"the Secretary of State shall by order".

produce regulations. That difference between the hon. Lady's Act and the new clause is essential and crucial.

We were dealing previously with the right hon. Member for Cirencester and Tewkesbury (Mr. Ridley), when he was Secretary of State for the Environment. The word "may" provided him with a classic excuse for doing nothing. In fact, he did nothing and no regulations were produced. We must hope for better from the present Secretary of State for the Environment, but it is wiser to err on the side of "shall" rather than "may" in this instance. I wish it to be clear that I am fond of the right hon. Member for Cirencester and Tewkesbury. Indeed, I even bought one of his paintings. On this sort of issue, however, he sees an army of bureaucrats round every corner in every piece of legislation. I believe that he is

wrong. I shall argue that it is not necessary to have an army of bureaucrats to administer the sort of scheme which the hon. Member for Drake has put before us.

I am glad that the Secretary of State for Scotland is present. I am sure that he will agree with me that under the old licensing scheme there was a difference between Scotland and England and Wales. In Scotland, the licence fee was part of the revenue of local authorities, whereas in England and Wales it was part of national revenue. I remember some years ago asking one of the local authorities in my constituency why it was not more assiduous in collecting the licence fee. I received the obvious reply that at 37½ p the fee barely covered the cost of issuing postal reminders, let alone anything else. Long before the fee was formally abandoned, the authority had given up trying to collect it. Any registration scheme must incorporate a realistic fee, and the hon. Member for Drake has faced that.

I believe that there are three categories of person who would welcome the new clause. The first category comprises those who care about dogs. In this instance I must disagree with the hon. Member for Wentworth (Mr. Hardy). I, too, am a registered breeder with the Kennel Club. I have great respect for that organisation, but it is dealing, let me put it bluntly, with the narrow end of the dog-owning market. It is not dealing with the problems that come to us day by day.

I received a letter only this morning from a constituent complaining about the keeping in a block of flats of a group of six dogs. They are kept in a wholly unsuitable back yard, and the local authority and the police are unable to do anything about it. There are the consequent problems of fouling and so on. The Kennel Club has told us officially that it does not like the scheme that the hon. Member for Drake has proposed, but many of its members, because they care about dogs as animals, would be willing to pay the modest fee that would be required in order to see a comprehensive scheme introduced in each local authority.

Second, there are those who do not care so much about dogs but who care about the mess that uncontrolled dogs make. We all receive many letters about the nuisance that is caused by dogs. There is the insanitary nuisance, and more recently there is the widespread nuisance that is caused by more vicious dogs that are uncontrolled and untraceable that attack people, especially children.

Mr. Marlow: I basically support what my hon. Friend the Member for Plymouth, Drake (Dame J. Fookes) wants to do. There is some concern about identification. We know that under existing legislation dogs should wear a collar and tag so that they can be identified. However, they cannot be identified because no group of people insists that the collar and tag are worn. The Government's proposals require local authorities to keep the streets clean, and we can insist that our local authorities bring about that desirable end. Therefore, there is bound to be a national dog warden scheme. Each local authority will have to have a dog warden to achieve what the Government are setting out to do. Given identification and a dog warden scheme, what will registration achieve?

11 pm

Sir David Steel: Over many years, and under successive Governments, this House has been guilty of imposing new obligations on local authorities without providing the revenue for them to fulfil them. This legislation is another classic example of that.

The hon. Member for Wentworth—and, as a dog owner, I find it to be true—admitted that the legislative requirement for a dog in a public place to have a collar and identification is much more observed in the breach than in the observance. It has fallen into desuetude almost as the dog licence itself has done. We need a scheme administered local authority by local authority by those who know the locality to ensure that the povision that is already on the statute book is brought up to date, put into effect and policed—both in the literal sense by the police and by any staff that may be employed by local authorities. I am not in favour of a vast army of dog wardens.

The nuisance of stray dogs is a problem with which those of us who live in rural areas are not sufficiently sympathetic because it is mainly an urban problem. However, it is a real problem, as I have witnessed in many cities and also in the urban parts of my constituency.

Mr. Marlow *rose*——

Sir David Steel: The hon. Gentleman deflected me just as I was about to make a point about dog attacks.

I wish to cite a case told to me by my hon. Friend the Member for Southwark and Bermondsey (Mr. Hughes). During the weekend an 11-year-old boy in his constituency was attacked by a dog and taken to Guy's hospital. The case was reported to the police, but they could do nothing. That is not a criticism of the police. There is no system for identifying the owner of a dog. If there is no collar, no tag, no implant or no tattoo, it is impossible for the police to catch those responsible for allowing such outrages.

Mr. Marlow *rose*——

Sir David Steel: I have already given way to the hon. Gentleman and I have promised to be brief so that others may take part in the debate.

The third category of supporters of the new clause is the farming community. I make no apology for mentioning that as I have a sheep-rearing constituency. The problem of sheep worrying is of deep concern to the National Farmers Union, which is another reason why it is in favour of a scheme whereby the ownership of the dog can be traced and the liability of ownership can be accepted.

I wish to make a point additional to those made by the hon. Member for Drake. I hope that it will be possible to include in a registration scheme and in a registration fee an inexpensive, compulsory system of public liability insurance to protect those who are, in whatever way, the victims of badly behaved dogs. I agree that there should be an exemption for pensioners. In particular, I agree with her rather throwaway line that rather than having an annual fee, which automatically would be bureaucratic, there is a case for a once-in-a-life fee for dog ownership. That would reduce the cost of administering the scheme.

Sir Jim Spicer (Dorset, West): Perhaps I could explore further the problem in rural areas. I was a sheep farmer. I had a black labrador cross, which I would have registered had there been a scheme. Over a period of two to three months there were many attacks on flocks of sheep in the

[Sir Jim Spicer]

area, and the first I knew about my dog being involved was when somebody telephoned and said, "I think we have shot your dog. Would you come and identify it?" Registration will not change that. Such dogs have that in-built trait—they will go for it. I have great sympathy with the objectives of my hon. Friend the Member for Plymouth, Drake (Dame J. Fookes), but her proposals will not help sheep-farming communities.

Sir David Steel: I accept the hon. Gentleman's point. No one suggests that the wearing of a collar or tattoo will change a dog's behaviour. However, I know from my own constituency that too often dogs are rounded up whose owners cannot be traced. The dogs may even have been let out of cars, as sadly happens sometimes, by people wanting rid of them. Compulsory identification will be of great help both to the police and farmers. That is not to say that sheep worrying will cease, but already it will be possible to track down those responsible for the animal concerned.

Reference has been made to road fund and TV licence evasion, but I have not heard non-payment used as an argument for abolishing either of them. Anyone who watches TV without paying the licence fee is doing no damage, except in terms of the lack of revenue for the BBC and the greater amount that the rest of us must pay. But irresponsible dog owners cause great damage to the rest of society.

I believe that the hon. Lady's proposal has the support of public opinion in general, and of those who care about the proper and responsible ownership of dogs in particular.

Mr. Andrew Bowden (Brighton, Kemptown): The House has great respect for my hon. Friend the Member for Plymouth, Drake (Dame J. Fookes). I have campaigned with her on animal welfare issues many times, but on this occasion I must tell my hon. Friend that she is wrong, because—and I declare an interest as the owner of three west highland terriers—dog registration will not work.

Mention has been made of the RSPCA campaign. I believe that it has misled the people of this country into believing that registration will save hundreds of thousands of dogs each year. It will not. It is regrettable that the RSPCA, which does such wonderful work in so many areas, should have wasted so much money on that campaign when it could have been better used elsewhere.

My hon. Friend the Member for Drake invited the House to examine the principles involved. As regards the collection of registration fees, we know already that it is extremely difficult effectively to collect road fund and TV licence payments. One million people do not pay their road tax, and 1·5 million neglect to purchase a TV licence. We are told that that does not matter because the only people affected are those who directly suffer as a consequence of the smaller revenue generated—and that that consideration will not apply to a dog registration scheme.

It will apply. In Belfast, where a large proportion of dog registration fees remain unpaid, the cost of running the scheme last year was £124,000—two thirds of which had to be met from the rates. So of course the problems of collection are directly related to the burden and expense imposed on others.

Another important principle is that exemptions must be permitted. There can be no justification for imposing the fee on pensioners with low incomes, whatever its level may be. My hon. Friend the Member for Drake and her supporters have been very cagey about mentioning a figure. We know that suggestions have varied from £15 to £60. Whatever it may be, we could not include pensioners on low incomes. [HON. MEMBERS: "What about the poll tax?"] Many pensioners on low incomes get a rebate anyway, so hon. Members should not bring up the poll tax. It is irrelevant. I shall not be drawn on to the poll tax, tempted though I might be.

Pensioners on low incomes already make great sacrifices to feed their dogs and to look after them. To impose an additional registration fee on them would be totally unreasonable. And the same is true of other groups —the disabled, blind people and other sections of society who should be excluded. What does that mean? In round figures there are some 8 million dogs in Britain. If there are to be significant exemptions one will need a Swansea for dogs. We would have to set up a huge bureaucracy to ensure that those who do not have to pay can be excluded and to send out all the bits of paper. The cost will run into tens of millions.

A dog warden, funded by a registration scheme, would provide a service for those who did not pay, paid for by those who did not require the service. That is fundamentally unfair.

I fully accept that those of us who attack my hon. Friend's proposal have a duty to acknowledge that there is a real problem and to put forward some ideas to deal with it. Nobody gets more angry than I when I see people allowing their dogs to foul the pavement or to run loose in the road. I have no doubt that I have lost a considerable number of votes in my own constituency by remonstrating with people who have allowed their dogs to foul the pavement in front of me or who have not properly controlled their dogs. I intend to continue to remonstrate strongly with people who do that.

We need stronger laws—new laws and the enforcement of existing laws—and a more effective education programme. So often when people are brought to court for offences under the existing law they are given derisory sentences—a small fine. We need deterrent fines for offenders. Imagine what a few fines of £50 or £100 would do if they were imposed on people who let their dogs mess on the pavement or do not give them a collar and an identity tag.

Another fundamental point must be the control of the supply of dogs. Every hon. Member condemns some of the disgusting and foul conditions that exist in puppy farms, where dogs are imprisoned in small cages and become breeding machines.

Every pet shop should be able to purchase dogs only from licensed breeders. Every local authority and the RSPCA should have additional and more effective powers of entry into breeding establishments. There should be higher minimum fines for fouling pavements or for allowing dogs to run loose in the road. There should be a substantial fine—I do not mean £5 or £10—and fixed penalties for owners of dogs without collars who are not wearing discs.

Sir David Steel: The hon. Member calls for higher fines for allowing dogs to run in the road or to foul pavements. How will we impose the fines when we do not know who the dog belongs to?

Mr. Bowden: I am sure that the right hon. Gentleman is fully aware that he may see cases day after day, as I do in my constituency, where dogs have fouled the pavement under the eyes of a police officer. One of the reasons that the police officer will not take any action is that after he has done all the paperwork and the case is brought to court, the person is fined £5 or £10. The police officer will not bother. If we have a proper fine, the publicity that goes with that will make an impact.

In 1884 an American senator said:

"The one absolutely unselfish friend that man can have in this selfish world, the one that never deserts him, the one that never proves ungrateful or treacherous, is his dog . . . When all other friends desert he remains".

We need just and fair laws, worthy of man's best friend. I hope that the House will reject the new clause. I urge the Government to learn from the debate and to introduce legislation soon.

11.15 pm

Mr. Pike: My dog, like its predecessor, was abandoned by its owner when it was only a few weeks old. I do not believe that only dogs that have been registered with the Kennel Club are intelligent, well bred or faithful. The hon. Member for Brighton, Kemptown (Mr. Bowden) implied that if heavy penalties for the fouling of pavements by dogs were imposed, they would prevent fouling. If, however, a heavy penalty were imposed for failure to register, he did not accept that that would make all people register their dogs. I support new clause 5 and new clause 57, tabled by the hon. Member for Plymouth, Drake (Dame J. Fookes). Dog registration would make it easier to enforce present Department of the Environment and Home Office legislation and also the stronger powers that are to be found in the Environmental Protection Bill.

Most of the problems are created by a small number of irresponsible dog owners and most of them will try to avoid registration. That is no reason, however, for not introducing a dog registration scheme. If it is, we should have to abolish television licences and the road fund licence. We should also have to abolish almost every other form of taxation.

When the hon. Member for Drake spoke so eloquently in moving the new clause she was right to point out that it does not specify how the scheme would be operated. The Minister would have to bring forward proposals at a later stage. The new clause would compel the Secretary of State to do that.

The other place inserted an amendment into the 1988 Local Government Bill. When it returned here during the overspill period the Secretary of State recognised that it would be difficult for him to reject the amendment. Therefore, he said that he would not seek to delete the amendment but that he did not intend to implement it. That was a totally negative attitude to adopt. If he was against the amendment, he ought to have asked the House to reject it and return it to the other place.

It is right that the new clause contains the word "shall". It is also right that this should be effected by regulation, which means that we shall have a further opportunity of discussing the proposal. I am strongly of the view that it is important that we stop giving powers to the Executive, to Ministers and to Secretaries of State and that we reserve the right for the House to debate such issues.

We have all encountered the problems of dog fouling. We have heard about the attacks on people by certain dogs. If we want to take steps to eliminate such problems, we should follow the route that is suggested by the new clause. Nobody is claiming that it will solve all the problems, but it would be a major step, because if we can establish the identity of a dog's owner, we can take action within the present legislation.

Although people from Northern Ireland say that their system is not perfect, they also say that the position there is better than previously. I know that the hon. Member for Londonderry, East (Mr. Ross) will seek to catch your eye, Mr. Deputy Speaker, so I shall not say any more on that except that it is wrong for the Minister to try to rubbish the scheme in Northern Ireland.

The new clause is a sensible proposal. It is time that the House showed that we want the Government to act and that we want a dog registration scheme and dog wardens. We want be able to end the problems that are caused by what I stress again is only a small minority of irresponsible owners.

Mr. Julian Amery (Brighton, Pavilion): I have sometimes attempted to address the House on grave matters, such as nuclear disarmament or even Hong Kong, but seldom have I had the opportunity to have so full a House as we have this evening on such an important issue. It is a privilege to have the attention of so many right hon. and hon. Members on this central issue, which obviously concerns our nation more than any other.

I have been trying to address my mind to what the issues are. We must look at them within the broad sweep of our constitutional experience and consider how the vote was passed from the aristocracy to the middle class, to the working class and eventually to the ladies. Are we on the verge of raising the question, should the doggies have the vote as well? And why not? In Africa it is perfectly normal for uneducated tribesmen to put their hand or their thumb on the ballot paper, so why should not the doggies be allowed to put their paws there? Is it not time that we addressed these issues?

Mr. Brian Sedgemore (Hackney, South and Shoreditch): What about the cats?

Mr. Amery: Well, there are 16 or 17-year-olds and other young men in my constituency who will have the vote next year who are less competent than some of our canine friends in forming a serious estimate about what should or should not be done. Are not we underestimating the gravity and importance of the problem in simply talking about registration? I do not know. Where does the registration lie?

Like all old hon. Members, I have my memories of going to the dog market in Chung-king and being told, "These are better to eat than those." But we do not want to approach the problem in that way.

Are we sure that registration is right? We are told that group registration is all wrong in South Africa. Can we be sure that we are not distinguishing between the elite and the non-elite? How do mongrels stand? Are they to be classed with the coloureds or with the blacks? The House —a fuller House than usual—should have some sense of proportion in regard to this grave issue. I find it difficult to reach a fair and reasoned conclusion, but if I had to reach one—

Mr. Pike: On a point of order, Mr. Deputy Speaker. I feel that it should be put on record that many hon. Members object to something that the right hon.

[Mr. Pike]

Gentleman said earlier. He said that we should give dogs the vote, because in some countries people simply had to put their thumbs on pieces of paper. The comparison caused offence to many hon. Members, and I think that the right hon. Gentleman should withdraw it.

Mr. Deputy Speaker (Sir Paul Dean): Mr. Amery.

Mr. Amery: I bow to your ruling, Mr. Deputy Speaker. I do not think that that was a point of order.

In recent times, we have debated some enormously important issues. I do not suggest for a moment that this is not important, but are not we exaggerating its importance? If I had to reach a conclusion, it would be this. Hundreds of thousands of people—perhaps even more—have found, in their trouble and loneliness, that they can give love to a dog and receive love from it. I think that they we should be very careful about legislating to control exactly who may own a dog and who may not. There is something to be said for a tolerant approach to what is a very human problem.

Mr. Bob Cryer (Bradford, South): I shall be brief, because the debate is dragging on. If the Government were not trying to ram through so much legislation, we might have time to deal properly with this important matter. An increasing number of powerful and dangerous dogs are now in the hands of people who—although they may have some affection for them—often do not know how to look after or control them, and more and more accidents are happening.

Listening to what some Conservative Members have said, one would not believe that we give Ministers any power to produce schemes; yet some 2,500 statutory instruments are produced every year by Ministers, on the authority of primary legislation such as is proposed in new clause 5. We are talking tonight about an affirmative resolution, however: no registration scheme or charge will be put into operation before being approved by the House. That cannot be said of a good deal of the legislation that has been approved by Government supporters in the past.

There is no question of our dealing with the details of the registration scheme tonight. If the new clause is passed, it will come to us for our approval, unlike the vast majority of statutory instruments. We must go through another stage before it is put into effect; that is a safeguard.

No hon. Member has explained how the Town Police Clauses Act 1847 will be put into effect without some form of registration. Most hon. Members will not know what the legislation provides unless one of their constituents, like one of mine, has been savagely bitten by a dog. My constituent alleges that the owner encouraged the dog to set on her at a fair. That happened in a public place and the police regarded it as very serious. She regards it as very serious because she will be scarred for life. Her legs will carry marks about which she will be uneasy and sensitive for the rest of life.

The police tried to prosecute the dog owner, who simply said, "I gave the dog back to the man who gave it to me." Under the Town Police Clauses Act, there must be continuing ownership and the person prosecuted must have owned the dog at the time. Without registration, it cannot be shown that the person who owned the dog at the time of the attack should be prosecuted.

11.30 pm

The Minister does not propose to do anything about that. That girl feels that she has been the victim of an injustice. She strongly claims that it was not an accident but a deliberate attempt by the youth to set the dog on her when she was enjoying herself at a fair.

In the scale of human values it is a minor injustice, but by and large we should try to remedy injustices. If the registration scheme helps, not thousands but hundreds of people will welcome the security of knowing that the police, who are prepared to take action, will be able to prosecute, which is not so at present.

Sir Peter Emery: Will the hon. Gentleman give way?

Mr. Cryer: I will not give way. I am trying to be as brief as I can because about another 20 hon. Members want to speak. It is already 11.31 pm and we want to have a vote tonight.

A headmaster of a primary school was taking home a small boy who was feeling ill. A rottweiler that was chained up broke loose, savaged him quite severely, knocked him over and broke his arm. He was off work for three or four months. The dog was destroyed, but there was no prosecution. The following day, in addition to the two rottweilers that they already had, the owners bought an American pit bull terrier. They have two rottweilers and an American pit bull terrier in their stable of dogs. No information about that was provided to the school and the neighbours were aware of the additional dog only because they saw it. No training or guidance is given to the owners of those potentially ferocious dogs on how they should be controlled, trained or looked after.

Nobody knows that those people have those three powerful dogs. A young married woman who has a baby daughter lives next door to them. How many mothers would leave their baby daughter in the garden knowing that just over the fence there were two rottweilers and an American pit bull terrier? Of course none would do so, and because of that menace the use of their garden and ordinary facilities has been curtailed. When the dogs were allowed to roam, everybody stayed indoors until the owners retrieved them and put them under some sort of control. No guidance, supervision, encouragement or instruction was given to the owners; they did virtually as they liked and created much apprehension.

A dog registration scheme would help. As it happens, a dog warden now lives nearby. The dog warden scheme in Bradford is one of the best local authority schemes in existence. Dog wardens have the job of providing education and improving ownership guidance. Britain is a dog-loving nation, and I should have thought that most hon. Members would recognise that their constituents would like better ownership and a decrease in the cruelty, starvation and beatings inflicted on dogs. Surely education and guidance will help.

This is a growing problem. The number of powerful, vicious dogs is increasing. It behoves us to ensure that education and training are provided, where possible, so that dogs are properly looked after. Without the names and addresses of dog owners, how on earth can that education be provided, except on a voluntary basis? We want to ensure that the people who do not get that voluntary education look after their dogs adequately and properly.

The dog registration scheme proposed in new clause 5 has much merit. I urge the House to support it in principle,

knowing full well that the details will be brought before the House for scrutiny. If the House is not satisfied with the details, it can reject them and say to the Minister, "You have not covered the points adequately. Bring back another statutory instrument and we will decide whether to approve it."

We are not making the final decision tonight, but the debate is important because the problem will not go away. This is the second time that the matter has been dealt with in the past 12 months. The problem is growing because of the lurking dangers. I hope that the House will approve the principle. I look forward to seeing the details.

Mr. Hugo Summerson (Walthamstow): In this case, it is a great pleasure to follow the hon. Member for Bradford, South (Mr. Cryer). I agreed with almost all his comments. The new clause, which I am proud to support, is not anti-dog but pro-dog; it is anti-irresponsible dog owners.

The number of dogs and stray dogs increases yearly. Those of my hon. Friends who have rural constituencies will not know the scale of the problem that afflicts many of us with urban constituencies. Packs of up to 30 semi-wild dogs run around, upsetting people walking in the street, sometimes even attacking people, running out in front of traffic and causing accidents, tipping over dustbins and generally causing a menace.

I have spoken about accidents caused by dogs and we have heard about attacks by dogs. There was another instance of an attack by a dog today in Hampshire. A 66-year-old man was attacked by an American pit bull terrier, which inflicted appalling injuries. I believe that the man is now in intensive care, and I very much hope that he will be all right. For purely criminal purposes, criminal elements in society are interbreeding those dogs to produce an even larger, more ferocious and more dangerous dog.

Mr. James Couchman (Gillingham): Will my hon. Friend give way?

Mr. Summerson: I am afraid that I shall not give way. I want to take up as little of the time of the House as possible. I intend to speak for only about two more minutes.

The great advantage of these lethal dogs to criminals is that they may let a dog out to attack and, if the police come round, it is thrown out of the back door. The dog is in the street and there is no link between it and the criminals. Dog fights and badger baiting are increasing. We must tackle the link between the dogs and their owners.

The new clause is essential. We need greater control of dogs, which the new clause will provide. We have heard about the cost of dog registration—will it be £20, £30 or £50? The average cost of keeping the average dog over 10 years is £4,000. Can it possibly be said that a once-for-all fee of £20 or £30 is excessive? I believe not and that most people would pay it. I urge the House to support the new clause.

Mr. William Ross (Londonderry, East): As the House knows, the powers in the Bill do not extend to Northern Ireland, so I have not, like so many other right hon. and hon. Members, given it the attention that it undoubtedly deserves and has received. It was not until this afternoon, therefore, when I became aware that this issue would arise, that I picked up an amendment paper. Lo and behold, I discovered that it contained just over half as many pages as the Bill itself, a great proportion of them being taken up by Government amendments and new clauses.

Whenever I see such an amendment paper, I conclude that I am dealing with a Bill which, to put it mildly, was ill thought through. If it had been thought through properly, we would not be faced with so many amendments. I have heard it alleged today that some Northern Ireland Ministers are not too happy with the dogs legislation that was passed, I think by this Conservative Administration, some years ago. I am happy to be corrected if I am wrong. I am somewhat surprised to see an ex-Northern Ireland Minister oppose this new clause.

If the Government are so deeply opposed to legislation such as is proposed by the new clause, perhaps we may have an explanation of why it was not long since repealed in that part of the United Kingdom which I represent.

I am also delighted that so many amendments have been tabled. That is something that we do not have with Northern Ireland legislation, which is often passed through the House late at night in a one-and-a-half hour debate on statutory instruments such as the hon. Member for Bradford, South (Mr. Cryer) hoped would be forthcoming. If hon. Members from the rest of the United Kingdom were subjected to that procedure, perhaps they would understand how we feel about it. Primary legislation affecting Northern Ireland is also passed through the House in an hour and a half. We deeply resent that and hope that, at last, it will be changed.

It will be necessary within the next couple of months to renew the temporary provisions that have been renewed for nearly 20 years. It is about time that we laid them decently in their grave, forgot about them and treated Northern Ireland exactly like the rest of the kingdom with regard to legislation by Bills. It is clear from the amendment paper that the Government have been on a steeply rising learning curve. If they did the same with regard to Northern Ireland legislation, we sure would not be in the mess that we are in in the Province.

When I hear people argue that Belfast is a shining example of what has happened as a result of dogs legislation, I wonder what they are thinking of. If I were looking for a city in the United Kingdom which was a shining example of law keeping, Belfast, especially west Belfast, is not the one that I would choose. We have heard about television licences not being paid. Such avoidance is rife in Belfast.

Mr. Merlyn Rees (Morley and Leeds, South): None are paid.

Mr. Ross: A former Secretary of State for Northern Ireland reminds me that none are paid in west Belfast. I understand that the BBC does not send in the detector vans in Northern Ireland generally.

It may not be possible to enforce a dog licensing system in Belfast and one or two other areas, but there are other much more serious crimes that I should like to be cleared up first. I fully support the efforts of the hon. Member for Plymouth, Drake (Dame J. Fookes) to introduce a licensing and control system in the United Kingdom.

Reference has been made to injuries to children in various parts of the kingdom inflicted by savage dogs. The dog does not even have to attack a child to create a serious danger. Sadly, only last week a child attending my local school who was frightened of a dog on the footpath ran across the road and was killed. That incident caused me a great deal of sadness as it was a personal friend of my

[Mr. Ross]

young daughter. Dogs can cause a problem. I do not suggest that that dog was not under control. The child happened to be frightened of dogs.

11.45 pm

The hon. Member for Drake should not be dismayed by attacks on her proposals this evening. All the same things were said about the Northern Ireland legislation. Some of those who trooped cheerfully through the Lobby to put the legislation into effect in Northern Ireland will undoubtedly troop through the opposite Lobby this evening to reject the hon. Lady's new clause. Certainly, I and my right hon. Friend the Member for Lagan Valley (Mr. Molyneaux) will join her in the Lobby.

Reference has also been made to the problem of identification. We have a warden system in Northern Ireland. If a dog does not have a collar and a brass tag, it is the warden's job to pick it up. It is not a perfect system. It could be better. But before that legislation came into effect, I and every other hon. Member in Northern Ireland had a constant torrent of complaints from people who were frightened of dogs roaming around the streets, and from the farming community, which suffered endless damage. I believe that I heard the hon. Member for Dorset, West (Sir J. Spicer) say that he found that his own dog had been killing sheep. Often there is no possibility of identifying the dog which does that. Farmers often carry public liability insurance. If not, they are sore fools. They should carry it. If the farmer's dog is caught killing sheep, the insurance company will pay up.

The new clause is good legislation. It should be supported by every hon. Member in the House. It will not solve the problem completely but it will be a long step in the right direction. Everyone who wants some control of dogs should support the new clause.

Mrs. Ann Taylor: I am pleased to follow the hon. Member for Londonderry, East (Mr. Ross). The House would do well to take note of his experience in Northern Ireland. I also pay tribute to the work of the hon. Member for Plymouth, Drake (Dame J. Fookes), who has brought the matter before the House on many occasions. Conservative Members should respect the contribution that she has made to the debate and her expertise on the subject.

There is no doubt that irresponsible dog ownership causes increased anxiety to many people, including dog owners who take their responsibilities seriously. Indeed, many good owners want a dog registration scheme because they do not like the bad image that has been created by the actions of the irresponsible few.

Mr. Robert Banks (Harrogate): Does the hon. Lady agree that people who want a registration scheme also know that if the dog has an implant or tattoo and goes astray they can be reunited with it? It is a positive step.

Mrs. Taylor: The hon. Gentleman is right. Many dog owners are worried about the possibility of losing their dog and support the scheme on that basis. As the hon. Gentleman says, it is a positive move.

The new clause will not solve all the problems that worry many people and all the difficulties that have been raised, but it will be a useful step in the right direction that many people outside the House would welcome.

We are all aware that dogs, indeed animals generally, cause much emotion. We all know that pets, especially dogs, can be valued and loving companions of many families, young children and pensioners, particularly those who live alone. On the other hand, neglected dogs bring many problems—not only those of cruelty to the dogs themselves, but those of strays roaming the streets, and of dogs causing accidents and fouling paths and play areas, with all the health implications. Almost daily we read reports of dogs getting out of control and attacking innocent bystanders. There was such a case in my constituency last week, and over the past few weeks and months many hon. Members have had such cases reported to them in addition to those that have hit the national headlines.

If we introduce a dog registration scheme and a properly funded dog warden system, we shall create a framework that is more likely to bring about sensible dog ownership. Such a scheme could be used to minimise the problems that have worried hon. Members on both sides of the House——

Mr. Anthony Beaumont-Dark (Birmingham, Selly Oak): Some of us have had dogs all our lives. Does not the hon. Lady understand that, in the short term, dog registration will mean hundreds of thousands of dogs being put down? It may save dogs in the future, but as good owners will register and bad ones will not, more dogs will be put down in the short term.

Mrs. Taylor: I am sorry that I gave way to the hon. Gentleman. He obviously was not here during the part of the debate that dealt with that point. My hon. Friend the Member for St. Helens, South (Mr. Bermingham) dealt with it to some extent. The hon. Gentleman should know how many dogs are put down every day now because of the irresponsibility that we are discussing. If he is worried about the number of dogs being killed, he should support our scheme, which would introduce more responsibility and a more comprehensive system.

During the arguments in Committee the Minister—other hon. Members have echoed his concern—said that a dog registration scheme would be expensive. I wonder whether the Government have considered the cost of not introducing such a scheme. The generally agreed figure for a scheme seems to be about £20 million, but the problems caused by the the poor care of dogs, by accidents, and by the necessity of putting down so many strays result in costs of well over £70 million a year. It seems that the Government cannot see that to establish a good dog registration scheme would be to spend money well—a good investment.

Since the House last discussed the scheme—the hon. Member for Birmingham, Selly Oak (Mr. Beaumont-Dark) should be interested to hear this—in the summer of last year, more than 250,000 stray dogs have been put down because of irresponsible owners who have not taken dog ownership——

Mr. Ian Bruce: That is a disgraceful misuse of statistics. The reports produced for the RSPCA show that in a full year 90,000 dogs are put down because they are strays; the rest of the 365,000 dogs are brought by responsible owners to be put down by the RSPCA.

Mrs. Taylor: The hon. Gentleman is wrong; that is not true. Most of the dogs that are put down are killed because they are not wanted. I had hoped that all hon. Members

would study the details of the scheme that we are proposing. We are suggesting enabling legislation that could tacke the detail of such problems and in that context Conservative Members could have been more responsive and constructive.

A vast number of dogs are put down each year and we have also seen an increase in the number of attacks by dogs. Such attacks have been reported to hon. Members and we have heard many complaints about dogs fouling public areas and causing health hazards. People are becoming increasingly bewildered about why Parliament and the Government cannot see the obvious need for action on these problems. The Government tell us with decreasing enthusiasm as Ministers change either that there is no real problem or, as they now say, the enforcement of collar and tag provisions will solve everything.

It is time that the Government woke up to the extent of the problem and the extent of public concern. The new clause is not prescriptive. It does not commit the Government or the House to one scheme. In view of the resources at the Government's disposal, it is time that they found the money to invest in a scheme of this kind. As has been said, we are discussing a pro-dog measure which would promote responsible dog ownership. The details of the scheme could be determined at a later stage. For example, there could be a reduced registration fee for dogs that have been spayed or neutered, thus helping to reduce the problem of strays, which is at the centre of many people's concern.

The hon. Member for Drake moved her new clause in the spirit of cross-party support and I hope that that spirit can be maintained. Although it was a Conservative Member who was bitten by a dog, I assure hon. Members that there is genuine worry in all parts of the House about such problems. I ask hon. Members to bear in mind that this may be our last chance for some time to vote in principle for the establishment of a dog registration scheme. If we do not support the new clause, the problems will get worse because the Government have no alternative. We should vote in favour of the principle now and support the details at a later stage.

Mr. Heathcoat-Amory: I have listened with great interest to the debate, and especially to the speech of my hon. Friend the Member for Plymouth, Drake (Dame J. Fookes) whose work in animal welfare I greatly admire. The new clause in her name calls for the setting up of a compulsory national register of dogs. That has become something of a rallying cry for some sections of the animal welfare lobby.

I remain convinced that heeding the call for a registration scheme would result in a difficult and expensive attempt that would in practice fail to deliver many of the promised benefits. Moreover, the problems that have rightly been identified in the debate are being and will continue to be tackled by a better targeted range of measures brought forward by the Government. There has been general recognition in all parts of the House that it is irresponsible owners who are at fault—the people who fail to control their dogs or to train or look after them. Here lies the difficulty. No doubt the law-abiding dog owner would co-operate in a dog registration scheme and would pay the fee. However, some of the fees proposed would be a considerable burden on elderly dog owners who are, perhaps, living on their own on slender means and who rely on one or two dogs for companionship. The House should not dismiss that factor.

Let us allow that by and large the responsible owner would pay up. As the hon. Member for Wentworth (Mr. Hardy) rightly said, the irresponsible owner creates the problem. Such owners would be the last to comply, if they complied at all, with a registration scheme. The responsible dog owner would pay while the irresponsible dog owner would pollute. That is a negation of the "polluter pays" principle that underlies everything else in the Bill.

12 am

Mr. Marlow: With respect to my hon. Friend, he has largely got it the wrong way round. The proposals effectively require there to be a dog warden scheme. Under such a scheme, when the dog of an irresponsible owner strays, it will be picked up by the warden. The warden will then be able to require that the dog is registered and the fee is paid before the irresponsible owner takes the dog back. The responsible dog owner will not fall foul of the warden. If he has not paid his registration fee, nobody will know about it, so it is the troublesome owner who will be clobbered and required to pay. The responsible dog owner might pay, but would not be found in default and required to pay in the circumstances that my hon. Friend is suggesting.

Mr. Heathcoat-Amory: I shall analyse shortly my hon. Friend's rather optimistic version of the registration scheme. However, I shall deal first with the considerable enforcement difficulties touched on by my hon. Friend the Member for Brighton, Kemptown (Mr. Bowden), among others. Dogs belonging to people who have changed address, dogs which have changed ownership, dogs given as presents and dogs belonging to itinerant owners would all have to be chased up and registered.

Rather than being simply theoretical, let me point out that we have in the United Kingdom—in Northern Ireland—examples of a licensing system that tries to grapple with some of the difficulties. In Committee, I promised to look further into the experience there. Officials from my Department have visited the Province and talked to those involved, including the Ulster Society for the Prevention of Cruelty to Animals.

The licensing system there has been running since 1983. All districts in the Province now have dog wardens, and considerable efforts have been made to enforce the licence fee, which is set at £5. Despite that, it is estimated by those concerned that less than one third of dogs in the Province are licensed, and that is after seven years of the system being in operation. Moreover, the number of strays impounded by the authorities has not reduced during those years, and nor has the number of dogs destroyed. The pile of dead dogs that the RSPCA uses in its advertisements has been getting larger in Northern Ireland.

Miss Kate Hoey (Vauxhall): When the Minister met the USPCA, did it tell him, as it has told us, that there has been a reduction in the number of stray dogs on the streets in Northern Ireland since 1983?

Mr. Heathcoat-Amory: No, that is not the situation. It is difficult to count the number of strays on the streets, but, judging by the number that are rounded up and impounded, the situation has not been getting better, as I have already said.

Mr. William Ross: The reality is that if the dogs had not been rounded up they would be roaming the streets, so the number of dogs on the streets would be much higher. One of the main reasons for bringing in the legislation in Northern Ireland was sheep worrying, which has greatly decreased.

Mr. Heathcoat-Amory: I mentioned the number of dogs destroyed and the number of strays because certain welfare organisations claim that the introduction of a dog registration scheme would reduce the number of strays and the pile of dead dogs. That has not happened in Northern Ireland, which has had a dog licensing scheme in force for over six years. I agree that we can usefully learn from some features of the Northern Ireland dog licence enforcement scheme. Action taken to reduce the worrying of sheep is one of them, and I shall touch on that later. I want, first, to talk about cost, which has been referred to several times already.

There are some who believe that the prime purpose of a dog registration scheme is to raise money for dog control, but the cost of running the bureaucracy that is associated with such a scheme is considerable. A report prepared for the RSPCA by the London School of Economics puts the cost at over £20 million a year. That appears to exclude the capital and rental costs of the necessary premises, so the cost could be slightly higher than that estimate.

Mr. Michael Shersby (Uxbridge): How much will it cost an elderly lady in my constituency to register her dog?

Mr. Heathcoat-Amory: I think that it is for the proposers of the scheme to bring forward a realistic fee. I can tell my hon. Friend, however, that the figures which I have seen are considerable. As I have said, it has been estimated that it would cost more than £20 million to run the scheme and enforce it, and that sum would not contribute anything to direct dog control measures, such as wardens and kennelling. According to the same LSE report, those measures would cost a further £22 million a year. If the registration scheme is seen primarily as a fund raiser, it is a most inefficient one. On the RSPCA's own figure, it raises only about half of the money necessary to support dog control services.

Expenditure on dog wardens and kennels is a proper function of local government, and the cost is small in relation to its overall expenditure. Even if the full cost were to fall on the community charge payer, the increase would be only about 40p a person per year. There are already about 200 local authorities that are running dog warden schemes, and I saw one of the best schemes that is being operated on Friday, in Darlington. The 200 local authorities are funding dog wardens out of their existing budgets. That means, in effect, that finance is greatly preferable to relying on an hypothecated tax that is enforced through a registration scheme whereby money is raised from the responsible section of the dog-owning population to pay for the problems that are caused by irresponsible owners.

I agree that identification is often necessary, and it can be achieved by enforcement of the existing provision that requires all dogs in public places to wear a collar and an identification tag. It is simple to check whether a dog is wearing a collar and tag, and if it is not it is by definition a stray. If a dog is wearing an identification tag, it is easy for any passer-by, any police officer or any local authority employee to read it. It is a great deal easier to do that than to try to read an implanted electronic device under the skin of the dog, which requires specialist equipment. It would have to be linked with a computer to find the name and the last registered address of the supposed owner.

Other problems would not be cured by a registration scheme. We have heard of attacks by dangerous dogs, and they are serious. It has never been a problem, however, linking the dog with the owner. In any event, a bite from a dog which is registered is no less painful than a bite a from a dog which is not. The same point can be made about dog fouling. Registered dogs are as inclined to foul the pavement as those that are unregistered. Again, registration is not the key to the problem.

It is better to deal with each problem by a series of specific measures. Last year my hon. Friend the Member for Drake took through the House the Dangerous Dogs Act under which the courts can order the destruction of a dog and also disqualify the owner from owning another dog. My right hon. and learned Friend the Home Secretary has undertaken to take another look at the Act, and if he feels that the penalties are not sufficient he will consider increasing them. It is a specific Act to deal with a specific problem.

A range of byelaws can be enacted that can help local authorities to deal with the problem. It is not always realised that there are byelaws that can ban dogs from certain areas such as playgrounds, parks or beaches. They can require owners to clear up after their dogs and can ban fouling of pavements and verges. My right hon. and learned Friend will make further announcements about ways to increase and strengthen those byelaws to help local authorities to do their job.

I agree that more needs to be done, especially about strays—and here I make common cause with my hon. Friend the Member for Drake and others. The duty to deal with stray dogs should be transferred from the police to local authorities. We will be looking for a convenient opportunity to introduce that measure as part of a Bill. We also want to improve the enforcement of existing collar and tag requirements. That will involve transferring the duty from county councils to district councils and boroughs, where appropriate.

We are discussing with the RSPCA and other interested bodies whether a fixed penalty scheme woul be an appropriate way to enforce that requirement. The experience in Northern Ireland suggests that it might help greatly. We are also considering the possibility of creating a specific offence of allowing a dog to stray. Again, that is in force in Northern Ireland. We are in touch with the RSPCA about working out the details. In fact, the joint working group with the RSPCA is due to meet later this week.

Mr. Cryer: If the Minister is doing all that, why will he not accept the additional power to introduce a scheme? The new clause is not, as he suggests, a scheme; it is a proposal to give him the opportunity to introduce a scheme within 12 months. Why does he not accept that opportunity?

Mr. Heathcoat-Amory: The range of measures that we intend to introduce may make a national registration scheme unnecessary.

I am working with the RSPCA and other interested bodies to introduce a package of measures, and that must be the way forward. We all agree that irresponsible and thoughtless dog ownership creates a range of problems, some of which are serious. I know that from letters, from experience in my

constituency, and from listening to hon. Members' speeches. Each of the problems must and will be addressed by a range of measures that are targeted and specific. I hope that they can be carried forward with the help and co-operation of the voluntary bodies working in the area.

With that in mind, I hope that the House will reject the new clause. A national registration scheme is not the answer.

Mr. Ian Bruce: It is essential that we make one appeal this evening—that leaflets such as the one that I am holding are no longer sent out by organisations. They wind up our constituents with many lies and half truths. I hope that after the vote this evening the issue of dog registration will be put to bed once and for all.

We already have a dog registration scheme in this country: it is called a collar and tag. I am absolutely certain that that is adequate.

Question put, That the clause be read a Second time:—

The House divided: Ayes 263, Noes 275.

Division No. 187] **[12.14 am**

AYES

Abbott, Ms Diane
Adams, Allen *(Paisley N)*
Alexander, Richard
Allason, Rupert
Allen, Graham
Alton, David
Anderson, Donald
Archer, Rt Hon Peter
Armstrong, Hilary
Ashdown, Rt Hon Paddy
Aspinwall, Jack
Banks, Robert *(Harrogate)*
Banks, Tony *(Newham NW)*
Barnes, Harry *(Derbyshire NE)*
Barnes, Mrs Rosie *(Greenwich)*
Barron, Kevin
Battle, John
Beckett, Margaret
Beith, A. J.
Bellingham, Henry
Bendall, Vivian
Benn, Rt Hon Tony
Bennett, A. F. *(D'nt'n & R'dish)*
Bermingham, Gerald
Bevan, David Gilroy
Biffen, Rt Hon John
Blair, Tony
Blunkett, David
Boateng, Paul
Body, Sir Richard
Boyes, Roland
Bradley, Keith
Braine, Rt Hon Sir Bernard
Brown, Gordon *(D'mline E)*
Brown, Nicholas *(Newcastle E)*
Browne, John *(Winchester)*
Buchan, Norman
Buck, Sir Antony
Buckley, George J.
Caborn, Richard
Callaghan, Jim
Campbell, Ron *(Blyth Valley)*
Campbell-Savours, D. N.
Canavan, Dennis
Carlile, Alex *(Mont'g)*
Cartwright, John
Clark, Dr David *(S Shields)*
Clay, Bob
Cleiland, David
Clwyd, Mrs Ann
Cohen, Harry
Coleman, Donald
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Cousins, Jim
Cox, Tom
Crowther, Stan
Cryer, Bob
Cummings, John
Cunningham, Dr John
Dalyell, Tam
Darling, Alistair
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H'l)*
Dixon, Don
Dobson, Frank
Doran, Frank
Duffy, A. E. P.
Dunn, Bob
Dunnachie, Jimmy
Dykes, Hugh
Eadie, Alexander
Eastham, Ken
Evans, John *(St Helens N)*
Ewing, Harry *(Falkirk E)*
Fatchett, Derek
Faulds, Andrew
Fearn, Ronald
Field, Frank *(Birkenhead)*
Fisher, Mark
Flannery, Martin
Flynn, Paul
Fookes, Dame Janet
Foot, Rt Hon Michael
Foster, Derek
Fraser, John
Fry, Peter
Fyfe, Maria
Galloway, George
Garrett, John *(Norwich South)*
George, Bruce
Godman, Dr Norman A.
Golding, Mrs Llin
Gordon, Mildred
Gould, Bryan
Graham, Thomas
Grant, Bernie *(Tottenham)*
Greenway, Harry *(Ealing N)*
Gregory, Conal
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Peter *(Portsmouth N)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Hannam, John
Hargreaves, Ken *(Hyndburn)*
Harman, Ms Harriet
Heal, Mrs Sylvia
Henderson, Doug
Hinchliffe, David
Hoey, Ms Kate *(Vauxhall)*
Hogg, N. *(C'nauld & Kilsyth)*
Home Robertson, John
Hood, Jimmy
Howarth, George *(Knowsley N)*
Howell, Rt Hon D. *(S'heath)*
Howells, Geraint
Howells, Dr. Kim (Pontypridd)
Hoyle, Doug
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Simon *(Southwark)*
Hunt, Sir John *(Ravensbourne)*
Ingram, Adam
Irving, Sir Charles
Johnston, Sir Russell
Jones, Barry *(Alyn & Deeside)*
Jones, Martyn *(Clwyd S W)*
Kaufman, Rt Hon Gerald
Kellett-Bowman, Dame Elaine
Kennedy, Charles
Kilfedder, James
Kinnock, Rt Hon Neil
Kirkwood, Archy
Knox, David
Leighton, Ron
Lester, Jim *(Broxtowe)*
Lestor, Joan *(Eccles)*
Lewis, Terry
Litherland, Robert
Livingstone, Ken
Livsey, Richard
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum A.
McFall, John
Macfarlane, Sir Neil
McKay, Allen *(Barnsley West)*
McKelvey, William
McLeish, Henry
McNamara, Kevin
McWilliam, John
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Marlow, Tony
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Meyer, Sir Anthony
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Mills, Iain
Miscampbell, Norman
Mitchell, Austin *(G't Grimsby)*
Molyneaux, Rt Hon James
Montgomery, Sir Fergus
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Mowlam, Marjorie
Mudd, David
Mullin, Chris
Murphy, Paul
Nellist, Dave
Oakes, Rt Hon Gordon
O'Brien, William
O'Neill, Martin
Orme, Rt Hon Stanley
Parry, Robert
Patchett, Terry
Pendry, Tom
Pike, Peter L.
Porter, Barry *(Wirral S)*
Powell, Ray *(Ogmore)*
Prescott, John
Primarolo, Dawn
Quin, Ms Joyce
Radice, Giles
Raffan, Keith
Redmond, Martin
Rees, Rt Hon Merlyn
Reid, Dr John
Richardson, Jo
Robertson, George
Robinson, Geoffrey
Rogers, Allan
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Ross, William *(Londonderry E)*
Rowlands, Ted
Ruddock, Joan
Sedgemore, Brian
Sheldon, Rt Hon Robert
Shepherd, Richard *(Aldridge)*
Shore, Rt Hon Peter
Short, Clare
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Smith, J. P. *(Vale of Glam)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Speed, Keith
Speller, Tony
Stanbrook, Ivor
Steel, Rt Hon Sir David
Steinberg, Gerry
Stott, Roger
Straw, Jack
Summerson, Hugo
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Taylor, Teddy *(S'end E)*
Temple-Morris, Peter
Thompson, Jack *(Wansbeck)*
Thompson, Patrick *(Norwich N)*
Thornton, Malcolm
Townend, John *(Bridlington)*
Turner, Dennis
Vaughan, Sir Gerard
Vaz, Keith
Wallace, James
Walley, Joan
Wardell, Gareth *(Gower)*
Wareing, Robert N.
Watson, Mike *(Glasgow, C)*
Watts, John
Welsh, Michael *(Doncaster N)*
Wiggin, Jerry
Wigley, Dafydd
Williams, Rt Hon Alan
Williams, Alan W. *(Carm'then)*
Wilson, Brian
Winnick, David
Winterton, Mrs Ann
Wise, Mrs Audrey
Wolfson, Mark
Worthington, Tony
Wray, Jimmy
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Frank Haynes and
Mr. Andrew Welsh.

NOES

Adley, Robert
Aitken, Jonathan
Alison, Rt Hon Michael
Amery, Rt Hon Julian
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Tom *(Hazel Grove)*
Ashby, David
Atkins, Robert
Atkinson, David
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Batiste, Spencer
Beaumont-Dark, Anthony
Bennett, Nicholas *(Pembroke)*
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, A *(Brighton K'pto'n)*
Bowden, Gerald *(Dulwich)*
Bowis, John
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Brooke, Rt Hon Peter
Brown, Michael *(Brigg & Cl't's)*
Bruce, Ian *(Dorset South)*
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butcher, John
Butler, Chris
Butterfill, John
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher
Churchill, Mr
Clark, Hon Alan *(Plym'th S'n)*
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Colvin, Michael
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Couchman, James
Cran, James
Critchley, Julian
Currie, Mrs Edwina
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Dorrell, Stephen
Douglas-Hamilton, Lord James
Durant, Tony
Eggar, Tim
Emery, Sir Peter
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Fallon, Michael
Farr, Sir John
Favell, Tony
Fenner, Dame Peggy
Finsberg, Sir Geoffrey
Fishburn, John Dudley
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Sir Norman
Freeman, Roger
French, Douglas
Gardiner, George
Garel-Jones, Tristan
Gill, Christopher
Gilmour, Rt Hon Sir Ian
Glyn, Dr Sir Alan
Goodhart, Sir Philip
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, John
Gow, Ian
Greenway, John *(Ryedale)*
Grist, Ian
Ground, Patrick
Grylls, Michael
Gummer, Rt Hon John Selwyn
Hague, William
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hardy, Peter
Harris, David
Haselhurst, Alan
Hawkins, Christopher
Hayes, Jerry
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heathcoat-Amory, David
Heseltine, Rt Hon Michael
Hicks, Mrs Maureen *(Wolv' NE)*
Higgins, Rt Hon Terence L.
Hill, James
Hind, Kenneth
Hogg, Hon Douglas *(Gr'th'm)*
Hordern, Sir Peter
Howard, Rt Hon Michael
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howe, Rt Hon Sir Geoffrey
Howell, Rt Hon David *(G'dford)*
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunter, Andrew
Irvine, Michael
Jack, Michael
Jackson, Robert
Janman, Tim
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Jopling, Rt Hon Michael
Key, Robert
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Lamont, Rt Hon Norman
Lang, Ian
Latham, Michael
Lawrence, Ivan
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lilley, Peter
Lloyd, Peter *(Fareham)*
Lord, Michael
Luce, Rt Hon Richard
Lyell, Rt Hon Sir Nicholas
McCrindle, Robert
MacGregor, Rt Hon John
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Patrick
Madel, David
Major, Rt Hon John
Malins, Humfrey
Mans, Keith
Maples, John
Marland, Paul
Marshall, John *(Hendon S)*
Marshall, Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Maude, Hon Francis
Mawhinney, Dr Brian
Maxwell-Hyslop, Robin
Mayhew, Rt Hon Sir Patrick
Mellor, David
Miller, Sir Hal
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Moate, Roger
Monro, Sir Hector
Moore, Rt Hon John
Morris, M *(N'hampton S)*
Morrison, Sir Charles
Morrison, Rt Hon P *(Chester)*
Moss, Malcolm
Moynihan, Hon Colin
Neale, Gerrard
Needham, Richard
Nelson, Anthony
Neubert, Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Cranley
Oppenheim, Phillip
Page, Richard
Paice, James
Parkinson, Rt Hon Cecil
Patnick, Irvine
Patten, Rt Hon Chris *(Bath)*
Patten, Rt Hon John
Pawsey, James
Porter, David *(Waveney)*
Price, Sir David
Raison, Rt Hon Timothy
Rathbone, Tim
Redwood, John
Renton, Rt Hon Tim
Riddick, Graham
Ridley, Rt Hon Nicholas
Ridsdale, Sir Julian
Rifkind, Rt Hon Malcolm
Roberts, Wyn *(Conwy)*
Roe, Mrs Marion
Rowe, Andrew
Rumbold, Mrs Angela
Ryder, Richard
Sackville, Hon Tom
Sainsbury, Hon Tim
Sayeed, Jonathan
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shephard, Mrs G. *(Norfolk SW)*
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsfield)*
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanley, Rt Hon Sir John
Steen, Anthony
Stern, Michael
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Stewart, Rt Hon Ian *(Herts N)*
Stokes, Sir John
Stradling Thomas, Sir John
Sumberg, David
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Tebbit, Rt Hon Norman
Thatcher, Rt Hon Margaret
Thompson, D. *(Calder Valley)*
Thorne, Neil
Thurnham, Peter
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Tredinnick, David
Trippier, David
Trotter, Neville
Twinn, Dr Ian
Viggers, Peter
Waddington, Rt Hon David
Waldegrave, Rt Hon William
Walden, George
Walker, Bill *(T'side North)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Warren, Kenneth
Wells, Bowen
Wheeler, Sir John
Whitney, Ray
Widdecombe, Ann
Wilkinson, John
Wilshire, David
Wood, Timothy
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Noes:
Mr. Alastair Goodlad and
Mr. David Lightbown.

Question accordingly negatived.

Further consideration of the Bill adjourned.—*[Mr. John M. Taylor.]*

Bill, as amended (in the Standing Committee), to be further considered this day.

AUSTRALIAN CONSTITUTION (PUBLIC RECORD COPY) BILL

Ordered,

That in respect of the Australian Constitution (Public Record Copy) Bill, notices of Amendments, new Clauses and new Schedules to be moved in Committee may be accepted by the Clerks at the Table before the Bill has been read a second time.—*[Mr. John M. Taylor.]*

Transport (Hexham)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. John M. Taylor.]*

12.29 am

Mr. Alan Amos (Hexham): I am pleased to initiate this debate because transport provision is particularly important in dispersed rural areas and is all the more important now because of my region's economic prosperity, which has been brought about by the Government's policies towards the north-east. All three forms of transport contribute to meeting the area's needs and I shall deal with all three tonight.

I refer first to road transport. The Tyne valley's economy is booming and the area is experiencing a significant growth in population. It is generally regarded as the most beautiful constituency in the country, Mr. Deputy Speaker, and I very much hope that you will visit it as soon as you can. It has a large number of small businesses and there is a need to diversify into areas such as tourism.

At this point, I should like to place on record my thanks to my hon. Friend the Minister for Roads and Traffic for always listening to and acting on my many requests so positively and helpfully.

Our big problem is that the growth of economic activity has created severe problems for so many towns along the Tyne valley—hence the need for bypasses. I refer first to the Prudhoe bypass. Again, I thank my hon. Friend the Minister for agreeing to fund 50 per cent. of the cost of that £8·3 million project through the transport supplementary grant and for providing £1·75 million this year to get it started. It is a major boost for the area and is one of the most significant transport projects in the constituency. It is excellent news for the people of Prudhoe and for the local economy because it will reduce traffic congestion and pollution, improve safety, increase employment and open up large investment opportunities. I hope that the county council will hurry up and start the project.

Secondly, I refer to the Callerton lane link road. Again, I thank my hon. Friend the Minister for giving a section 272 grant of more than £1 million to relieve congestion and environmental damage in the Ponteland and Darras Hall area.

Thirdly, the Haltwhistle bypass is an on-going and big problem. My hon. Friend the Minister knows that I have raised that matter with his Department persistently for three years and that my constituents have been consulted on it for about 12 years. They are now, as always and with my full support, united and determined that only the green bypass option is right and feasible as a solution to Haltwhistle's dangerous traffic congestion both now and in the long term. The situation has changed due to two factors—the changes in economic evaluation and assessment and the new traffic forecasts.

Haltwhistle needs a proper bypass, not a costly and useless inner relief road, which is now the most expensive option, and which is situated close to—in fact, right next to—a railway line, in a single carriageway, and alongside a 30 ft high sheer bank. It will involve a lot of houses, cause environmental damage and cannot be dualled. Therefore, I argue strongly that now is the time to proceed with the green route option. Apart from some officials, nobody now wants an inner relief road. From the new costings, I understand that the cost of that option has soared to £9·16 million, from £4·35 million in 1988, whereas the costs of the two bypass options—the yellow and the green routes—are now estimated at £6·1 million and £7·31 million respectively. It therefore seems to make no sense whatever to have yet another round of public consultation, which includes the inner relief road option, especially since the objection to a bypass has always been on the ground of higher cost. We must prevent any further waste of time or public money and simply drop the prospect of the inner relief road altogether.

The green option is the only viable one left. The yellow route has also already been rejected, on a number of grounds. First, there are environmental grounds: the line of route would involve a number of sharp angles, and a long section would be on stilts—some 30 ft high over the railway line. It would obviously constitute a visual intrusion. Secondly, it would cause severe disruption to local industry by cutting across the factory sites of Crown Paints and Kilfrost. The siting of the roadway support stilts would mean a loss of amenity land and disruption of the firms' traffic operations, which are vital in view of the essential need to move goods and raw materials, and the fact that a high proportion of the traffic involves exports.

There would be disruption to mains services—gas and electricity, for instance—because of the need to reroute them. Other engineering works would also be affected. The large amount of flammable and combustible chemicals on site would cause safety problems. Safety, in fact, is the third ground for the rejection of the scheme. All the emergency services, including the police and fire services, oppose the inner relief road: the green bypass route is their preferred option. Any further public consultation must concern that option, and there should be no delay: all the facts have now been made available. Fourthly, Haydon Bridge clearly needs a bypass, and we look forward to progress on that.

The new road layout on the A1 near Stannington is still a considerable cause of concern. Many of my constituents are still writing to me complaining that it is dangerous, and I hope that my hon. Friend the Minister will keep it under review.

Another pressing need is for a dual carriageway on the A69 west of Hexham. I have raised the matter with my hon. Friend a number of times. The traffic flow is now composed of some 9,000 vehicles a day, and is still growing. I know that the criteria for dualling have not yet been met, but I would argue that those criteria should include some of the following factors.

The first relates to the type of vehicles used. A high proportion of caravans use the road, particularly in the summer—which seems to begin in March and finish around November. The road is very winding, and has some steep hills; it is also subject to particularly bad weather conditions. It is difficult to overtake, and the accident rate is exceptionally high. In a special exercise, the police are now monitoring by video an area near Bardon Mill, where the number of accidents is particularly worrying. Incidentally, I have observed that most of the accidents are caused by frustrated drivers who have been unable to get past slow-moving heavy lorries. We do not need a three-lane road; we need a dual carriageway all the way to Carlisle. This is not an ordinary road; it is the strategic east-west coast route from the north of England to Scotland.

Let me make another plea—for better signposting. We need a more practical approach. My constituency depends increasingly on tourism, and its development is hindered when people do not know where to find accommodation,

[Mr. Alan Amos]

or sites of interest such as Hadrian's wall and Langley castle. Signposts must, of course, be environmentally friendly, but the information is essential to drivers, and I do not believe for a moment that they will be distracted to the point of danger.

With the channel tunnel and 1992 almost upon us, we need a proper dual carriageway of motorway standard, like every other region. Let me repeat my request for a commitment to the upgrading of the A1 to motorway standard. The presence of prolonged roadworks means that often there is only a single carriageway on that vital arterial route. For example, traffic flows on the Newcastle-to-Scotch Corner section have now reached 32,000 vehicles a day, a large proportion of which are big, heavy lorries.

The driver should be given much more consideration while the roadworks are in progress. It is only sensible and right, for instance, to provide temporary sliproads so that drivers can bypass them. If we do not act, I fear that after 1992 the north-east will lose out to other regions.

Secondly, I should like to mention a recent and an on-going problem with rail transport, both of which concern the Tyne valley line from Newcastle through Hexham to Carlisle. The first concerns British Rail's recent announcement of the cancellation of the last two night trains from Newcastle to Hexham, the 10.25 pm and the 11.30 pm. The last train is now at about 9.15 pm. That happened as British Rail was extolling the virtues of its new, more frequent evening service from London to Newcastle. It is extraordinary that it is making it more difficult, if not impossible, to travel west of Newcastle to Hexham by cutting the two night trains.

There is considerable scepticism about what analysis British Rail made of the effect of the withdrawal of those services. Many constituents tell me that often tickets are not checked on the train and that fares are not collected. I am assured—and I have the statistics to show this—that the service is well used on Fridays and Saturdays.

Those cancellations will have a disproportionate effect on the social and economic life of Tynedale. People now cannot have an evening out in Newcastle or at the Metro centre and travel by train. The Metro centre station was built by private contractors and in 1989 was used by 400,000 passengers. I fear that there will be an increase in drink-driving as people have no option but to drive to Newcastle.

There is also a problem for business men. If the last train leaves at about 9.15 pm., business men will have to leave London late in the afternoon, which is not good enough for men who must do a full day's work. Again, they will be driven from the railways and will fly or attempt to drive.

Given the considerable doubt that has been expressed by most people, including Tynedale district council, which, in view of the accuracy of British Rail's figures, has undertaken its own survey of the number of passengers using the late-night service; given the indecent haste with which the decision was taken; and given the lack of public consultation, I urge my hon. Friend the Minister to ask British Rail to review its decision. I cannot believe that it is impossible to run at least one late-night train on Fridays and Saturdays. After a two-hour meeting at British Rail's headquarters last Friday, I very much regret its refusal to consider reinstating all or part of the service.

I am sad because that undermines the good news on the Tyne valley line, for example the new through service from Newcastle to Hexham, to Glasgow and Stranraer. Unfortunately, British Rail has united everyone in opposition to it and has lost a considerable amount of goodwill and trust.

The other aspect of the Tyne valley line is the saga that has been going on for several years of appalling reliability because of the Pacer train problem. I understand that there is a problem with spare parts, maintenance and the late delivery of new trains, but the problem has been going on for three years. I have been promised several times that there will be improvements to the service, but those promises have not been kept and the service has worsened. On 7 December 1989, British Rail's chairman wrote to me saying:

"Happily, no service will be withdrawn from the Tyne Valley line and my local Provincial Managers will be working hard to ensure that the advertised service is maintained."

Since then, three more trains have been withdrawn, which is due to take effect next month, including the 7.46 am Hexham to Newcastle train, which is known as the "ghost train" because it has never turned up. In that sense, cancelling it makes no difference.

There is enormous potential for expansion on the line because of growth along the Tyne valley and the development of tourism. I have seen British Rail's excellent promotional video. Hexham came fourth in the national best kept station awards last year, another encouraging development, but the unreliability of the service is driving people from rail travel, with the result that revenue is falling. The potential of the line is being frittered away. The Government give, through the public service obligation grant, some £400 million a year, and my constituents are entitled to some of that.

I do not believe that throughout the national rail network there are no sprinter trains that can be redeployed from other regions to the Tyne valley line. I have good reason to believe that spare trains—the sprinter trains are more reliable rolling stock—are available for redeployment. That could resolve all the problems and lead to the reinstatement of all the trains. I therefore ask my hon. Friend the Minister to take up this matter with British Rail as a matter of urgency. With the opening of the national garden festival at Gateshead, it would be disastrous public relations for BR if it could not run a regular or reliable service for that event.

It would be churlish of me not to welcome the electrification of the east coast main line from London to Newcastle, which should be completed next year. It should reduce the journey time from London to Newcastle to only two hours 55 minutes. Notwithstanding signal failures and operational difficulties, I look forward to using that fast service.

The channel tunnel is of particular importance to the regions. London is near Europe and has little to lose if the channel tunnel is not completed on time. The regions would lose out. Never before, for example, have Hexham and Hamburg been so close together and so accessible. There is a golden exciting opportunity not to be missed, but it is essential to introduce through freight and passenger services to the continent. I am promised that three through trains a day will be operational in each

direction. The new terminal for those fast services must be at King's Cross. That has the full support of everyone in the north-east. I hope that we shall proceed with it as soon as possible.

Thirdly, I am proud to have what I like to think is the best part of Newcastle international airport in my constituency. The airport plays a vital role in the economic regeneration of the region and is especially important in bringing business men to see for themselves the investment opportunities that are available because of domestic and international connections. The airport reflects the state of the local economy, both of which are booming and buoyant. The number of passengers going through the airport is up; new airlines and routes have been introduced; and the financial situation is healthy. Indeed, 1989 was a record year in terms of the number of passengers and dividends to shareholders. There are now more than 1·6 million passengers compared with only 1 million in 1980—a substantial increase. The number of domestic passengers is up by a massive 15 per cent. and international passengers by 9 per cent. New routes and operators, both domestic and international, are being introduced. Apart from London, there are connections to Manchester, Aberdeen, Belfast, Birmingham, Brussels and Frankfurt, and the list goes on. Air France and Sabena now use the airport.

The airport is preparing well for 1992. Domestic and international scheduled services have increased dramatically by 17 per cent. Equally encouraging is the increase of more than 4 per cent in holiday charters and inclusive tours. That goes against the trend at other airports but reflects the high level of disposable income in the north-east. Newcastle international airport is well prepared to cope with the tendency for longer-haul destinations—for example, transatlantic and Caribbean as well as its traditional Mediterranean routes.

The airport's new and better service links—in terms of road access and the link to the Tyne and Wear Metro, which is under construction—mean that the airport has taken off. It has a continuous programme of improving terminal facilities to cope with an annual throughput of 2 million people and is upgrading airfield facilities. It is taking every opportunity to cope with air freight and cargo. However, the consumer's interests are always enhanced by more competition. I therefore simply ask my hon. Friend the Minister to accept that more competition on domestic routes—the Newcastle to London route—would lead to more choice, lower fares and a higher quality service. I know that British Midland would be interested, but cannot get slots at Heathrow. We need competition on this busy and growing route. British Airways is in a position of near monopoly, which is not in the customer's best interests.

It is therefore vital that we get a significant and radical improvement in air traffic control. Without it, the Government's policy—which is correct—of air liberalisation and deregulation is not possible. The new east coast corridor on the Newcastle to Heathrow route, which the Government approved recently and for which I thank them, has resulted in some improvement. It is still not enough, however, to cope with expansion at its present rate.

I commend those arguments to my hon. Friend the Minister.

12.49 am

The Minister for Roads and Traffic (Mr. Robert Atkins): I congratulate my hon. Friend the Member for Hexham (Mr. Amos) on the way in which he has spoken about his constituency. He did so with his usual clarity and courtesy, and I know that he takes a great interest in transport matters generally and those in his constituency in particular. I am sure that his constituents already know of the tremendous amount of work that he does on their behalf. He knows that I have visited the area many times and intend to do so again. As he rightly said, it is one of the most beautiful parts of England and it is an especial pleasure to visit it.

My hon. Friend will also know that I received a large delegation of Northumberland councillors and officers last October, when we discussed several of the items that my hon. Friend has raised today. Good communications are essential to the northern region, and for that reason the Government have given special priority in recent years to the improvement of links between the region and the rest of the country, and communications within the region. Much has already been achieved and I should like in the few minutes that remain to me to deal with the specific issues that my hon. Friend raised rather than with the generality of the region.

My hon. Friend referred to the completion of the Horsley-Corbridge section of the A69, which is now dual carriageway from Newcastle upon Tyne to Hexham. West of Hexham, a major improvement is planned at Haltwhistle, and widening schemes and climbing lanes elsewhere on the A69 will allow safer overtaking.

My hon. Friend referred to the Prudhoe bypass. I must record that one of the chief reasons why the bypass has been accepted for a September 1990 start and grant aid from my Department was the persuasiveness and the lobbying of my hon. Friend. Many road programmes are pushed, and many are accepted, but my hon. Friend's persuasiveness was a significant contribution, and I hope that his constituents are fully aware of that. The Department will support the scheme until it is completed. The county is being given full capital cover and, as my hon. Friend said, it is now up to it to make progress. I hope that it will hear what he has said, as he has already achieved so much for his constituents. Determination of priorities for other local road schemes is important for Northumberland county council, but this is a matter it should push hard.

The relief road scheme involving the A69 at Haltwhistle was presented at a public exhibition in May 1988 as the only viable solution to the problem there. Since then, new traffic forecasts and a revised economic evaluation have indicated that two bypass options are now viable. My Department is preparing for a public consultation later this year on all the viable options. It is important to have views on all the options so that they can be taken into account by my Department when making an assessment before deciding how to proceed and making an announcement later this year. Any bypass to Haltwhistle would cross National Trust land.

Best value for money in economic terms is obtained by providing the relief road alongside the railway, but this option would be the most costly to build. As my Department has been engaged on this scheme for a considerable time, there will be no need for the preliminary work and preparation that normally follows the announcement of a preferred route. The overall delay to

[Mr. Robert Atkins]

the progress of the scheme will, as a consequence, be minimal. I hear what my hon. Friend has said about the option that he would prefer. That will be taken heavily into account when the matter comes before the inspector.

Various options for a bypass at Haydon Bridge have been considered at some length. The national improvement scheme to provide a bypass was removed from the active list of schemes in 1982 following confirmation that no economically viable solution to the traffic and environmental problems of the town could be found, but the matter is being kept firmly under review.

As for the A69 west of Hexham, with completion of the Newcastle western bypass later this year, 60 per cent. of the A69 in the northern region will be of dual two-lane standard. The remaining 40 per cent.—some 20 miles running from the west of Hexham to the border with Cumbria—carries comparatively light traffic flows. The overall personal injury accident rate is about the average for similar roads in England. I am afraid that there is no case for overall dualling of the A69 west of Hexham, but my hon. Friend's persuasive powers and the manner in which he has raised the issue tonight will endeavour to ensure that, at least in my mind, the situation is kept under review. However, in the meantime, the Department is continuing to implement a programme of improvements, large and small, of which the proposed bypass at Haltwhistle is one.

The current regional programme of small improvements includes a scheme to improve a poorly aligned section from Bush Bends to Haydon Bridge, provision of marginal strips over a length of one and a half miles at Greenshaw Plain and further marginal strips over about half a mile from Whitechapel to Bardon Mill. Further small improvements are in the course of preparation.

My hon. Friend also referred to the dualling of the A1 north of Morpeth. With the completion of the Newcastle western bypass later this year there will be a dual two-lane carriageway link from the A1(M) Durham motorway near Washington to the north of Morpeth. The remaining length of A1 northwards to the Scottish border is mainly of single carriageway standard and carries moderate to light flows of traffic. The overall personal injury accident rate at 0·23 accidents per million vehicle kilometres is identical to the average rate for similar roads in England. I am afraid that there is no case in the foreseeable future for an overall dualling of the A1 north of Morpeth. But, again, the campaign led by my hon. Friend and his hon. Friends in the northern region cannot be ignored. No doubt they will continue their campaign, and I shall continue to listen.

It has been found possible to identify short lengths of local dualling which are useful in relieving congestion and driver frustration due to the difficulties on single carriageway roads of cars and other light vehicles attempting to overtake slower moving heavy goods vehicles. One such length of local dualling was completed recently just south of Alnwick.

A further two lengths have been identified at Brownside and Marshall Meadows where national improvement schemes are proposed. These latter two schemes should be complete and open to the traffic by 1993 providing a total of nine miles of dual two-lane carriageway over the 50 miles or so between Morpeth and the Scottish border. The remaining single carriageway sections will continue to be monitored to identify suitable sites for further local dualling. The A1 trunk road will also be monitored to identify other worthwhile improvements. In the Department's current programme of small improvements, it is intended to provide marginal strips at Low Lynn near Haggerston and at the Cat inn near Scremerston.

My hon. Friend also raised two points about railways and airlines. He will understand that I do not deal on a day-to-day basis with those matters. I have some sympathy with the points that he made about railways. I shall endeavour to ensure that the Department expresses his concerns to British Rail. He will understand that the points that he raised are matters of judgment for British Rail. It is BR which must carry the can for its decisions.

On airlines, my hon. Friend referred to slot allocations and the activities of British Airways. I have travelled the route to which he referred. I know that it is a good route. It is a delightful airport at which to land. Again, I shall ensure that my hon. Friend's anxieties are passed on to the relevant authorities.

My hon. Friend rightly drew attention to a part of the country that is now burgeoning in economic terms. However one looks at it, the transport infrastructure is successful and effective but also capable of improvement.

In conclusion, I must say what I said at the beginning of my remarks. It is largely as a result of my hon. Friend's persuasiveness and that of his hon. Friends that the case for the north of England is pressed continuously and strongly, whether for roads, rail, air travel facilities or any other type of transport. I hope that his constituents realise what a good job he and my hon. Friends are doing. The fact remains that there is good news in the northern region. The transport infrastructure goes a long way to creating that good news. My Department—particularly the roads section—intends that that will continue to be the case.

Question put and agree to.

Adjourned accordingly at two minutes to One o'clock.

House of Commons

Tuesday 1 May 1990

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

HEALTH

Out-patients

1. **Mr. Patrick Thompson:** To ask the Secretary of State for Health what is the number of out-patients currently being treated by the National Health Service; and how many were treated in 1979.

The Parliamentary Under-Secretary of State for Health (Mr. Roger Freeman): In the calendar year 1979, some 7·7 million new out-patients attended NHS hospitals in England. In the year ended 31 March 1989 the equivalent figure was 8·4 million.

Mr. Thompson: Do not those figures give the lie to continual talk about cuts and financial difficulties in the Health Service? Can my hon. Friend confirm that in the Norwich health authority area 60,000 more outpatients were treated in 1989 than in 1979—an increase of 25 per cent.? Is that not a good record of which Norwich health authority and the Government can be proud?

Mr. Freeman: I am grateful to my hon. Friend. He is absolutely right, and I confirm his figures. For the country as a whole, real expenditure on out-patient services has increased by 26 per cent. in the past 10 years.

Mr. Bill Walker: Does my hon. Friend agree that those figures clearly illustrate that the massive sums spent by the Government have reduced waiting lists and, in real terms, have allowed many more patients to be treated? That is surely what the Health Service is about, and we must continue to get better and more efficient use of the vast sums of money that are put in.

Mr. Freeman: I am grateful to my hon. Friend. Most hon. Members would agree that we can do even better in terms of service in out-patient departments, particularly appointment times. In December last year, the Department of Health issued a report recommending how out-patient waiting times can and should be reduced to give a better appointment system.

General Practitioners

2. **Mr. John Marshall:** To ask the Secretary of State for Health what is the current level of general practitioners' remuneration; and what it was in 1979.

The Secretary of State for Health (Mr. Kenneth Clarke): From 1 April 1990, the intended average net remuneration for general practitioners will be £33,280 and the average reimbursement of expenses £42,843. On 1 January 1991, the figure for remuneration will rise to £34,680. The corresponding levels of remuneration and expenses in 1979 were £12,830 and £11,355 respectively.

Mr. Marshall: When my right hon. and learned Friend next meets the British Medical Association, will he suggest that it gives publicity to those figures, which are responsible for the fact that we now have more general practitioners than ever and the average GP patient list is shorter than ever?

Mr. Clarke: I shall put my hon. Friend's excellent suggestion to the BMA when I next meet it. It is certainly the case that the number of GPs in this country has gone up by almost one fifth and lists have become much shorter while the Government have been in power. I expect that the number of GPs will continue to rise because of the attractive figures that I have described, and that lists will continue to fall.

Mr. Spearing: In respect of future remuneration of GPs, is the Secretary of State aware of the anomaly produced by the Jarman indices? Is he aware that in future GPs in the London borough of Newham are scheduled to receive different additional payments in relation to the wards in which their consulting rooms are located? He must surely know that ward boundaries, in his constituency and elsewhere, are arbitrary and that a GP's patients will not necessarily live in an adjacent ward. Will he look at what appears to be an arbitrary and unsatisfactory system for an area which is greatly in need of medical services?

Mr. Clarke: I am keen on the idea of increasing remuneration for those GPs who work in deprived districts, particularly inner city areas. I am glad that I reached agreement with the BMA on that subject. We have agreed that we should apply the Jarman index, but in applying it, it is inevitable that once boundaries are drawn some GPs will be disappointed if they are just the wrong side of them. We have introduced a significant extra incentive to GPs to give the higher levels of service required by people in deprived districts. I shall keep the operation of the arrangements under review, as the hon. Gentleman suggests.

Dame Jill Knight: Does my right hon. and learned Friend agree that it would be excellent if more members of the public realised that general practitioners are so well paid? However, will he bear in mind the problem for some GPs with the immunisation bonus payments, which require four separate actions for the child and unless all four are completed the GP will not be deemed to have carried out the treatment?

Mr. Clarke: The public should be aware that GPs are well paid, and I am sure that my hon. Friend agrees that it is right that they should be. No one has ever sought to interfere with that. Our new arrangements carefully spell out, for the first time, what we expect the best practices to deliver and how they will be paid for the best levels of service. It is true that immunisation targets will be met only when full immunisation has been given; otherwise, the child would not be properly protected. I am confident that the targets will be achieved by GPs, although I am the

first to acknowledge that it involves considerable hard work and application by a practice to achieve the higher targets that we have laid down.

Residential Homes

3. **Mr. Turner:** To ask the Secretary of State for Health if he will bring forward proposals requiring the disclosure of criminal convictions by persons who are, or intend to become, proprietors, managers or care staff in private residential or nursing homes.

18. **Mr. Stott:** To ask the Secretary of State for Health if he will bring forward proposals requiring the disclosure of criminal convictions by persons who are, or intend to become, proprietors, managers or care staff in private residential or nursing homes.

The Minister for Health (Mrs. Virginia Bottomley): Registering authorities should ask an applicant for registration to provide details of any previous criminal convictions. We plan to strengthen that by requiring applicants to declare previous criminal convictions when the regulations made under the Registered Homes Act 1984 are next revised.

Mr. Turner: That appears to be progress. It is clear that hon. Members and many people outside the House do not understand why there are different criteria—that which applies to children's homes and those who work in them and that which applies to the elderly and the handicapped. They are all vulnerable groups and they need protection. I hope that what the Minister has said will be enacted quickly.

Mrs. Bottomley: I am most sympathetic to what the hon. Gentleman has said. We are already having discussions with the Home Office. He will be aware that work has started to ensure that criminal records are available for those in the public sector who look after children. There is a new development in voluntary child care, which will be an additional area of activity.

Mr. Rowe: My hon. Friend knows that anxiety about criminal records is felt on both sides of the House. Does she agree that a valuable step in controlling that sort of abuse will come from both the operation of contracts and the work of care managers? Does she further agree that if that is done properly it should make a big difference?

Mrs. Bottomley: I am grateful to my hon. Friend, who is knowledgeable about these matters. There is no doubt that our community care proposals will enhance the safeguards for individuals who are the subjects of community care—not only the contracts, but making complaints procedures freely available. Those additional safeguards for the frail and the vulnerable, whom we all seek to help, have been written into the Bill.

Ms. Harman: Is the Minister aware of the case of Olive Wareing, who is in prison for the latest in a string of criminal convictions against elderly people in her care in old people's homes? Does the Minister share my concern that when Olive Wareing leaves prison she can set up an old people's home again and avoid registration provided that there are fewer than three residents in her care? Will the Minister act to plug that dangerous loophole in the law?

Mrs. Bottomley: The hon. Lady frequently mentions names in her questions. The name in the minds of many Conservative Members is Nye Bevan lodge. Whether in the public or the private sectors, standards must be maintained and protected. As the hon. Lady well knows, during our discussions on the Bill we sought to find a way to introduce controls over smaller homes which did not come within the scope of the Bill. We have made it clear that we are seeking a legislative opportunity to ensure that there is some control over the smaller residential homes.

Mr. John Greenway: May I refer my hon. Friend to the report that the Select Committee on Home Affairs published last week about the National Identification Bureau? The report makes a number of recommendations to improve the availability of criminal records, which is rather haphazard at present—there certainly seems to be no uniform policy. No doubt my hon. Friend will wish to discuss with my right hon. and learned Friend the Home Secretary just how those proposals could help to monitor those who have access to individuals, whether through care homes or in any other part of the Health Service, particularly those dealing with children and elderly people? Will she also take care to ensure that, whatever standards are set, the private sector is not discriminated against?

Mrs. Bottomley: I thank my hon. Friend for his question. I shall certainly study the report to see what further progress can be made. Those responsible for frail and vulnerable people are concerned that such people should be protected. Those responsible for them are in a position of trust. I fully endorse my hon. Friends comments. We seek a mixed economy of care whether in the private, public or voluntary sector. We want high standards of care, with dignity and choice for the elderly.

NHS Reform

4. **Mr. Cryer:** To ask the Secretary of State for Health what are the total estimated costs of the opting-out submissions made for the National Health Service hospitals; and if he will make a statement.

Mr. Kenneth Clarke: Applications for NHS trust status will not be invited until Parliament has given approval to the necessary legislation. We have made no estimate of the cost of preparing such applications.

Mr. Cryer: Does the Secretary of Health accept that people will regard it as an outrage if a single pound is spent on opting-out submissions, particularly in areas such as Bradford, which has the highest infant mortality rate in the Yorkshire region. If the Minister is so confident about the opting-out process as the first step to towards privatisation, why does he not hold a ballot in Bradford and other areas? Why does he collaborate with serville administrators who are the enemy within the National Health Service led by the Minister as chief saboteur?

Mr. Clarke: I have no doubt that the hon. Gentleman will try to get the public to feel a sense of outrage about almost anything that happens in the Health Service in Bradford, but I do not recognise his description of current events. I am pleased that he has turned his mind to the possible deficiencies and weaknesses in the standard of care provided in Bradford at the moment. I hope that he will give his support to all those local people in Bradford

who want to address them and that he will support anybody in Bradford who thinks that being given more local control over how they tackle the problems might improve things.

Mr. Hayes: Does my right hon. and learned Friend agree that none of the real benefits of self-governing trust status will materialise without a clear commitment for regional health authorities to produce speedy and workable plans for weighted capitation? Will he give them a clear message that there must be no room for backsliding or fudging because money travelling with the patient is the essence of those reforms?

Mr. Clarke: We are committed to ensuring that money is placed in the hands of the districts according to the number of their population adjusted for the age and propensity to sickness of that population. We will have to phase in progress to that end to make sure that there is no disruption of the system. However, I can assure my hon. Friend that as from next year, districts such as his own will receive funds on the basis of what they are now spending on their service—which, not surprisingly, is the basis of the present allocation. I am pleased to hear that in Hertfordshire people are now considering how they could use that money to improve the service further. I am sure that GPs, patients and others will be thinking about how to use the funds allocated to them on the new basis.

Mr. Battle: Is the Secretary of State aware that in Leeds, West, where the community health council balloted the staff at the Leeds General infirmary on proposals for opting out, nine out of 10 voted against the proposals? Now that the proposals have been widened to include other hospitals and institutions in Leeds, West, and detailed plans have been put forward, will he assure me and the House that there will be a full ballot of staff and people in the area before those proposals are taken a step further?

Mr. Clarke: If the staff are given a description of NHS trust status which makes their blood run cold and their hair stand on end, one tends to find that in a subsequent ballot nine out of 10 say that they are against it. Ballots of that kind remind me of "Beyond the Fringe", many years ago, in which one of those who took part said that when they balloted people on whether they wanted their wives and kiddies fried to a frizzle in a nuclear holocaust 90 per cent. said no, 5 per cent. said yes, and 5 per cent. did not know. Such ballots do not add to public understanding of our Health Service reforms.

Mr. McCrindle: Would it not be a helpful if the first task of the newly recruited public relations adviser to my right hon. and learned Friend the Secretary of State were to take steps to persuade the general public and, apparently, some Members of Parliament that the term "opting out" is a misnomer and that in no circumstances will hospitals which choose to take part, be operating outside the National Health Service?

Mr. Clarke: I do not have a public relations adviser and I do not intend to have one. [HON. MEMBERS: "Why not?"] I shall continue to tackle the problem of explaining the NHS reforms to the public myself. The difficulty, which is not encountered in the commercial world is that the public are constantly being given counter-explanations by those who make sensational statements about opting out and what it might mean. When we come to the reality and people can look at local plans put forward by local doctors, nurses and managers, we can have a sensible debate about what NHS trust status might do to improve the Health Service in many areas, including possibly Bradford and Leeds.

Hospital Closures, Sheffield

5. **Mr. Duffy:** To ask the Secretary of State for Health when he next expects to meet the chairman of Trent regional health authority to discuss hospital closures in Sheffield.

Mr. Freeman: Ministers will meet the chairman of all the English regional health authorities, including Trent, at the next regional meeting in May.

Mr. Duffy: When Ministers meet the chairman will they ask him how he defends Sheffield's preferred overall pattern of acute hospital services for the future, which does not take into account bed requirements and will undoubtedly lead to the closure of two support hospitals? Will the Minister also ask the chairman about future demand for beds for the elderly and the possibility of future major accidents?

Mr. Freeman: As my right hon. and learned Friend the Secretary of State has said, from next year we shall begin the process of funding district health authorities on the basis of weighted capitation. Therefore, over a period of years there will be a fair allocation between different parts of the country—for example, between Sheffield and Sevenoaks. As I understand it, there are not yet any formal proposals for Sheffield. There is merely a plan. I assure the hon. Gentleman that if specific proposals are made, to which the community health council has objections, and if those objections are maintained by the regional health authority, the proposals will be brought to Ministers and the hon. Gentleman will have a chance to put his view directly.

Mr. Sayeed: Will my hon. Friend confirm that the revenue of Trent regional health authority has once again increased faster than inflation? Would he care to compare that with what happened to the health authority under the Labour Government?

Mr. Freeman: I am grateful to my hon. Friend for reminding the House that the total increase for hospital services in the current year is about 8·5 per cent. in cash terms. In real terms the increase in funding for the National Health Service in the past 10 years is about 40 per cent. Every region in the country has benefited from increased expenditure this year. Every region has benefited from a real terms increase.

Community Care

6. **Mr. Morley:** To ask the Secretary of State for Health what representations he has received regarding the funding arrangements for local authority community care.

Mrs. Virginia Bottomley: We have received many representations about the new arrangements for funding community care outlined in our White Paper "Caring for People".

Mr. Morley: Is the Minister satisfied that the concept of community care is being implemented in our communities when local government is suffering from the imposition of the poll tax and in many instances bizarre calculations of the standard spending assessment have been made? The SSAs do not take into account local needs in areas with large numbers of elderly people. Elderly people have particular problems in terms of mental illness. Is the Minister aware that in some areas local hospitals have had to turn away people with mental problems who need mental care because the facilities for them are not adequate due to lack of funding? Will the Minister ensure that the necessary funding and commitment is given? We want action and results, not promises.

Mrs. Bottomley: Many local authorities are making good progress in drawing up their plans for care in the community. We are having discussions with the local authority associations about the precise nature of the funding which will be required when those plans come into effect.

Dame Elaine Kellett-Bowman: Is my hon. Friend aware that Inward, which does admirable work in my constituency for ex-drug users, is worried about the new funding rate? I have written to my hon. Friend today about that. Can she do something to ensure that the valuable and unglamorous work that that organisation does is not in any way frustrated?

Mrs. Bottomley: I should like to reassure my hon. Friend that many voluntary organisations which over many years have had a precarious financial base, will have their position safeguarded under the community care plans. Not only will the district health authority have to look to the health needs of the local population, but the local authority, in drawing up its community care plans, will need to see how especially needy groups can have their needs met. If my hon. Friend has any further difficulties, no doubt we can discuss the matter further.

Mr. Frank Field: Will the Minister list for the House those organisations which support the Goverments's stance not to ring-fence money for community care?

Mrs. Bottomley: I am unable to list them at this moment, but I will let the hon. Gentleman have a reply. The key point about ring fencing is that it essentially undermines local accountability. I hope that the hon. Gentleman wants to see that the money set aside for community care is put to good effect. Local authorities have well safeguarded their personal social services spending over the years. It has risen by 38 per cent. I do not believe that one needs to undermine the basic principle of local Government accountability to achieve the end that we both share.

Nurses and Midwives

7. **Mr. Bright:** To ask the Secretary of State for Health how many nurses and midwives there are in the National Health Service now; and how many there were in 1979.

Mrs. Virginia Bottomley: At 30 September 1988, there were 403,900 whole-time equivalent nursing and midwifery staff in the National Health Service in England. The comparable figure for September 1979 was 358,400 whole-time equivalents. That is an increase of 12·7 per cent. The increase in qualified staff over the same period was 26 per cent.

Mr. Bright: Does my hon. Friend agree that, once again, those figures nail the lie that the Government are making cuts in the National Health Service? Is it not also a fact that since 1979 the average nurse's pay has risen by about 43 per cent. in real terms?

Mrs. Bottomley: My hon. Friend, as ever, is extremely well informed. I can confirm those figures. Once again, they are a clear indication of the Government's support for the Health Service. I can inform my hon. Friend further that in inner London, for example, a top-grade sister is now earning £17,000—50 per cent. more than she would have done 10 years ago.

Mr. Robin Cook: Does the Minister recall her own parliamentary answers to me which showed that there was a bigger increase in the number of nurses and doctors in five years of the previous Labour Government than there has been in 10 years of this Government? Is not the achievement on which she is inviting the House to congratulate the Government the achievement of having managed to more than halve the rates of increase in both professions?

Mrs. Bottomley: I find it surprising that the hon. Gentleman should wish to draw attention to his own record in Government when those very nurses—my hon. Friend the Member for Luton, South (Mr. Bright) referred to their considerable pay increase of 43 per cent.—saw their pay fall by 21 per cent. under the Labour Government.

Day Patients

8. **Mr. Ian Taylor:** To ask the Secretary of State for Health what is the number of day patients being treated annually by the National Health Service; and how many were treated in 1979.

Mr. Freeman: Between 1979 and 1988-89 there was an increase in day-case admissions for England—from about 600,000 to just over 1 million, representing a 70 per cent. increase.

Mr. Taylor: I am grateful to my hon. Friend for that answer. Is he aware that in the Kingston and Esher district health authority, which covers part of my constituency, the increase has been getting even better? During the past two years, the surgical day unit has treated 20 per cent. more patients, and last year it dealt with 5,431 patients. Is that not a sign of increasing efficiency in the unit which bodes well for the work of the NHS trust project team?

Mr. Freeman: I am grateful to my hon. Friend. An increase in day surgery is good for patients because they appreciate the chance to have their operations done more quickly and perhaps less invasively, and it is good for the National Health Service because the resources needed to care for the patient coming in for day surgery are clearly fewer. Many hon. Members and their families may have cause to be thankful for day surgery in the coming years —especially, for example, for cataracts, grommets for their children or female sterilisation, three operations now performed by day surgery but which hitherto required a long in-patient stay.

Mr. Boswell: Does my hon. Friend accept that day care represents a cost-effective way of delivering more care to more patients more quickly, provided only—perhaps my hon. Friend can confirm that this is so—that there has been no decrease, but rather an increase, in the number of patients who have been admitted to hospital for operations and other treatment?

Mr. Freeman: I give my hon. Friend that assurance. There has been an improvement in day surgery figures and out-patients and ward attenders—those who go to a ward for minor surgical treatment—have also increased in number, as have in-patients coming in for longer stays. The average length of stay is decreasing, and that is good for patients and for the National Health Service.

Internal Contracts

9. **Mr. Conway:** To ask the Secretary of State for Health whether the National Health Service has any experience of the use of internal contracts.

15. **Mr. Page:** To ask the Secretary of State for Health what experience there has been of internal contracts within the National Health Service.

Mr. Kenneth Clarke: The recent document "Contracts for Health Services: Operating Contracts", which is in the Library, contains examples of contracts between NHS bodies. Most come from various district health authority pilot projects supported by my Department to prepare for the implementation of our reforms of the National Health Service. They demonstrate how contracts will benefit patients by specifying the services and quality of care to be provided.

Mr. Conway: I am grateful to my right hon. and learned Friend for his reply. As most health authorities have experience of internal contracts, is not it nonsense to suggest that the schemes are untested? Will my right hon. and learned Friend assure the House that he will not delay his reforms until all the pilot schemes have been implemented?

Mr. Clarke: A clear majority of authorities have experience of contracting with various bodies; the figure is well over 60 per cent. There are some established and running internal contracts. For example, the contract between Harefield hospital and South Glamorgan, has run without controversy for some time. I agree with my hon. Friend that we must continue to pilot contracting by continuing to finance the work being undertaken at present so that we can be ready by April next year. There is no case for delay because active preparation is well advanced.

Mr. Page: But does my right hon. and learned Friend accept that the National Health Service is not necessarily the swiftest organisation to take on board new ideas and bring them into practice? A number of authorities are slightly concerned that a blockbuster approach may be used. Does my right hon. and learned Friend agree that a simple and more evolutionary approach would be better in the introduction of this method, and would benefit patients?

Mr. Clarke: I agree with my hon. Friend, and I reassure him that we have been urging a simple and evolutionary approach on health authorities since last summer. We expect the majority of health authorities to begin with block contracts with straightforward specifications of what they want. We envisage that health authorities, hospitals and GPs will begin by getting their existing pattern of referral of patients in place within the contract system. Thereafter, they will know what they will spend on each part of the service and what quality they are getting and they can work together to make the system more sophisticated and improve the quality of care that they give to patients.

Mr. Redmond: Does the Secretary of State accept that the National Health Service is far too important for the same mess to be made of it as the Government have made with the poll tax? Before he spends one penny on training staff, will he ensure that the public have the chance to have their say through the ballot box, or is he frightened of democracy?

Mr. Clarke: I certainly agree that the National Health Service is far too important for us to make a mess of reforms intended to improve it, although I do not accept the hon. Gentleman's comparison. We certainly do not intend to make a mess of the National Health Service reforms. The answer lies in the supplementary question asked by my hon. Friend the Member for Hertfordshire, South-West (Mr. Page). There will not be a sudden transformation of the world next April or a blockbuster change to the system. We shall have improvements for which everyone has worked and prepared. Thereafter, we shall see steady improvements throughout the 1990s, as the benefits of better management work their way into the service and we concentrate on quality.

I am all in favour of consulting at every stage—for example, over the National Health Service trusts—but I do not think that the rather foolish local ballots being organised by the trade unions and the Labour party are helping to explain the issues or allay public concern.

Mr. Kennedy: Does the Secretary of State agree that if he is to push ahead with the contracts, everybody will want to judge how well they are operating, and that a key factor in making that judgment will be the flow of information available which will depend heavily on the ability of hospitals and health authorities to introduce proper and full computerisation? Will the right hon. and learned Gentleman therefore pay heed to the point that I have raised with him before—that many people in the National Health Service are saying that the money and time required to computerise to the level of sophistication necessary to monitor the system and make it work as the Government want it to are not available?

Mr. Clarke: I hope that the hon. Gentleman will agree that the Health Service needs to be computerised and that it needs information systems to enable everyone concerned to run it better. That would have been needed whether or not we reformed the Health Service and it will take some years to achieve a good up-to-date level of information systems.

However, I do not accept that we cannot start the process of reform until we have completed that investment. The experience of contracting was not based on modern information systems. We are allocating a lot of money to update those systems, but we can begin with the basic contracting system next year on the basis of the

information that we already have. We can start it simple and then sophisticate it afterwards as the information systems come along.

Royal Colleges of Medicine

10. **Mr. Burt:** To ask the Secretary of State for Health when he last met representatives of the royal colleges of medicine; and what matters were discussed.

Mr. Kenneth Clarke: On 4 April, I met representatives of the medical royal colleges along with representatives from the dental, midwifery and nursing royal colleges to discuss ways of safeguarding and securing improvements in clinical standards for National Health Service patients after the introduction of our NHS reforms in April next year.

Mr. Burt: Does my right hon. and learned Friend recall that he dug the first turf at the new general hospital in Bury a few years ago, thereby demonstrating his and the Government's commitment to high quality and good service in the NHS? When does he think that the royal colleges will finally realise that that same determination for quality and service runs through the health reforms that my right hon. and learned Friend is pursuing? When does he think that they will finally welcome some of the quality initiatives that we have taken instead of being so keen to criticise?

Mr. Clarke: I well remember turning the first sod in my hon. Friend's constituency and I still have the spade in my study to remind me of that happy event. I am delighted that that new hospital is now operational.

With regard to quality, I accept that the royal colleges still have some concerns about the impact on clinical standards although I do not believe that those concerns are well founded. For that reason, I have been having a dialogue with all the royal colleges and I want them to make a positive contribution by helping to monitor clinical standards in the improved NHS in the 1990s. I detect a preparedness on the part of the royal colleges to contemplate that and a willingness to reach agreement if we can.

Mr. Winnick: As the royal colleges have expressed some concern about opting out, should not they be told by the Secretary of State that a referendum was organised in my borough by the local council with questions that were approved by the local health authority and that more than 78 per cent. said that they were against opting out? If there were referendums in other parts of the country, is not it clear that the results would be the same? That is why the Secretary of State is so hostile to balloting and why he is so fearful of people being able to express their views. All the public relations advisors in the world will not be able to sell that idea to the British public.

Mr. Clarke: The Labour party is quite bereft of any contribution to the debate on National Health Service reforms. Labour prefers to publicise ill-founded fears about what might occur and then carry out ballots afterwards like a lot of demented amateur Gallup pollsters. That is not a sensible approach to NHS reforms.

Mr. Nicholas Winterton: How does my right hon. and learned Friend equate his remarks in respect of the National Health Service and Community Care Bill with remarks made yesterday by my hon. Friend the Under-Secretary of State for Health to people from MIND when he said that hundreds of mentally ill patients have been dumped on the streets and that he is determined to give those people a new deal? Will my right hon. and learned Friend the Secretary of State tell us how the Government are going to give a new deal to those hundreds of mentally ill people who have been dumped on the streets because of a lack of places in appropriate hospitals?

Mr. Clarke: My hon. Friend the Under-Secretary of State for Health used slightly different language and a slightly more analytical approach to a serious problem about which I know my hon. Friend the Member for Macclesfield (Mr. Winterton) feels strongly. As my hon. Friend the Under-Secretary said yesterday, he has put a great deal of work into preparing an initiative on that subject because we all know that mentally ill patients have fallen through the net and become homeless in London. When my hon. Friend the Under-Secretary is ready with the details, he will announce what I believe will be an extremely valuable new initiative to tackle that serious problem.

Mr. Robin Cook: I congratulate the Secretary of State on having achieved unity among the royal colleges for the first time in the 40-year history of the NHS. Did he see their joint statement in the week he met them in which they concluded that there was no evidence that his changes will improve the standard of care, access to care, choice of care or even the cost-effectiveness of care? Why do Ministers persist in thinking that more than 20 colleges have got it wrong and that only they have got it right?

Mr. Clarke: The hon. Gentleman should stop taking questions from my Parliamentary Private Secretary and answering them. The hon. Gentleman knows perfectly well that the royal colleges support the vast bulk of what we are doing, including the introduction of the resource management initiative and the introduction of clinical audit, in which the royal colleges are playing a leading role. I have already recognised that they still have some concerns about the consequences of the reforms, but at my meeting it was clear that the royal colleges wish to reach agreement with the Government on how standards can be monitored and supervised after we introduce the reforms next year.

Clinical Standards

11. **Mr. Dykes:** To ask the Secretary of State for Health if he will make a statement on his Department's proposals for future monitoring of clinical standards in the National Health Service and the terms of reference of any monitoring agency.

Mr. Kenneth Clarke: On 4 April, I invited the presidents of the dental, medical, midwifery and nursing royal colleges for talks on the assessment of clinical standards for National Health Service patients after the proposals in the National Health Service and Community Care Bill are implemented. I put forward ideas for setting up a national multi-professional clinical standards advisory group. That was broadly welcomed by the professions, but further discussions will be needed on the way in which such a group might operate.

Mr. Dykes: I thank my right hon. and learned Friend for that answer. Will he confirm that he and the Department are most enthusiastic about the new proposal and getting the system right? Will he say a little more about the composition of the advisory group? It will be of critical importance in reassuring all opinion—lay and medical—that the standards will e properly monitored.

Mr. Clarke: I am grateful to my hon. Friend because, in broad terms, his reaction is the same as that of the presidents of the medical, nursing and dental colleges. We all agreed that we need more talks about how such a system might work, be financed and so on. On the whole, the composition of any group would need to be determined by the medical, nursing and dental royal colleges, and comprise representatives from all the professions to work on a multi-disciplinary basis.

Mr. Michael Morris: Is my right hon. and learned Friend aware that perhaps we could learn a lesson from the United States, where peer review organisations examine about one in four operations and determine whether it was necessary in the first place, at what cost it was done and how successful it was? Such detail is more likely to result in patient satisfaction than some overall national body.

Mr. Clarke: I do not envisage a national body taking over the detailed operation of local services. I envisage a national body that will be available as a source of advice if people encounter local difficulties. I agree with my hon. Friend that we require what I call systematic quality control, which is usually described as audit control. We are drawing on American experience, but the royal colleges and the Government would like an even better system introduced in all branches of the National Health Service.

Dr. Kim Howells: On the monitoring of the health of any community, will not the Secretary of State admit that family practitioner committees are extremely worried about the lack of morbidity statistics in terms of their ability to play a constructive role—if that is not a contradiction in terms—in how the NHS reforms are now being applied?

Mr. Clarke: We have morbidity statistics. I have not had representations from English medical practitioner committees about the inadequacy of the statistics, but I shall certainly make inquiries to see whether the federation believes that it is a problem or whether there is a particular problem in Wales.

General Practitioners

12. **Mr. Hanley:** To ask the Secretary of State for Health what is the number of general practitioners in the National Health Service now; and what it was in 1979.

Mrs. Virginia Bottomley: At 1 October 1988 there were 25,322 GPs in England. That compares with 21,357 at 1 October 1979, an increase of 18·6 per cent.

Mr. Hanley: Bearing in mind the substantial increase in the number of GPs and the fact that our population is static, will my hon. Friend explain why some doctors believe that service to patients will reduce because list sizes will increase?

Mrs. Bottomley: I am quite unable to explain it. As my hon. Friend rightly says, the population remains static. There are more GPs joining the lists each year and we have seen lists come below 2,000 for the first time. That is a major achievement and it leads to better patient care.

Mental Handicap

13. **Mr. O'Brien:** To ask the Secretary of State for Health if he will bring forward proposals to improve the availability and quality of day care services for the mentally handicapped.

Mr. Freeman: Local authorities are primarily responsible for providing day services for mentally handicapped people. The recent social services inspectorate report, "Inspection of Day Services for People with a Mental Handicap", suggested a number of ways in which day services could be improved within existing resources.

Mr. O'Brien: Because of the haste to close mental handicap hospitals and discharge mentally handicapped people, because of the problems facing local authorities —with restrictions on financing and the fact that the money allowed to them is not ring-fenced and there is no guarantee that there will be a sufficient increase to allow for inflation—and because every pound spent above the level of assessment set by the Government under the poll tax arrangements for services for the mentally handicapped means a £4 increase in the poll tax, when does the Minister intend to do something to provide real services for the mentally handicapped?

Mr. Freeman: There is no rush to close mental handicap hospitals. The closure programme and the discharge of patients back into the community from mental handicap hospitals is relatively slow. As for the transfer of resources from the Health Service to local authorities for patients discharged, we are looking at the future of joint finance —of finance passing from the Department of Health to the Department of the Environment—and we shall bring to the House in due course our proposals for ensuring adequate funding for such patients.

PRIME MINISTER

Engagements

Q1. **Mr. Andrew Smith:** To ask the Prime Minister if she will list her official engagements for Tuesday 1 May.

The Prime Minister (Mrs. Margaret Thatcher): This morning I had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

Mr. Smith: Does the Prime Minister accept responsibility for the chaos and confusion at the heart of Government over the poll tax? Does not she owe it to the House and the people before they vote on Thursday to give a straight answer to a straight question? What, precisely, is she going to do about the poll tax?

The Prime Minister: Had the hon. Gentleman read the *Official Report* of the debate we had on that subject last week, he would have known the answer. We are looking to see whether any adjustments need to be made to the community charge for next year. Some of those were

indicated in the debate, and there is no surprise about it. When one goes from a rate tax to a community charge, adjustments will, of course, need to be made, and we are looking to see which ones need to be made for next year —*[Interruption.]* If there is any confusion or any high rates, that is in the minds of Labour local authorities. High community charges are due to local Labour councils. Most councils have got out their charges with the rebates and the traditional relief included in them.

Q2. **Mr. Wood:** To ask the Prime Minister if she will list her official engagements for Tuesday 1 May.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Wood: Does my right hon. Friend agree that it would be wrong for a local authority to cave in to threats of a politically motivated strike, particularly to secure the reinstatement of a leading member of Class War who hailed the Trafalgar square rioters as heroes?

The Prime Minister: Yes, I agree with my hon. Friend. I understand that Hackney suspended a person who hailed the Trafalgar square rioters as heroes, that the National and Local Government Officers Association threatened to go on strike and that Hackney then caved in. That tells us a lot about the people whom Hackney employs, a lot about NALGO and a lot about what life would be like under Labour.

Mr. Kinnock: Will the Prime Minister tell us now, is she or is she not going to introduce legislation to change the poll tax in this Session of Parliament?

The Prime Minister: When we have a statement to make we shall make it—*[Interruption.]*—and it will be far more detailed and thorough than any statement we hear from the right hon. Gentleman about roof tax.

Mr. Kinnock: Does the Prime Minister recall telling me just a few short weeks ago that she thought:

"The community charge will be very popular?"—[*Official Report*, 22 March 1990; Vol. 169, c. 1231.]

Does she still believe that, and if she does, why is she sending her Ministers off in every direction, desperately searching for an escape route from the poll tax?

The Prime Minister: The community charge is a much fairer charge than rates—*[Interruption.]*

Mr. Speaker: Order. The Prime Minister.

The Prime Minister: —and a far fairer charge than the alternative roof tax. I notice that when the right hon. Gentleman gave an interview to *The Independent* on 21 April, it stated that Mr. Kinnock—*[Interruption.]*

Mr. Speaker: Order. The Prime Minister was asked a question. She must be given a chance to answer.

The Prime Minister: It stated:

"Mr. Kinnock then gave a strong indication of his own thinking. He said 'the tax base for rates was imputed rents and that's one thing we can take into account now and bung into the computer.'"

Does not he know the old computer saying, "Garbage in, garbage out"?

Mr. Kinnock: Cannot the Prime Minister understand what just about everybody in the country now understands —that the poll tax will never be fair? It cannot be amended; it must be got rid of, even if that means that the Prime Minister goes down with her own flagship.

The Prime Minister: Cannot the right hon. Gentleman understand that domestic rates have been abolished; that they were a most unfair tax; and that the enemy is not the community charge, but the high-spending Labour councils?

Miss Emma Nicholson: Does my right hon. Friend agree that as only 19 million people paid the rates and 36 million people will now pay towards community services, the community charge is already infinitely fairer for over half the adult population?

The Prime Minister: Yes, my hon. Friend is correct. I noticed that in a recent poll over 70 per cent. of people thought that everyone should make some contribution to local authority spending. That is precisely what the community charge does, with more generous rebates than have ever been given before and with generous rebates for transitional relief. It is a much fairer tax than either the rates or the roof tax.

Dr. Owen: Is banding of the poll tax one of the adjustments that the Prime Minister has in mind, so that people can pay on the basis of their ability to pay, or is the Prime Minister opposed to that in principle? Or are there practical arguments, in which case perhaps she will enumerate them to us?

The Prime Minister: Those who cannot afford to pay get generous community charge rebates—far more generous than ever before. Some 9 million people will benefit from them. Those who have a sharp difference between the old rates and the community charge are eligible for transitional relief. That applies to some 7 million people. The people who do not get sufficient transitional relief live in the areas of high-spending labour councils, which care nought for their citizens but are more anxious to dig their hands deeply into their citizens' pockets. People who are better off pay far more to local services because the taxpayer is the greatest contributor to local authority spending. The top 10 per cent. of income earners pay 40 per cent. of the income tax yield and therefore pay more for local services than the people in the bottom 10 per cent.

Q3. **Dame Peggy Fenner:** To ask the Prime Minister if she will list her official engagements for Tuesday 1 May.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Dame Peggy Fenner: During her busy day, will my right hon. Friend spare a moment to commend Medway city council on setting the lowest community charge in Kent? Will she list the five local authorities that have the worst education record, the largest number of empty council houses and the highest rent arrears?

The Prime Minister: I gladly pay—*[Interruption.]*

Mr. Speaker: Order. The Prime Minister has been asked a question.

The Prime Minister: I gladly pay—*[Laughter.]*

Mr. Speaker: Order. This kind of hilarity is very unseemly.

The Prime Minister: I gladly pay tribute to the eficient Conservative authority in Medway.

With regard to my hon. Friend's question about the five worst education authorities and so on, I am sure that the House is avidly waiting to hear my reply. The five councils with the worst education results are Knowsley—[HON. MEMBERS: "Labour."]; Waltham Forest—[HON. MEMBERS: "Labour."]; Barking—[HON. MEMBERS: "Labour."]; Newham—[HON. MEMBERS: "Labour."]; and Sandwell—[HON. MEMBERS: "Labour."].

The five authorities which have most empty council houses are Manchester—[HON. MEMBERS: "Labour."]; Liverpool—[HON. MEMBERS: "Labour."]; Sheffield—[HON. MEMBERS: "Labour."]; Salford—[HON. MEMBERS: "Labour."]; and Birmingham—[HON. MEMBERS: "Labour."]. Between them, those Labour-controlled authorities have more than 20,000 empty houses.

The five authorities with the highest rent arrears are Southwark—[HON. MEMBERS: "Labour."]; Lambeth—[HON. MEMBERS: "Labour."]; Liverpool—[HON. MEMBERS: "Labour."]; Brent—[HON. MEMBERS: "Labour."]; and Islington—[HON. MEMBERS: "Labour."]. Between them, those authorities are owed £86 million in uncollected rents.

Q4. **Mr. Cummings:** To ask the Prime Minister if she will list her official engagements for Tuesday 1 May.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Cummings: Is the Prime Minister aware of the many thousands of people in the United Kingdom who have been discriminated against because of a hostile interpretation of rules governing concessionary television licences for the elderly and the disabled? Although they live in identical circumstances, because of the regulations they are being denied what is rightfully theirs. In the twilight of the Prime Minister's premiership, will she now find it within her heart to instruct her Ministers to give to retired people that which is equal and just?

The Prime Minister: I am not aware of any discrimination in interpreting the regulations. Interpreting the regulations is a matter for the Department concerned and I am sure that if people are entitled to receive a concessionary licence they will do so.

Mr. Harry Greenway: Is my right hon. Friend aware that 6,000 people in Ealing have been sent bills for the full community charge, regardless of their rebate applications? Some of those people are pensioners and students who are entitled to pay only one fifth—£87—but instead are being required to pay £435 by Ealing's Labour council, which will not process their rebate applications until after the local elections next Thursday. Is not that another wicked Labour con trick?

The Prime Minister: I agree with my hon. Friend. Most local authorities have been thoughtful enough of their residents to deduct the community charge relief and the transitional relief from the bills, so that they do not raise needless fears. That is naturally good administration. If there are any who have not done it, it is bad administration and demonstrates sheer lack of consideration for their own citizens.

Q5. **Mr. Canavan:** To ask the Prime Minister if she will list her official engagements for Tuesday 1 May.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Canavan: Does the Prime Minister recall those heady days when she described the poll tax as her flagship? Now that Thursday's election torpedo is fast approaching, despite the captain's apparent order to change course, does she recall the fate of another flagship, the Belgrano?

The Prime Minister: The hon. Gentleman could have done rather better than that.

As regards the community charge in Scotland, where it has operated for a considerable time, far more councils are now either holding the charge or reducing it. Accountability in Scotland is at last beginning to work, as this year councils know that they cannot blame increases on anyone but themselves.

RAF Shackleton (Crash)

3.30 pm

Mr. Allan Rogers (Rhondda) *(by private notice):* To ask the Secretary of State for Defence if he will make a statement on the crash of the RAF Shackleton in the Outer Hebrides.

Mr. A. J. Beith (Berwick-on-Tweed): On a point of order, Mr. Speaker.

Mr. Speaker: I will take points of order after the statements in the usual place.

Mr. Beith: My point of order arises out of Prime Minister's questions.

Mr. Speaker: I know. The hon. Gentleman knows that I take points of order in their proper place, after the statements.

Mr. Beith: My point of order arises out of Prime Minister's questions.

Mr. Speaker: I know. I repeat to the hon. Gentleman that I take points of order in their proper place, after the statements.

The Minister of State for the Armed Forces (Mr. Archibald Hamilton): It is with much regret——

Mr. Beith *rose*——

Mr. Speaker: Order. The hon. Gentleman is a very senior Member of the House. He knows that I take points of order in their proper place, after the statements.

Mr. Beith: My point of order arises out of Prime Minister's questions.

Mr. Speaker: I know. I repeat to the hon. Member, who has been here as long as I have, that I take points of order in their proper place, after the statements.

Mr. Beith *rose*——

Mr. Speaker: Order.

Mr. Hamilton: It is with much regret that I have to confirm to the House——

Mr. Beith *rose*——

Mr. Speaker: Order. I do not know whether the hon. Member can hear what I am saying to him. I am saying that I take points of order in their proper place after the statements—and that I will certainly do—and not now. We are still in the middle of Question Time. This is a private notice question which I have granted.

Mr. Beith *rose*——

Mr. Speaker: I must now order the hon. Member to sit down.

Mr. Hamilton: It is with much regret that I have to confirm to the House that an RAF Shackleton airborne early warning aircraft based at RAF Lossiemouth, crashed on a hillside near Northton on the isle of Harris in the Outer Hebrides yesterday afternoon around 12.30 pm. Tragically, all 10 RAF personnel on board the aircraft were killed. I am sure that the House will join me in extending our deepest sympathy to the families of those concerned.

A board of inquiry has been convened. As the House will be aware, until the board's investigations are complete it would be inappropriate to speculate about the causes of the accident.

Mr. Rogers: On behalf of my right hon. and hon. Friends, I join the Government in extending to the families of the airmen who were killed our most sincere condolences and sympathy.

I would also like to place on record our tremendous regard for the aircrews of No. 8 squadron who have to fly the Shackletons, often in extreme conditions, and also for the groundcrews of the squadron who have the incredibly difficult task of keeping these 40-year-old aircraft in service. The task has been made extremely difficult in recent years because of the reduction of operational Shackletons from 11 to the current six. During this time, planes which have gone out of commission have been cannibalised to keep the rest in the air, which is a significant achievement.

The provision of early warning planes has had a sorry history in this country——

Hon. Members: What is the question?

Mr. Speaker: This is a private notice question, not a statement.

Mr. Rogers: We find it difficult to understand why the Shackleton seems to have had no upgrading in recent times. Apart from the many questions relating to the condition of the aircraft there are questions peculiar to this crash that need to be answered.

One matter of great concern is the role that the aircraft was playing at the time of the crash—*[Interruption.]* We are investigating a crash in which 10 aircrew were killed.

I understand that the RAF spokesman said that the Shackleton was participating in a missile-firing exercise, but he went on to say in the same statement that no missiles had been fired for at least an hour and a half before the plane crashed. If the plane went on to do flight training, as we were told in the statement, perhaps the Minister will tell us why it was flying at 700 ft when the normal operational mode is 6,000 to 8,000 ft, levels at which the plane is not equipped to fly. It has no terrain-following radar or all-weather radar—it has only the Doppler radar which is required for its functional role.

Why was no warning given to the aircraft by the air defence radar, which is only 20 miles away on the mainland and which was acting as an air control station during Exercise Elder Forest?

The Opposition have drawn to the attention of the House the fact that the cuts of recent years have led to a fall in the operational efficiency of the RAF. It is because of such cuts that tragedies like this occur.

Mr. Hamilton: The hon. Gentleman referred to cuts. I remind him that one or two of these aircraft at a time are operational, out of a fleet that was six, so there is no question of putting lives at risk when flying these aircraft. They have kept up the high standards of maintenance that we have come to expect from the RAF, particularly during peace time, and there is no question of anyone having been put in danger.

The board of inquiry has started its investigations and it would be wrong to pre-empt their outcome. It is up to the board to decide what happened.

I wish to put the hon. Gentleman straight on one matter. The aircraft was not participating at this stage in the exercise that was taking place at the time. That had finished some hour or so before, and the aircraft was 60 miles away from the training area and was on a training flight.

Sir Hector Monro (Dumfries): I join all hon. Members in expressing my deepest sympathy to the relatives of those killed in this tragic accident. As one who is closely involved with RAF Lossiemouth, may I emphasise the exceptional record of that station and of No. 8 squadron in maritime reconaissance and air-sea rescue work?

I share the Minister's view that we should not speculate on the causes of the accident before we hear from the board of inquiry. Does he agree that no Royal Air Force aircraft of whatever age ever flies unless it is fully serviceable and airworthy?

Mr. Hamilton: I am grateful for my hon. Friend's remarks and for his experience in these matters. He is absolutely right to say that we have had an exceptional record with these aircraft. The last one that crashed was in 1968, and it was a maritime patrol version of this aircraft. In 1972 the aircraft were given strengthened air frames and were updated for the airborne early-warning system, and none of these updated aircraft had crashed until this regrettable tragedy.

Mrs. Margaret Ewing (Moray): As the local Member of Parliament for Lossiemouth, I thank the Minister and all other hon. Members who have expressed their deep sympathy to the people of Lossiemouth and the men at the base. I left Lossiemouth only this morning, and it was a numbed and stunned community. It has not been a stranger to tragedies in other aspects of its life. At a time like this, our thoughts and prayers must surely be with the families of the bereaved, some of whom are known to me personally.

May I ask that there be no further idle speculation about the possible causes of the tragedy? As the inquiry proceeds, will the Minister ensure that the privacy of the families in Lossiemouth and the surrounding areas will be fully observed, and that all action is taken to expedite any practical matters which may help the bereaved?

Mr. Hamilton: I can, of course, give the hon. Lady that undertaking. I remind the House that the board of inquiry is sitting. If it comes up with prima facie evidence of technical faults or something to do with the structure of the aircraft which would cause disquiet, the fleet would be grounded at once.

Mr. Bill Walker (Tayside, North): Does my hon. Friend agree that when accidents occur, personnel at Royal Air Force stations are always shocked and their thoughts are with the dependants of those who died? Does he further agree that the Shackleton aircraft has a remarkable safety record and that Royal Air Force pilots and aircrew sign only for aircraft which have been passed as fit and fully operational, and that under no circumstances do RAF aircrew take into the air aircraft that do not meet those criteria? Speculation should therefore not be allowed at this time.

Mr. Hamilton: I am grateful to my hon. Friend for those remarks. It is certainly true that the RAF maintains the highest possible standards and there is no question here of those standards having been in any way lowered.

Mr. Calum Macdonald (Western Isles): As the Member for the area in which the accident occurred, I add my condolences to the relatives of those who were killed. The whole community in the islands feels very deeply for the relatives and colleagues of those who died. Will the Minister join me in paying tribute to the emergency services at the scene of the accident? Does he agree that they responded in an efficient, prompt and thoroughly professional manner?

Mr. Hamilton: I join in the hon. Gentleman's tribute to the emergency services. It was a tragedy that there was so little that they could do when they arrived on the scene of the crash.

Mr. Jonathan Sayeed (Bristol, East): My hon. Friend will have read that, according to the newspapers, the aircraft of No. 8 squadron were grounded following the tragic accident. Will my hon. Friend confirm that that is not the case, despite press speculation, and that the fact that the aircraft are not flying is a mark of respect for the sad loss?

Mr. Hamilton: That is absolutely right. As a mark of respect, the aircraft are not flying today, although there is one standing by in case of emergency. There is no question of the aircraft being grounded unless the board of inquiry comes up with something that causes it disquiet, in which case it would ground them. At the moment, we have no evidence that the accident was caused by a technical fault.

Mr. James Wallace (Orkney and Shetland): May I assure the Minister of the sympathy of my right hon. and hon. Friends for the families and service colleagues of the bereaved? He has already confirmed that it is too early to speculate on the cause of the accident. It is distasteful to try to make political capital out of speculation. It is a tribute to the Shackletons that they are still in service after so many years, carrying out the role assigned to them. Can the Minister give us any indication of when the AWACS replacements will come into operation?

Mr. Hamilton: We are not happy with the capability of the Shackleton as an airborne early-warning aircraft. We are happy about its operations capability and the safety of the crew, but its ability as an airborne early-warning system is not good and we should like to replace it as soon as we can. The AWACS will be coming in the spring of next year. We hope that the whole order for seven aircraft will be completed within about 12 months from then.

Mr. Derek Conway (Shrewsbury and Atcham): Will my hon. Friend undertake to take a personal interest in the welfare of those who are bereaved, bearing in mind that in the case of my constituent who was widowed by an RAF helicopter crash it took nearly two years to reach a settlement? Such a delay is too long and must never be allowed to occur again.

Mr. Hamilton: I take my hon. Friend's point that two years seems a very long time. We shall certainly do all that we can to make sure that settlements for widows are speeded up.

Mr. Sydney Bidwell (Ealing, Southall): As a member of the Select Committee on Transport, which has gone into the whole question of RAF and civil flying, may I ask the Minister to ensure that the inquiry removes any suspicion that flying in the normal flight paths could endanger the safety of the public?

Mr. Hamilton: We are always mindful of the need to ensure that air safety is kept at the highest possible standard, but we should not anticipate the outcome of the inquiry. We do not know the cause of the accident. We must wait until the board of inquiry has reported and we have a clearer idea of what happened.

Mr. Geoffrey Dickens (Littleborough and Saddleworth): As we join together in mourning the loss of the flight crew of No. 8 squadron, will the Minister confirm that it matters not the age of an aircraft so long as during maintenance no structural fatigue or inter-crystalline corrosion is found? Does he also agree that an aircraft's age should not be predominantly in the minds of people when they make certain assumptions?

Mr. Hamilton: I totally sympathise with my hon. Friend about that. We are aware of the stress and fatigue problems in terms of the air frames. That is why they are carefully checked on aircraft of that age, and it is because they are so carefully checked that we are happy that it is a safe aircraft when in the air.

European Council (Dublin)

3.45 pm

The Prime Minister (Mrs. Margaret Thatcher): With permission, Mr. Speaker, I shall make a statement on the informal meeting of the European Council in Dublin on 28 April, which I attended with my right hon. Friend the Foreign Secretary. The text of the Council's conclusions has been placed in the Library of the House.

The Council was convened for two main purposes: to consider the consequences for the European Community of German unification; and to discuss the way ahead in the Community's relations with eastern Europe. We made useful progress on both issues.

The Council agreed clear guidelines for the detailed discussions which will be necessary in order to incorporate East Germany into the Community, taking account of the interests of other member states. Those discussions will cover trade, agriculture, fisheries, the environment and many other issues. It will be for the Commission to make proposals for any transitional arrangements which are necessary. I emphasised that derogations from Community law and practice should be brief; and that we must avoid unfair competition and disruption to trade. Those points are well understood by the Federal German Government.

In the period before unification, East Germany will have access to normal Community funds which have been set up to help eastern Europe: and will also be able to benefit from full access to the European investment bank. Chancellor Kohl indicated that the federal republic is not seeking any special fund for Community financial assistance to East Germany.

A very welcome feature of the discussion on German unification was the strong support expressed by Heads of Government for the North Atlantic Treaty Organisation and for the view that a United Germany should be a member of NATO. That corresponds very much with our own views and those of the United States.

As regards eastern Europe, the Council reached two main conclusions: first, that assistance from the Organisation for Economic Co-operation and Development group of 24 countries ought to be extended to East Germany, Czechoslovakia, Yugoslavia, Bulgaria and Romania, as well as to Poland and Hungary as at present; and, second, that, as soon as possible, we should negotiate association agreements between the European Community and those eastern European countries which are making decisive progress to market economies and genuine democracy. That responds to a British initiative before the Strasbourg European Council last December and we very much welcome the decision.

The Council also provided an opportunity to take forward discussion on other items of European Community business, in particular political union. That has never been defined: and it was clear from our discussion that there are widely differing views on what it covers. I pointed out that the term political union raises anxieties among many people about a loss of national identity, national sovereignty and national institutions. I suggested that we should all make clear that political union does not mean, for example, giving up our separate Heads of State, or our national Parliaments, or our legal or electoral systems, or our defence through NATO.

I also proposed that we indicate that we do not intend to alter the role of the Council of Ministers as the Community's main decision-making body, with Ministers each accountable to their national Parliaments; and that we are opposed to centralising powers in Europe when decisions are better taken by national Parliaments and Governments. If we could agree that none of those things would happen as a result of political union, we could show that many of the fears about it were groundless.

I suggested that the positive way forward lay instead through ever closer co-operation among member states and reform of the Community's existing institutions to make them more effective and more efficient. We shall ourselves have constructive ideas to put forward for that.

I found a number of these views shared by other Heads of Government. Indeed our discussions during the day, particularly on matters concerned with foreign affairs and defence, showed very clearly that in practice we all continue to think in terms of keeping certain key issues as matters for national decision.

We therefore agreed to instruct our Foreign Ministers to analyse more thoroughly what political union should cover and report back to the European Council at the end of June, with a view to a decision then on the holding of an intergovernmental conference. Such a conference can, of course, be convened by a simple majority of member states, but its decisions have to be reached by unanimity and approved by national Parliaments.

I will summarise briefly the other main issues that we discussed. First, the Council confirmed the commitment to complete the European single market by 1992.

Second, we agreed to intensify preparations for the intergovernmental conference on economic and monetary union, which will start in December this year. We also set an objective of finishing the work of that conference in time to permit ratification of the results by the end of 1992. It is rather early to say at this stage how feasible such a target is. The results of that conference would have to come before the House, which has already expressed its views on stages 2 and 3 of the Delors plan.

Third, we confirmed our commitment to a successful conclusion to the Uruguay round of trade negotiations in the GATT.

Fourth, we repeated our desire to strengthen relations with the EFTA nations and extend the single market to them.

Fifth, we asked our officials to make proposals, in time for the next European Council, for improving the effectiveness of the Community's co-operation against drug trafficking and drug abuse.

Foreign Ministers also discussed a number of international issues. They agreed a statement on Cyprus, as well as guidelines for our approach to the CSCE summit, which we expect will be held later this year. Those texts are annexed to the Council's conclusions.

The additional meeting of the European Council set the way ahead for the Community on several important issues. It was also an opportunity to put clearly on record Britain's views on what political union should and should not mean, and not least our determination to defend the powers of this House.

Mr. Neil Kinnock (Islwyn): I thank the Prime Minister for that statement. I welcome several aspects of the Dublin communiqué agreed by the Heads of Governments, in particular the improved co-ordination of action against drug trafficking, the statement on Cyprus—which will have resonance for many hon. Members—the new arrangements for dialogue with the United States of America, and the undertakings given by the German Government on the process of unification.

While we welcome the Council's conclusion relating to support for the economies of eastern Europe, and want that to be extended, will the Prime Minister give an undertaking that any commitment by Britain in that direction will not result in a reduction in the resources that we allocate to Third world countries, whose needs remain as great as ever?

I wish to raise two issues relating to the Community. First, has the Prime Minister made any progress in efforts to locate the European Bank for Reconstruction and Development in London, which is where it should be located? Secondly, in the light of the Chancellor's prediction yesterday on the rate of inflation, can the right hon. Lady update the House on the timing of Britain's entry into the exchange rate mechanism of the European monetary system?

The Dublin summit obviously reflected the process of events immediately before it. Was the Prime Minister personally consulted by Chancellor Kohl or President Mitterrand before they sent their letter to Lithuania last week? If so, why was not Britain associated with that constructive initiative? Was she personally consulted by either Chancellor Kohl or President Mitterrand before their letter of 19 April to the Community Heads of Government, setting out their proposals to convene an intergovernmental conference on European political union?

Has it occurred to the Prime Minister that, when Chancellor Kohl and President Mitterrand are taking important and significant initiatives and Britain is not directly involved, it is because the right hon. Lady has put our country on the sidelines and left others to determine the course and the nature of the new Europe?

We are just six weeks away from a Community summit which, contrary to the Prime Minister's professed wishes, will now consider proposals for an intergovernmental conference on political union. Is not it obvious that the Prime Minister has no positive strategy for that summit? Do not those events make it crystal clear that, because of the way in which the Prime Minister has conducted affairs, she has been pushed to the fringes from which she can exercise only marginal influence on events? Is not it plain that the Prime Minister has made herself merely a spectator, the lame duck of the Community, and she has only herself to blame?

The Prime Minister: I shall go through the points which the right hon. Gentleman has made. Help for the economies of eastern Europe should not diminish help for the Third world. That is very much in the minds of all our colleagues and we do not intend that it should diminish help for the Third world. Help for eastern Europe has been provided out of a special fund.

With regard to the new European bank, we have applied to have it in London. Of course, it is not a Community bank; it is much wider than that, so we have also been in touch with the United States and others who will contribute to it. Many people feel that it should be in London. There is also a battle going on, if I might refer to

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it in that way, about who should be president or governor of that bank. I suspect that the two issues will be settled together.

With regard to inflation, I have nothing to add to the Madrid conclusions about when we shall join the exchange rate mechanism. As the right hon. Gentleman knows, some countries have yet to have full freedom of capital movement and to remove their foreign exchange controls. It is expected that Italy will do that before the beginning of July. There is still not full freedom of financial movement, but the main thing is to get inflation down now before we can join the exchange rate mechanism.

The statement on Lithuania issued by Chancellor Kohl and President Mitterrand was done at one of their bilateral meetings. May I point out that, when all the Foreign Ministers met the week before, they jointly issued a communiqué on our approach to Lithuania under the terms of the political co-operation treaty which requires us all to consult one another before we make statements, if possible, so the Foreign Ministers have made a joint statement.

Chancellor Kohl and President Mitterrand did not consult others before they issued their statement, although it was inside the political co-operation treaty that they should have done so. I am not surprised or disappointed that they did not. The fact that we agree on political co-operation does not mean that we relinquish our sovereign right, unilaterally or bilaterally, to make our own statements. I thought that it was rather on my side that they were giving practical evidence that they did not intend to give up their sovereignty unilaterally or bilaterally, although they were talking about political union without any definition whatsoever. The document that they put before the Council on political union talked a great deal about political union without defining it. Certainly in the first stage they meant increasing the efficiency of Community institutions and increased political, economic and monetary union. It is difficult to define political union by reference to other unions by repetition of the word. They also meant increasing co-operation on security matters, but, of course, one has to remember that each of the nations of the Community takes a very different view. Many of us are fully under NATO; some are not militarily integrated into NATO and some are neutral. So it did not seem a very good example of political union.

On the right hon. Gentleman's final point, may I remind him that Britain was one of the principal political players in that informal session. Many people supported what I said and we got our own way in asking Foreign Ministers to analyse what was meant by political union.

Mr. David Howell (Guildford): Does my right hon. Friend agree that that she was absolutely right at Dublin to seek a clearer definition of European political union? Does she accept that there is, indeed, a strong case for political progress and development in Europe but that it should be constitutionally based on strengthening the role of national parliaments and not on bureaucratic centralism or simply increasing the power of central institutions without proper accountability? Does she agree that that is an excellent case which can be put well by the British, that she has made an excellent start in putting it, and that she should continue to do so with great vigour?

The Prime Minister: I am grateful to my right hon. Friend. I agree wholeheartedly with him. There has been a tendency to increase the central powers of the Commission. That is going the wrong way. The Commission needs some increase in powers in one respect —a quasi judicial respect—it needs powers to enforce some of the directives. In other respects we need a greater distribution of powers for decisions. Those should be taken through the national Parliaments and the Council of Ministers. We have particular proposals to put forward about strengthening the Court of Auditors. The Commission's accountability on finance could be greatly improved.

Mr. James Molyneaux (Lagan Valley): Following our exchanges in the House last Thursday, is the Prime Minister aware that her strong, clear statements in defence of parliamentary sovereignty accurately reflect the views of people not only in Northern Ireland but throughout the United Kingdom?

The Prime Minister: I am grateful to the right hon. Gentleman. I believe that it reflects our views. We are by far the oldest Parliament and we probably report far more often to our Parliament about everything that goes on in the Community than do many other Heads of Government. The fact that at the outset other Heads of Government were not prepared to put any limitation on political union was alarming, but it could mean that they go step by step towards relinquishing the things which are absolutely vital to our parliamentary traditions.

Mr. William Cash (Stafford): Does my right hon. Friend agree that, far from being isolationist or lacking in influence in Europe, the outcome of the Dublin summit proves that we are leading Europe from within and, furthermore, we are doing so on the basis of our insistence on real parliamentary democracy and asking simple questions of those in authority?

The Prime Minister: I agree with my hon. Friend. It is absolutely wrong that people should use phrases without defining them. It is our task as Heads of Government to define them and set strict limits on them. I could not possibly come back to the House without doing precisely that. It took a good deal to do that at the informal summit, but it is now being done. In precisely the same way, and by being isolated at first but obtaining a reasonable settlement, we obtained a rebate of £1·7 billion this year. If we had not taken that path at previous summits, we should be paying £1·7 billion more to the Community than we pay now.

Sir Russell Johnston (Inverness, Nairn and Lochaber): Is the Prime Minister aware that many people in all parties throughout Britain do not necessarily believe that it is in Britain's interest that she gets her own way? Is the right hon. Lady aware that many people feel that here attitude in Dublin was negative and insular? Does she accept that many people believe that the development of a federal Europe, far from being a threat, is the best protection of our pride, realistic sovereignty and economic well-being? As for our electoral system, the sooner that we get rid of that wretched and unfair system, the better.

The Prime Minister: It is not my way that one achieves. It is the way that the Government feel is best for Britain. The Government have done well for Britain in finance,

agriculture, trade, competition and so on. In particular, we have obtained a realistic budget and seeing that we had a realistic contribution to make. I noted what the hon. Gentleman said. Clearly he does not mind losing little by little, or even faster, the powers of the House to a federal Europe. I disagree with him. We should stop any more centralisation and make certain that the future of the Community is implementation of measures through the national Parliaments.

Rev. Ian Paisley (Antrim, North): As the President of the European Commission has made it clear that he envisages European political union in a structure in which the majority of decisions that affect the people of this nation will be taken in Brussels, and as Chancellor Kohl made it clear at Dublin after the summit that he saw increasing power being vested in the non-elected Commission members, will the Prime Minister give the House today a categorical assurance that if the conference moves to add to or change the treaty of Rome she will give this nation the opportunity by referendum to say whether it will go on that course?

The Prime Minister: We shall receive the report of the Foreign Ministers at the next meeting in Dublin in June when doubtless they will give a number of proposals about the way forward. I believe that an intergovernmental conference will then be set up because most people want it and that could be done by a simple majority vote. We shall have our own proposals about making institutions work better. We are very much aware of the enormous powers that are vested in the non-elected Commission. We do not believe that those powers should be increased. There would, of course, be a tremendous attempt to increase them under monetary union and economic union, and that is where the main battles will come. Everything, fortunately, will have to come back to this House for approval. One remembers that the whole time when one is negotiating and believes that one has the feel of this House that it does not wish to yield up any more of its sovereignty than it has already.

Mr. Peter Shore (Bethnal Green and Stepney): Although the communiqué rightly welcomes the unification of Germany under a European roof, is not it a pity that the communiqué was not similarly forthcoming about the now independent countries of eastern Europe? Would not it be a good thing if they, too, were brought under a European roof? Is not it a fact that the whole priorities of the Community are distorted and that the achievement of a wider Europe should be the first and central aim? Would not an enlarged Europe be a far more effective counterweight to over-arching German economic power than these half-baked proposals for political and monetary union in western Europe?

The Prime Minister: The right hon. Gentleman knows that I share his view about the proposals on monetary and economic union, and the House made its views clear in a debate. With regard to what I call the wider Europe, I am very conscious—and I made a speech about it—that Europe and European civilisation were created long before the treaty of Rome and the European Community. I am, therefore, very much aware that eastern Europe is also a part of Europe.

I do not think that eastern Europe could come under the European roof straight away. East Germany is an exceptional case, because it is being incorporated into Germany. It is lucky to be able to plug straight into a system of law, a market economy, a whole banking system, a financial system and a system of company law, whereas it is a long time since the other countries in eastern Europe knew all the structure of a market economy and they could not come in without having gone through the process of getting to that structure and full democracy. That is why we have taken the present route with them. First, we are creating a trade agreement—and many trade agreements have been concluded, as the right hon. Gentleman knows—and, secondly, we are creating special association agreements with them which will have certain common features and some clauses tailored to the particular circumstances. Some of us will think beyond that. We shall think of full membership and believe that that is the right and better way for Europe to go. That could not be done before they had a proper democracy and a market economy.

Mr. Churchill (Davyhulme): Will my right hon. Friend accept that she spoke for the people of Britain when she insisted that the meaning of European unity be spelt out in detail? Surely it is of the essence that the future position of our sovereign, of our national government and indeed of these historic Houses of Parliament should be clarified and accepted as essential realities in any move towards a wider European unity.

The Prime Minister: I am grateful to my hon. Friend. I think that what one has noticed over the past 10 years is that the rhetoric and the practice often vary very much in countries in the European Community. We must define our terms, or we shall have artificial debates and arouse needless fears. *[Interruption.]* No, I am the person who does the analysis. I entirely agree with what my hon. Friend says.

Mr. Merlyn Rees (Morley and Leeds, South): Did I hear correctly when I heard the Prime Minister say that defence was among the matters discussed? Surely that is not normally a matter for the EEC. I should find it even more surprising if the Taoiseach, who is the President and whose country is neutral and deliberately has nothing to do with NATO—and that is its business—chaired a meeting at which defence was discussed.

The Prime Minister: We discussed the importance of East Germany when incorporated into a unified Germany, with the unified Germany as a whole being in NATO. We did not, of course, go into detail, and we could not possibly have done so. France is not militarily integrated into NATO, but is every bit as concerned as the rest of us that a unified Germany should be in NATO. As the right hon. Gentleman pointed out, the Taoiseach is neutral.

I again refer to what Chancellor Kohl and President Mitterrand said in their letter to the Community about political union: they suggested that one of the things that should be discussed was security. One pointed out that we were not the organisation that was the decisive organisation on defence matters, and I did not see how that could possibly be a definition of political unity.

Mr. Ian Stewart (Hertfordshire, North): My right hon. Friend has rightly expressed herself cautious about extending the powers of the Commission, which is a non-elected body. In any future discusson of political plans for the European Community, will she be wary of

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increasing the powers of the European Parliament in relation to finance? Over the years, the Parliament unfortunately seems to have been more interested in increasing public expenditure in the Community—often in areas that overlap public expenditure in individual member states—than in protecting the interests of taxpayers in Britain and in the other member states.

The Prime Minister: I agree with my right hon. Friend. We should be wary of further increasing the powers of the European Parliament, particularly over finance. The Parliament often wants to spend more, but the responsibility for raising the money lies elsewhere. I know that those powers have been increased both in the lifetime of the previous Labour Government and during the lifetime of this Government. I agree with my hon. Friend: I think that we have gone far enough.

Mr. Tony Benn (Chesterfield): Is the Prime Minister aware that, following the historic events of the past 12 months, it is quite proper that we should be having an open debate about the future of Europe but that the debate is not between nationalists and federalists but among a much wider range of people than that? Many of them, like me, would like to see a wider Europe, with nations of different traditions harmonising by consent and co-operating politically and economically without the domination of a central body. That view must be allowed to appear upon the agenda. Those who have rejected Gospan, which is not elected, will similarly reject the Commission, which is not elected or the Bundesbank, which is not elected. I hope that the Prime Minister will agree that before the June meeting the House can discuss the matter fully.

I have one further question, about the role of the House of Commons. As all laws emanating from the Council of Ministers—a legislative body—are made in secret by British Ministers using the Crown prerogative of treaty making, the House of Commons has lost all its powers, and accountability has simply become a vote of confidence in the Government of the day. It is not just European political union but the present arrangements and the 1992 arrangements that have reduced the House to municipal impotence. We are spectators of what is decided by Ministers in our name, without any authority, either in advance or afterwards, for the decisions that they have reached. Can that also be discussed?

The Prime Minister: As the right hon. Gentleman knows, when those draft directives are being negotiated, the negotiations are long and detailed. The right hon. Gentleman is right in that the Commission has the only right of initiation of draft directives. Draft directives may be withdrawn and others introduced. Separate countries cannot amend such directives. It might take four, five, six or even seven years for Ministers to approve a draft directive because, as a result of that directive being taken back and changed, it is very different. Where it is vital, such directives must be agreed by unanimity, on other occasions by majority. We would propose that the Commission should not have the only power of initiation. Ministers should be able to amend the draft directives.

The more important point raised by the right hon. Member related to the Community's wider aspects. It was started as the European Economic Community and we had to give up all powers directly over our own agriculture and that is now negotiated in the Community and a similar process applies to trade. Therefore, we cannot appear at the Uruguay round as a separate country. We negotiate through the European Community and the Community has an economic character in which it must have fair competition and try to get rid of heavy subsidies. We cannot discard that, because that is fundamental to the Community.

I would disagree with the suggestion made by the right hon. Member that we should widen the debate. I would have a different solution from that. The Community is the place in which we negotiate on economic matters and perhaps on political matters, because we have political co-operation, but that must be considered. We negotiate defence in NATO, but that is still not enough. That is where the importance of the Helsinki accords and the conference on security and co-operation in Europe come in. That was signed by 35 nations on both sides of the political divide in Europe and that is why many of us want that conference to meet more often, possibly with Foreign Ministers meeting twice a year, so that we achieve that essential discussion between nations of different political characters. We can then see more and discuss more of the problems and perhaps prevent some of them from arising and have a greater understanding of them. However, that is a separate task for the CSCE framework and we hope to meet later this year to consider that further.

Mr. Ian Gow (Eastbourne): Did the Council of Ministers agree that it was the duty of every member state at all times and in all circumstances to do its utmost to cleanse Europe of the evil of terrorism? Did my right hon. Friend make it clear to the President of the Council that, as a result of the recent events and decisions of the Supreme Court in Dublin, many hon. Members consider that the Republic has become a safe haven for terrorists and that that is wholly unacceptable to the House?

The Prime Minister: As my hon. Friend knows, I have raised that matter before and have been very forthright about it—just as forthright as my hon. Friend is now. A rule of law matters very much to us and part of that is apprehending those who are suspected of crimes and, if they are guilty, seeing that they are convicted as guilty before properly appointed courts and that the sentence is carried out.

We have been very concerned about terrorism and with the greater freedom of movement of people, particularly across the mainland of Europe and the removal of some internal borders. We have not yet made sufficient provision for catching terrorists or people dealing in drugs or other articles who cross borders. We have raised that matter on many occasions. We are in a special position because we are an island and we can exercise such controls at our ports and airports. However, we do not have a satisfactory way of achieving that more generally.

Mr. Jim Sillars (Glasgow, Govan): I welcome German unification. However, given that in international law East Germany as the GDR is a separate state, on what legal basis will East Germany be incorporated into the Community? Will it require the unanimity of the current 12 member states?

The Prime Minister: The hon. Gentleman has used the correct word. It will not be annexed and therefore we do

not have a separate treaty negotiation as we would have if we were taking on a wholly different country. It will come in under article 23 when the GDR becomes incorporated into Germany. Therefore, we are negotiating in a completely different way. We do not have to have unanimity under each facet of negotiation, for example, in agriculture, fisheries, trade, competition and environment, but it will go under the ordinary Community law.

In the meantime, we are aware that many things need to be negotiated, and they are being negotiated in a pre-unification way because the GDR has totally different kinds of farming from that in Europe. It has enormous co-operative farms. Also, it produces a great deal of wheat, barley and potatoes, and of course some of those could come into a Community that already has a surplus and is getting rid of its surplus, and that must be negotiated. It has a fishing fleet twice the size of that of the Federal Republic of Germany and very few waters, and that will have to be negotiated and very carefully indeed. Then, of course, it has many subsidies and a Communist economy at the moment, and we really cannot have goods coming across and undercutting us. All those matters, therefore, are for the Commission to be negotiating at the moment.

Mr. Hugh Dykes (Harrow, East): I thank my right hon. Friend the Prime Minister for robustly defending the interests of this country at the European talks, and particularly for committing this country to the thorough-going discussions on European political, economic and monetary union, which, of course, in reality will enhance the sovereignty of this country. Does she agree that there is no reason on earth why the proposals and procedures to be adopted should not enhance the sovereignty of this national Parliament, particularly in its developing work with the European Parliament, itself exercising accountability over the European Commission?

The Prime Minister: I am aware of the argument that my hon. Friend uses. It is used frequently, particularly by some of the smaller members of the Community, who say that, because they are part of a bigger organisation, they have influence where they would never have had it before. I think that there are distinct limits as to how much further that view can be taken. For example, we cannot, as I said, negotiate as a separate nation in the Uruguay round.

Mr. Dykes: It does not matter.

The Prime Minister: My hon. Friend says that it does not matter. I should not say that it enhanced our sovereignty—not in any way; it may pool our sovereignty. It could diminish our influence if we were only one country in 12. On the whole, we make our views felt and sometimes we get the right answer because we have the right proposals. I know that that will continue to be so.

Mr. Nigel Spearing (Newham, South): Is the Prime Minister aware that what she said about parliamentary democracy and the powers of this House will receive some assent here and outside, but do not two questions follow? First, is not it high time that the House agreed to the unanimous four-year-old request of the Select Committee on European Legislation that its powers be slightly extended so that it may give full information to the House about matters relating to the EEC and its legislation? Secondly, whatever may have happened in the past, is it now appropriate that all the documents that will be put before the future Council of Ministers, future European Councils and, indeed, intergovernmental conferences be placed before the House for debate on a substantive motion before Governments commit themselves? If our friends and neighbours in Europe are to take seriously what the Prime Minister and others are saying about parliamentary democracy, surely the answer to both questions must be yes.

The Prime Minister: The hon. Gentleman is aware of my general view that I believe that he and others who have taken a particular interest—indeed, the whole House—should have as much information as possible, first, because of the traditions of the House and, secondly, because some of the decisions that we shall take in the next five years will have a fundamental effect on the future of our children. We wish to do the best for them, but we think that the best is done by a combination of belonging to the European Community and being influential in that, but also of being a very proud nation state, and one of 12 proud nation states. We think that it is better to co-operate in that way than trying to merge more of our sovereignty, as we have done in the past. I shall do my best to look into this matter and see that as much information as possible comes before the House, because that can only enhance the quality of the debate and help Ministers when they are negotiating.

Mr. Jonathan Aitken (Thanet, South): Will my right hon. Friend accept congratulations for injecting such a welcome note of British realism into the proceedings and for asking just the right kind of searching questions on some of the dreams of European political union? Was she surprised this afternoon when the Leader of the Opposition, on the basis of minimal information, apparently committed himself and some of his party to going along with the Franco-German theory of political union, a theory which can only result in a massive shift of power away from this House and contrary to the wishes of the British people?

The Prime Minister: The Leader of the Opposition has ceased to surprise me—*[Interruption.]*—and perhaps I might ask him to go into these matters rather more closely and in greater detail.

Mr. Harry Ewing (Falkirk, East): In relation to the important issue of the unification of Germany, may I ask the right hon. Lady to confirm that, when she refers to article 23, she is referring to article 23 of the basic law of the Federal Republic's constitution and that unification will take place under that law? Will she confirm that the proposal is that the five regional areas of East Germany will merely be added to the 11 laender of West Germany and that we shall be faced with a 16-laender Federal Republic of Germany becoming part of the EEC? Is the Prime Minister aware that I am 110 per cent. in favour of that new state being a member of NATO?

Is the right hon. Lady aware that the achievement of the wider European family—if, as we hope, the new Germany becomes a member of NATO—will require confidence-building measures, bearing in mind the attitude of the Soviet Union? Does she accept that if that were not to happen there could be tensions in Europe that, to say the least, would be difficult to handle? Is she convinced, in view of all of that, that sooner rather than later we should have a major debate about the direction in which Europe is travelling?

The Prime Minister: I am grateful to the hon. Gentleman for making the first point. The article 23 to which I referred is article 23 of the constitution of the Federal Republic of Germany, which is so well known that I did not identify it. He described the procedure as I understand it—that East Germany will divide into five laender, that they will be annexed and that they will become one unitary German state.

The hon. Gentleman went on to speak of the wider European fabric, and perhaps one can divide it into three. First, there are the immediate east European countries that were part of the Warsaw pact and which now wish to have association agreements with us, so we shall get closer that way, and they may eventually want to join. Secondly, there are the six EFTA countries with which we are renegotiating a new agreement—again, a wider grouping, and some of them may wish to join. Austria has already applied, and that is another neutral country.

I do not think we can go beyond that, except within the existing framework. When considering the future, I have always thought that we were fortunate in having those three frameworks. We have the European Community, we have NATO for our defence, which locks us in, both sides of the Atlantic—the defence of freedom is both sides of the Atlantic; it locks us into the United States and the United States into us—and we are able to use the Helsinki accords to go across the divide.

There will obviously be much more difficulty in getting a free market economy in eastern European countries, and particularly in the Soviet Union, and the greater the discussions we have with them the better. The framework exists, and I believe that it would be best to use that framework.

Sir John Stokes (Halesowen and Stourbridge): Is my right hon. Friend aware that her statement this afternoon and the questions that have followed represent one of the most important events in the life of this Parliament? Is she aware that we are dealing with the fundamentals of our national life, not only for ourselves but for our children and our children's children? Is she further aware that she stands in the line of great Prime Ministers of this country who have stood up for Britain and have had the support of the vast mass of the people? We are fortunate to have my right hon. Friend, rather than the inexperienced Leader of the Opposition representing us abroad.

The Prime Minister: I am grateful to my hon. Friend. It is extremely important that we stay in NATO and that we keep the United States in Europe to ensure both our freedom and our rule of law. It is important that we retain our national identity and our ancient traditions and heritage, which have done so much for the world. It is also important that we play a part in the development of Europe. However, we must remember that the civilisation of Europe, which is now seen the world over, was built up over centuries and that it belongs to more countries than just to the 12. Indeed, it was built up before Europe had any central authority, partly because of the variety within Europe and because there was always another place to go for those who sought more freedom than they found in any particular state.

Therefore, I agree with my hon. Friend and with Opposition Members who have said that this was one of the most important summits. That is why one finds it a tremendously responsible and exciting job. We are shaping the future for a long time ahead and we shall do so carefully, with full respect for the traditions of this House.

Mr. Ron Leighton (Newham, North-East): If, contrary to the assurances that were given in the referendum, we were to have economic, monetary and now political union, and if, as Jacques Delors suggested, 80 per cent. of our policy was decided in Brussels and taken from this House, does the Prime Minister have any proposals to reduce the salaries of Members of Parliament by 80 per cent? As the Palace of Westminster would become rather redundant, does the Prime Minister have any plans to privatise it and to link it to the Greater London council building and turn it into a hotel, or perhaps it could be turned into a museum with a variety of artefacts that would remind tourists of the old days when Britain was a self-governing parliamentary democracy?

The Prime Minister: I realise that the hon. Gentleman worked hard at that supplementary question, but he is slightly out of tune with the spirit of the House today. We are all working anxiously for the future of Europe and the wider world and to extend freedom and the rule of law ever wider, along with wider prosperity. However, the hon. Gentleman has touched on something fundamental. There will be fierce debates about economic and monetary union. Those debates will be fierce because from what we have seen of Delors stages 2 and 3, which have been rather general, we do not like or accept the idea of going to a single currency or locked currencies or the idea of a central bank, which would take powers away from this House, as was described in the Delors report. We have already gone some distance because it has been made clear that that organisation would not have as many powers over the general budgetary decisions of this House as Delors set out. That issue will be hotly fought because a number of others want to go much further than we do.

The hon. Member for Newham, South (Mr. Spearing), who earlier spoke about the need for more information, was right to say that we shall need as much information as possible. That issue will be much more fiercely fought at the moment than that of political union, because political union is much further behind and we have stopped it meaning things that we did not want it to mean.

Sir Patrick McNair-Wilson (New Forest): May I warmly congratulate my right hon. Friend both on her statement this afternoon and on all the ways in which she works for the British interest both in Europe and elsewhere in the world? In her discussions on the exchange rate mechanism, was she aware of the growing unease of many of the member countries about a fixed exchange rate mechanism covering such a broad spectrum when there is so much uncertainty about German monetary union? Is there really a good case for returning to fixed exchange rates after this country's unhappy experience from 1949 to the early 1970s? Therefore, are not we wise in being extremely cautious before we hand over our money supply to a third party?

The Prime Minister: My hon. Friend has put his finger on an important point. It is one thing to join an exchange rate mechanism with certain quite wide margins within which the currency can fluctuate, as has been necessary. We should consider Spain's experience since joining the exchange rate mechanism because that has not been an

easy option for Spain. It would be much more unwise to go to locked exchange rates. Some of us remember the times of fixed exchange rates under the Bretton Woods system when we used to hear in the House details of public expenditure cuts, of how we had to let go a great deal of our reserves, and of high interest rates—all at once. Those problems arose from the fixed Bretton Woods exchange rate system. It was broken, and we should be wary of returning to such a rigid system.

Mr. Giles Radice (Durham, North): In the past, the right hon. Lady has expressed concern about the consequences of German unification. In the circumstances, does she think that it is wise to go on harping—as she does—about national independence, national sovereignty and national identity? Is there not something to recommend the approach of President Mitterrand and Chancellor Kohl, who believe in a common approach that would bind a united Germany more closely to the Community?

The Prime Minister: Again, if I may say so, those are merely words. The Federal Republic is a member, and was a founder member, of the Community. Britain, too, is a member of the Community. We are all bound by the same rules, and we must all agree if we wish to change them. Why should being in the Community bind Germany more firmly that the rest of us? Again, it is a phrase which people are using rather easily.

Naturally, Germany will probably be one of the dominant countries in the Community because she is far larger and very rich. The rest of us would be right to have regard to that. That is one reason why people feel that we should extend the Community. If there is one dominant member in the Community, the other members must have regard to their national identity and to their traditions. Britain's parliamentary traditions go back further than those of any other Community member. Therefore, we have a specific balancing role to play—as we have always had—in Europe.

Sir Michael McNair-Wilson (Newbury): Does my right hon. Friend agree that mutual self-interest is the best binding agent for the EEC, and that political union could be divisive? We talk about German unity as if it was a matter of fact, but does the Soviet Union still retain some residual powers ahead of a peace treaty?

The Prime Minister: I agree with my hon. Friend. We are in the Community because we believe that membership is in our interests and because we believe that we should co-operate on those things. That will give our children more scope and opportunities than we ever had. That is a good thing.

The Berlin four powers and the two Germanies have yet to decide how to wind up the present arrangements in Berlin. We took the view that we should be wary to ensure that that forum was not used to discuss wider defence matters but should be confined to that purpose. Any residual business to be completed will have regard to our duties—as an old occupying power—towards East Germany. Britain will do that with the greatest possible understanding. The Soviet Union is a member of the Berlin four and we will have to negotiate with it on the question of the peace treaty and German unification, even though many of us think that that is not necessary. However, there is a call for such a settlement, especially one that has regard to the borders of Poland. My hon. Friend knows that both Germanies have now undertaken to honour the Oder-Neisse line. They say that as separate states. When they are unified they will have a treaty to that effect.

Mr. Eric S. Heffer (Liverpool, Walton): The right hon. Lady must be aware that I absolutely oppose and detest everything that she has done in relation to this country. The right hon. Lady is totally wrong when it comes to our internal situation here, but she is not wrong on everything; on odd occasions she can be right. She must also be aware that I used to be a staunch supporter of this country entering the Common Market until I realised the effect that it would have on ordinary people. It was that realisation which determined me to resign as a Labour Minister, because I believed that what the Government were doing at the time was wrong.

I still believe that the ordinary people of this country are not getting a good deal from the Common Market and that it is, therefore, right to ask the questions that the right hon. Lady has asked in regard to political union and what it means, and I believe that my right hon. and hon. Friends on the Opposition Front Bench are being too easily conned on these questions of the European Economic Community.

I believe in a socialist Europe. I want a united socialist Europe. I do not want the type of system which is being proposed at present. So I suggest that we need to be much more serious about this question—at present, some of our people are only too keen to rush into it.

While I disagree, therefore, with everything that the right hon. Lady says in relation to this country—*[Laughter.]* It is no laughing matter; it concerns the future of our people, and our people mean a lot to me. They may not mean a lot to some people, but I left a Government job because of them. While I disagree with her on everything else, she is right to ask the questions that she is asking.

The Prime Minister: I respect the hon. Gentleman as a sparring partner in domestic politics, and I enjoy sparring with him. I disagree with him and I am sorry that he does not accept that this country has had much greater prosperity during the past 10 or 11 years and a much higher international reputation.

With regard to the European Community, the future generation will take a different view from those of us who have lived through different experiences, but we will share this with them: they will have greater opportunities because of the European Economic Community, because of the way in which people can set up businesses and practise their professions in Europe and the way in which they can travel in Europe. It will be of great advantage to them. I hope that they will take that opportunity and perhaps be better at languages than we have been in the past. It is our job to create a better future. We do not disagree about that.

The hon. Gentleman said that he wanted a united socialist Europe. I do not. Eastern Europe is trying to get away from centralised socialism. The thing that always puzzles me about the hon. Gentleman is that he demands centralised socialism while being himself a great individualist.

Mr. Anthony Nelson (Chichester): Is my right hon. Friend aware that most people in this country and throughout Europe will wholly support her in seeking to define more precisely and in practical terms what

[Mr. Anthony Nelson]

European union means? On the exchange rate mechanism, will she acknowledge that many people feel that our interest rates in this country are much too high—almost double those in the European Community—because we rely solely on interest rates rather than on the co-operative mechanisms of the European monetary system? If, for example, we were to join the exchange rate mechanism tomorrow, would our interest rates be higher or lower? I suggest to my right hon. Friend they would be lower, to the benefit of our people.

The Prime Minister: We should all define our terms. I am always amazed that I have such difficulty in getting that across to some of my European colleagues.

With regard to the advantages or otherwise of going into the exchange rate mechanism, Spain may well have had some of the hopes expressed by my hon. Friend, but her interest rate has not moved at all—it is still high—her inflation rate has not moved and her trade deficit has not moved. One must be wary of assuming that by going into the exchange rate mechanism one has an easier ride or one's interest rate will suddenly come down. One should look at the experience of others who have joined it.

Mr. Tam Dalyell (Linlithgow): On Hungary, will the Prime Minister ask her senior Ministers to study the report of the Government adviser, Paul Hare, professor of business studies at Heriot-Watt university in Edinburgh, a Hungarian-speaker, to the effect that in the past few weeks Hungarians have been anxious about becoming over-dependent on capital from Dusseldorf and Frankfurt, want greater British participation and feel that the Department of Trade and Industry could do rather more than it has done? Can this be studied?

The Prime Minister: The hon. Gentleman is right; some east European countries are a little wary of the dominance of German capital going into their countries and are very anxious that as much capital as possible from this country and others should also go into their countries so that they have a variety of investment. One must obviously choose investment very carefully and make it only in those things that we are good at, but we think that our capital could do best in Hungary, Poland and Czechoslovakia. I will have a look at that report.

Mr. Nigel Forman (Carshalton and Wallington): Is my right hon. Friend aware that it must be obvious from today's exchanges in the House that her critical but none the less constructive approach to these big questions in the Community is broadly supported in the House? Does she equally accept, however, that the way in which the Community has developed in recent years and is continuing to develop suggests that it will be the private sector which will lead many of these developments and that it will be for national Governments and Community legal bodies to follow and ensure that Community law is adequately enforced?

In that context, does my right hon. Friend realise that her proposals for increasing the enforcement powers of the European Commission and for strengthening the European Court will point the way ahead in the Community?

The Prime Minister: I agree with my hon. Friend that it is the private sector which will lead the way, certainly in some of the matters connected with eastern Europe. The limiting factor is that when they go into eastern European countries they find no company law, often no contract law, often no credit law and sometimes no banking system, so some companies are naturally a little apprehensive. All those things automatically go to East Germany from West Germany, of course.

I agree with my hon. Friend that this has been a very constructive discussion. We are all conscious of the importance of the decisions that we make for the future and anxious for them to be right.

Mr. Dennis Skinner (Bolsover): Is the Prime Minister aware that, as one who believes that West Germany is getting too big for its jackboots, I cannot accept her rhetoric about the future of Britain, inside or outside the Common Market? We heard all the rhetoric before from the Prime Minister when she threatened to bring barrow-loads of money back from the Common Market in respect of the rebates. That is why invisibles are now in deficit—because of the massive amount of money that we are having to hand over to the Common Market. That is why every family in Britain is forking out £16 a week for the common agricultural policy.

We heard the rhetoric before about the single European market and how the right hon. Lady was going to stand up for Britain. What happened? She guillotined the Common Market legislation and dragged her troops through the Lobbies to get Britain into the single market. I do not believe the rhetoric.

The Prime Minister: I am grateful to the hon. Gentleman. May I ask him to recall that, had we left the financial arrangements where his beloved Government left them——

Mr. Skinner: Nowt to do with me.

The Prime Minister: If we had left them where the Labour Government to which he was extremely hostile had left them, we should by now have paid £7·5 billion more to the Community than we have. It is because of the actions of this Government that we have paid £7·5 billion less. So the British people are £7·5 billion better off under a Conservative Government than they were under Labour.

Mr. Richard Alexander (Newark): My right hon. Friend will recollect that in the 1976 referendum Britain voted by a majority for economic union in Europe. May I reassure her that her reservations on political union are far more in tune with the views of the vast majority of people in this country than many of her detractors and critics would seem to suggest?

The Prime Minister: I am grateful to my hon. Friend and I am sure that that is so. I think that people are fearful of political union; they want considerable limits to it; and they want to know what those limits are.

Mr. Nicholas Bennett (Pembroke): Does my right hon. Friend agree that those who describe the genuine fears of people about political union and its effects on national sovereignty and this Parliament as "piffle" fundamentally misunderstand the views of the British people? Furthermore, the British people would rather be represented in the European Community by a bulldog than by a poodle.

The Prime Minister: I am grateful to my hon. Friend. Clearly there must be limits to political union. We must set them out and see that we do not go beyond them.

Mr. Julian Brazier (Canterbury): Does my right hon. Friend agree that in practical terms we have shown the way in Europe and that there are fewer cases outstanding against us than against any other major European country? We have led in a number of initiatives, including the recent one on reducing air fares which would have been of real practical value to European citizens. Finally, it is not Britain that is dragging its feet in extraditing terrorists, whether to Dublin, Brussels or elsewhere.

The Prime Minister: I am grateful to my hon. Friend and I entirely agree that in practical terms we lead the way in implementing Community legislation. I think that that is generally recognised.

With regard to air fares, it was ironic that during a week when others were calling for political union France rejected our application for cutting air fares to Paris and Germany said that it was going to slap an extra tax in July on all lorries that went through German territory.

Mr. Tony Marlow (Northampton, North): In the final statement from Dublin my right hon. Friend agreed that further decisive steps should be taken towards European unity. That seems like a cheque that other people might want to cash. Can she define which decisive steps she would agree to?

The Prime Minister: No. I think that if my hon. Friend looks at the statement, first we said that before we would agree to setting up an inter-governmental conference, which would have to be added to the treaty, we must analyse what is meant by political union—and there are several different models. Most people would want to co-operate more closely, but there would be some doubt about whether we needed a new treaty. If we do, we have a number of proposals to put forward that will make the existing institutions work much better. That would seem constructive and preferable to what we have now.

With regard to economic and monetary union, as my hon. Friend knows, we agree fully with what is called Delors stage 1—the completion of the single market. We are very wary indeed about Delors stage 2, and absolutely against stage 3, on which we shall also put up other proposals of our own. But I think that that matter will be contested more vigorously than anything else before us now.

Mr. John Greenway (Ryedale): Is it not clear from the brief debate this afternoon that the whole House is behind my right hon. Friend's stand in Europe, and that those who have criticised her position in recent months should be made to eat their words? Is it not also clear that, while some continue to promote a certain political ideology, she has continued to pursue practical solutions? May I comment on just two of them?

Mr. Speaker: Order. Make it one.

Mr. Greenway: It is crucial that while people are moving around more freely in a freer Europe we must maintain our borders against drug traffickers and terrorists. I warmly welcome the stand that my right hon. Friend took in Dublin to promote the Drug Trafficking Offences Act 1986, which was a British initiative. It was clear from the evidence that we took in the Select Committee on Home Affairs that this should be pursued, and I am sure that my right hon. Friend will bring all her formidable powers to bear to ensure that that is done.

The Prime Minister: I am grateful. We have got it about right and I think that people are with us in the approach that we are taking. I entirely agree that we do not yet have the issue of borders clear. Britain has good, clear borders because we are an island, but we must remember that other people can get in a car and travel from one side of Europe to the other without going through many border checks. We do not yet have sufficient checks to apprehend drug dealers, criminals, or those who launder money, and such checks must be put in place. When the unification of Germany takes place, it is important that there be effective controls on the East German border with eastern Europe, because the less effective such borders checks are across Europe, the more important they are at the entrance at any point to Europe, whether by land or through an airport or seaport.

Mr. Rupert Allason (Torbay): Did the Council of Ministers consider the forthcoming elections in Romania? Is my right hon. Friend aware of the widespread concern that European aid to that country has effectively been hijacked by the National Salvation Front, which is basically a group of former failed communists who are taking the political credit for European generosity?

The Prime Minister: No, we did not discuss Romania. We did rather well to discuss what we did in the time that we had. But we are very much aware of the previous credentials of some members of the National Salvation Front, and of the point that my hon. Friend makes.

Mr. Ian Bruce (Dorset, South): Did my right hon. Friend discuss the social charter at the European Council? We voted one to 11 against that charter, but many people, particularly in employment agencies that provide temporary staff, are worried that, despite our voting against, regulations and directives will come through on majority voting which will make their businesses unviable. Will she comment on that?

The Prime Minister: We did not discuss the social charter at this meeting, but my hon. Friend is right to think that, although we did not agree to, and therefore knocked out that social charter, separate directives will come. They will be looked at then, not on the basis of rhetoric but on that of what they propose. We may have far more allies with us on that than we should have had on the general social charter which, had we approved it, would have extended the powers of the Commission beyond some of the treaty powers. That is why we were right not to go along with it. In any case, I believe that our social policy is far better than that represented in the social charter.

Mr. Bill Walker (Tayside, North): Is my right hon. Friend aware that many of the personal attacks made on her before she went to Dublin will rebound on those who made them? Does she also recognise that her performance today at the Dispatch Box was an experience that no other European Prime Minister has to face, and that her answers in depth were classics that will long be remembered? Does she further recognise that, as Conservatives and Unionists, we know what union means? We expect others to spell out exactly what they mean by it.

The Prime Minister: I am grateful to my hon. Friend, and I shall cherish the memory of his kind question.

Mr. Geoffrey Dickens (Littleborough and Saddleworth): Is my right hon. Friend aware that, in the words of the late Matt Monro, "She's our kind of girl"? Does she realise that during her impressive performance at the Dispatch Box today she has clearly demonstrated to the British people and to Her Majesty the Queen that she is in Europe fighting for Great Britain? Does she also realise that it is quite impossible to talk about political union of Europe unless the French and Germans are prepared to define exactly what they mean by it? There is no doubt that our Prime Minister has got it right, and I hope that she has gained the admiration of the nation this afternoon.

The Prime Minister: I thank my hon. Friend very much. I shall continue to be a fighting Maggie for Britain.

Points of Order

Mr. A. J. Beith (Berwick-upon-Tweed): On a point of order, Mr. Speaker. The reason why I sought to raise this point of order about one and a half hours ago was that I wanted it to be heard while the Prime Minister and others who had been involved were still present—*[Interruption.]* I see, however, that she wants to leave the scene.

The point that I wanted to put to you, Mr. Speaker, was this: is it really a proper and sensible use of the limited time in Prime Minister's Questions to turn it into a ritualised, scripted chanting that sounded more like an audition for "A Chorus Line" than an opportunity to question the Prime Minister on issues such as the poll tax? The result is that other hon. Members and parties were excluded entirely from the questioning. Is it something that you would wish to see repeated, or would deprecate?

Mr. Speaker: It is entirely in the hands of the House. As long as we persist with the open question, we are bound to get much noise at Prime Minister's Question Time. If hon. Members were to table definitive questions, I think that Prime Minister's Question Time would be as it used to be in the past, and would proceed in the same good order as ordinary Question Time.

Mr. Nicholas Bennett (Pembroke): On a point of order, Mr. Speaker. You will recall that yesterday I raised the sub judice rule and the Court of Appeal decision of last Friday. Have you had time to reflect on the position and come to a conclusion?

Mr. Speaker: As I undertook to do yesterday, I have looked at the questions and answers relevant to yesterday's points of order. I find that on 19 October 1988, the hon. Member for Stockton, South (Mr. Devlin) tabled a question to the Home Secretary for written answer on the following day asking whether he intended to propose amendments of the law concerning the right of silence in England and Wales. The Home Secretary in his reply favoured such a change and announced that he was setting up a working party on the subject. He also announced that the Secretary of State for Northern Ireland was laying before the House a draft Order in Council relating to the general criminal law in Northern Ireland. No corresponding question had been tabled to the Secretary of State for Northern Ireland, but an answer was given by him on the same day, 20 October 1988, in the form of information "pursuant to" an answer on the general criminal law in Northern Ireland that he had answered on 20 July of that year. In the supplementary answer, the Secretary of State for Northern Ireland gave details of how the proposed changes in the law of Northern Ireland relating to the right of silence would work.

I am satisfied that neither the question from the hon. Member for Stockton, South nor the answer by either Secretary of State was in breach of the sub judice resolution of the House. A forthcoming general change in the law of evidence could never be announced to Parliament if cases currently being tried under the existing law prevented it. In addition, from what I have seen of the reports of proceedings in the Court of Appeal, the comments of the court do not appear to relate to the parliamentary answers themselves, but to interviews on television.

The Table Office will continue to examine questions for compliance with the sub judice resolution, but nothing in conflict with our own rules occurred in this case.

Mr. Bennett: Further to the point of order and to your statement, Mr. Speaker, would you consider the position further? If a Minister makes a statement on television pursuant to remarks made in the House, the Court of Appeal will take that into consideration. I think that you should consider that point as well.

Mr. Speaker: It is not a proceeding in Parliament. What happens on television and what hon. Members say outside the House are not protected in any way.

Mr. Kenneth Hind (Lancashire, West): Further to that point of order, Mr. Speaker. You may consider that a matter of privilege arises. I take the point made by my hon. Friend the Member for Pembroke (Mr. Bennett) that when the Court of Appeal examined the answers given by the then Secretary of State for Northern Ireland, he was being questioned in an interview not about the case but about the legislation that he was bringing by way of Order in Council to the House. That makes it a different matter. I do not expect an answer from you at this stage, but would you consider referring the matter to the Select Committee on Privileges?

Mr. Speaker: It is not a matter for me. Statements made outside the House are not covered by privilege.

Rev. Martin Smyth (Belfast, South): On a point of order, Mr. Speaker.

Mr. Speaker: Is it on the same point?

Rev. Martin Smyth: No, but you have said, Mr. Speaker, that you are not responsible for what happens on television. Has your attention been drawn to a press report today that television companies, particularly in Northern Ireland, have decided not to broadcast the next Northern Ireland Question Time because, of the first 20 questions, only two have been tabled by Members from Northern Ireland? I voted for television. One reason in favour of television was that it would be possible to broadcast to the regions regional affairs. Is it not a breach of that understanding if Northern Ireland Question Time is not broadcast?

Mr. Speaker: The hon. Member should draw that to the attention of the Select Committee on Televising of Proceedings of the House. One thing that may be said about television is that it has greatly increased the number of questions on the Order Paper and the interest among hon. Members in Question Time.

Mr. David Ashby (Leicestershire, North-West): Further to the earlier point of order, Mr. Speaker. The House is now televised and statements and answers to questions go over the air into the houses of potential jurors. Therefore, the sub judice rule will have to be considered again. Will you consider that aspect because a very important point has been raised?

Mr. Speaker: It is indeed a very important point. Proceedings in the House are totally privileged. If hon. Members say things to newspapers or say them on television, they are not privileged.

Mr. Harry Barnes (Derbyshire, North-East): On a point of order, Mr. Speaker. On 30 March I submitted a question for oral answer on 25 April to the Department of the Environment about the breakdown of local government revenue into central Government grant, the national business rate and the community charge. The question was brought forward for written answer on 20 April. I have not yet received a reply. I have been in contact with the Department of the Environment and I have discovered that the answer provided by the civil servants was on the Minister's desk on 19 April, but now the Department claims that it needs to investigate the figures further in order to provide an answer at a later date. I am afraid that the later date will be after Thursday's elections. The figures are relevant to the elections. It is the duty of the Opposition to press for information to use politically. Can anything be done to ensure that the information which I seek will be available before Thursday?

Mr. Speaker: The hon. Gentleman has done it.

Mr. Ian Bruce (Dorset, South): On a point of order, Mr. Speaker. In the debate last evening on new clause 5 of the Environmental Protection Bill, I intervened in the speech of the hon. Member for Dewsbury (Mrs. Taylor) and disputed some statistics that she was using. You will find that the record shows that the hon. Lady replied that what I had said was not true. I have had the opportunity to check the record——

Mr. Speaker: Order. A dispute between hon. Members in the Chamber is not a matter for me. The contents of Members' speeches are not my responsibility.

Mr. Bruce: I appreciate that, Mr. Speaker, but I am asking for your guidance. When an Opposition Member accuses a Member on this side of an untrue statement, how can one get redress? Statistics supplied by the RSPCA were being used in a debate and it was claimed that 365,000 stray dogs are killed each year, yet its own report clearly states that only 90,000 stray dogs are killed each year. I need your guidance on how to get the point over.

Mr. Speaker: I listened to part of the debate when I was in the Chair. Even when I was not in the Chamber I heard what was going on. I understand that there was a good deal of disagreement on both sides of the House and, indeed, on the Government's side about figures. It is not a matter for me. The hon. Gentleman must find other ways of raising that.

Mr. Richard Holt (Langbaurgh): On a point of order, Mr. Speaker. You have made a comment about the number of questions on the Order Paper. On quite a few occasions during the past 10 days we have got past questions Nos. 20 or 30, or even up to No. 40, because of the absenteeism of hon. Members, many of whom probably did not know that questions had been tabled in their names. Before questions are starred, Mr. Speaker, would it be possible for you to ensure that they have been tabled personally by the hon. Members? That would avoid duplication and ensure that those who genuinely want to ask questions are here.

Mr. Speaker: The Select Committee on Procedure has examined the matter, and I understand that its report is on the point of being published. I am avidly awaiting it. I suggest that the hon. Member also studies it. He may find in that report the answer to his question.

STATUTORY INSTRUMENTS &c.

Ordered,

That the Town and Country Planning General Development (Scotland) Order (S.I., 1990, No. 508) be referred to a Standing Committee on Statutory Instruments, &c.

That the Abolition of Domestic Rates (Domestic and Part Residential Subjects (Scotland) (S.I., 1990, No. 630) be referred to a Standing Committee on Statutory Instruments, &c.

That the Non-Domestic Rates (Levying) (Scotland) Regulations (S.I., 1990, No. 788) be referred to a Standing Committee on Statutory Instruments, &c.

That the Community Charges (Levying, Collection and Payment) (Scotland) Amendment Regulations (S.I., 1990, No. 684) be referred to a Standing Committee on Statutory Instruments, &c.

That the Education (National Curriculum) (Attainment Targets and Programmes of Study in Technology) Order (S.I., 1990, No. 424) be referred to a Standing Committee on Statutory Instruments, &c.

That the Education (National Curriculum) (Attainment Targets and Programmes of Study in English) (No. 2) Order (S.I., 1990, No. 423) be referred to a Standing Committee on Statutory Instruments, &c.—*[Mr. Patnick.]*

Control of Inflation (Local Government) Bill

5.10 pm

Mr. Kenneth Hind (Lancashire, West): I beg to move,

That leave be given to bring in a Bill to control the annual increases in expenditure of local authorities in England and Wales.

The purpose of the Bill is to seek to restrict local government spending to the rate of inflation for the next two years and to gear the measure of inflation to the local pay and prices index. Clearly, it must be recognised by the House that there are elements in the retail prices index that will not be in the pay and prices index, and vice versa. Therefore, it would be unfair to local authorities not to base the spending on the pay and prices index.

We must consider the principle behind the community charge and the way that it is worked out. The changeover from rates, paid by roughly a third of the population, to the community charge has resulted in large increases in local government expenditure. As a consequence, large amounts of extra local government taxation has been paid by the majority of people up and down the country.

I shall use my county of Lancashire as an example because I am most familiar with it. It has been pointed out by colleagues that many local authorities like Lancashire have—as when decimal coinage was introduced—under the umbrella of the change in policy, brought in extra expenditure that they would not otherwise have done. Lancashire is typical of many authorities up and down the country——

Dame Elaine Kellett-Bowman (Lancashire): Labour local authorities.

Mr. Hind: Yes, Labour authorities, as my hon. Friend rightly says, are the worst offenders in this regard. Lancashire is a typical example. It has increased its expenditure by 17·5 per cent. If rates had now been in operation in Lancashire, that would have resulted in an increase of 32 per cent. for every household. Clearly, that problem must be dealt with, and the Bill will do so.

The Bill will also deal with inflation. When inflation is the major enemy of the country and needs to be controlled, local government cannot be immune from its consequences. Labour local authorities are making vast increases and, consequently, increasing pressure on inflation, which damages everyone in our community. Central Government must control expenditure in order to control inflation, and the same discipline must be placed on local government. Hon. Members have to take difficult decisions when they see that there is merit in increasing expenditure, but feel that it would have long-term economic effects on the value of the pound, confidence in the world, the stock exchange, and the overall running of the country. In those circumstances, we say that we refuse to increase expenditure, and will perhaps reconsider the position in the future.

The increases in spending in local government will, in May, probably add at least 1 per cent. to the inflation rate. That will affect the possibility of reductions in mortgage interest rates, business interest rates and the Government's economic strategy. The Bill will ensure that local authorities cannot be immune from their responsibility to the community for downward pressure on inflation.

Labour councils' increased expenditure is everyone else's higher mortgage repayments, and the public must realise that.

Local councils have overspent their budgets for many years. There have been continual over-spenders, and Lancashire has been typical. Many Labour councils have shown themselves totally unable to control expenditure. Therefore, a cap must be placed on them to oblige them to make more sensible use of the resources available and to control what they do.

Until I discussed the matter with people I do not think that many of them realised that county councils, of which Lancashire is typical, levy seven eighths of the charge. They also do not realise that those councillors who are increasing the charge will not come up for re-election until 1993. That means that three further community charges will be set without any accountability to the electorate. If the Bill goes through the House, the electorate will feel that their interests will be protected until they can get to the ballot box to deal with the problem.

We must also recognise that those same county councils were elected in 1989, before the community charge came into operation. They have never had to say, "This is the amount that we will charge", and describe the services that they will provide. In 1993 they will have to face, and deal with, that problem.

The public must realise that county councils finance on a four-year cycle, which the Bill will break. In the first three of its last four years in power, the Labour group on Lancashire council increased rates above the inflation level and stacked away reserves. In the fourth year, election year, the Labour councillors spent those reserves to get themselves elected. Consequently, in the year after the election, they had to recharge the reserves which were as low as £1·7 million. The result is that the community charge in Lancashire consists of £13 per head to restock the reserves, plus an extra £11 to cover the overspend of the previous year when they had not levied sufficient funds from the electorate by way of rates—that makes a total of almost £25. In effect, the public were being bribed with their own money to elect a Labour council in the fourth year of the cycle. The Bill will stop that. I have no doubt that Lancashire is typical of Labour councils throughout the country.

Such a cap will oblige councillors to budget more prudently. Over-spenders like Lancashire will have to look for more efficient ways to provide services. Hampshire county council makes a good comparison. It has 125,000 more people, the age profile of its population is older and it provides the same services—on Government measure, at better quality—with 11,000 fewer employees than are being paid for by the Lancashire electors.

P and A reports are available in Lancashire that show that residential homes are in an appalling state and that social services, such as meals on wheels, are far too expensive and provide poor service, not reaching the people who desperately need them. To date, the council has not taken the advice of its own consultants, but prefers to levy large amounts from the population of Lancashire.

The Bill will also protect people on low income, whom all hon. Members have met, and whose pleas have been ignored by Lancashire county councillors. My district council, West Lancashire, asked for the county council to reduce its expenditure, but it refused. Increases in expenditure hit the population hard. The majority, whether on pensions, benefits or salaries, receive between 6·5 and 9 per cent. in increases. Lancashire constituents will have to meet 17·5 per cent. increases in expenditure, which erodes their standard of living and reduces their disposable income.

Voters must be aware that many Labour councils will succumb to the temptation to help Labour win the next election by continuing to increase the community charge. That is another factor that the electorate must bear in mind. If Opposition Members divide the House on what we believe to be a sensible measure, it will be only to enable their colleagues to continue to undermine the Government.

5.20 pm

Mr. Tam Dalyell (Linlithgow): I do not oppose the Bill in the spirit of trying to undermine the Government. Without yah-boo, I wish to put a contrary and, I hope, courteous case. If there are to be ten-minute Bills—there are some who think they should be abolished—we should take them seriously and not just let them go through because of parliamentary convenience, lethargy or whatever. I believe that this Bill should be opposed.

During the 1987 general election, I spoke in the hon. Gentleman's town hall in Accrington in support of the Labour candidate Keva Coombes. As a Scot, I spent 10 of the 20 minutes available speaking about the poll tax. When I left the platform, I was asked rather sharply why I had spent so long on that matter. It is only when we experience the poll tax that we realise the full enormity of what is happening.

I say gently to Conservative Members that if they think that year two will be any easier than year one, they are mistaken. It will make parliamentary life a misery. If we could start all over again, for the sake of personal convenience rather than political advantage I would never want to embark on such a road again. There is a geological flaw in the system. The hon. Member for Accrington—*[Interruption.]* The hon. Member for Hyndburn—[HON. MEMBERS: "Wrong Member."] The hon. Gentleman is tinkering with the tax in the hope of making some improvement. There is no raft; no safety net. The hon. Member for Hyndburn——

Dame Elaine Kellett-Bowman (Lancaster): The hon. Gentleman has the wrong Member.

Mr. Dalyell: I am sorry. The hon. Member for Accrington—[HON. MEMBERS: "Wrong."] There is no safety net to rescue people. There is no safety vehicle. The poll tax is bound by geological flaws and there is no way that it can succeed.

I wish to cite just a few figures. There are now 400,000 people in the Strathclyde region alone who have either not paid or have been unable to pay in full. For most of them, it is not a political protest——

Mr. David Ashby (Leicestershire, North-West): What is it then?

Mr. Dalyell: I can tell the hon. Gentleman that people at the lower end of the income scale have other bills to pay, such as electricity——

Mr. Ashby: What about the roof tax?

Mr. Dalyell: I am not putting my case in a yah-boo way. I am trying to explain why there are fundamental difficulties. People put poll tax at the bottom of the list,

[Mr. Dalyell]

debts mount up and, even more serious, actual physical illness is caused by worry. We have constituency experience of that.

When any scheme is introduced, sooner or later there must be sanctions. In Scotland, it is the sheriff officers and the warrant sales. There must be some legal sanctions. That is exceedingly unpleasant and creates resentment. It is causing constituency agony. Some 23 per cent. of people do not pay the poll tax. In Lothian region, which is smaller than Strathclyde, 70,000 people have not paid the poll tax. That did not happen under the rating system.

The hon. Gentleman's proposal is merely alleviative—it is an attempt to alleviate a difficult position. There is no way that it can be alleviated. The system is geologically flawed and fundamentally impossible because property is static and people are mobile. It is more difficult in the second year to trace people. Many thousands of people have not had a poll tax demand. The officials in my local authority are very efficient, but because of the constant changes of address the task is very difficult. Rather than trying to introduce an alleviative measure, the House of Commons should face the problem and admit that the poll tax cannot be amended. The system should be changed and we should go no further down the poll tax road.

Mr. Hind: On a point of order. Mr. Deputy Speaker. I am the hon. Member for Lancashire, West, not for Accrington or Hyndburn. The hon. Member for Linlithgow (Mr. Dalyell) did not speak in my constituency.

Question put:—

The House divided: Ayes 88, Noes 143.

Division No. 188] **[5.26 pm**

AYES

Aitken, Jonathan
Alexander, Richard
Allason, Rupert
Amos, Alan
Arnold, Jacques *(Gravesham)*
Aspinwall, Jack
Banks, Robert *(Harrogate)*
Bellingham, Henry
Bevan, David Gilroy
Body, Sir Richard
Bonsor, Sir Nicholas
Bowden, Gerald *(Dulwich)*
Brazier, Julian
Bruce, Ian *(Dorset South)*
Buck, Sir Antony
Butler, Chris
Carlisle, John, *(Luton N)*
Carrington, Matthew
Conway, Derek
Coombs, Simon *(Swindon)*
Cran, James
Dickens, Geoffrey
Dunn, Bob
Evans, David *(Welwyn Hatf'd)*
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Fookes, Dame Janet
Gale, Roger
Gill, Christopher
Gorman, Mrs Teresa
Gorst, John
Gow, Ian
Greenway, Harry *(Ealing N)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Hague, William
Hamilton, Neil *(Tatton)*
Hargreaves, Ken *(Hyndburn)*
Hill, James
Hind, Kenneth
Holt, Richard
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Irvine, Michael
Irving, Sir Charles
Janman, Tim
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Kellett-Bowman, Dame Elaine
Kilfedder, James
King, Roger *(B'ham N'thfield)*
Knight, Dame Jill *(Edgbaston)*
Latham, Michael
Lloyd, Sir Ian *(Havant)*
McNair-Wilson, Sir Michael
Miller, Sir Hal
Mitchell, Andrew *(Gedling)*
Monro, Sir Hector
Morris, M *(N'hampton S)*
Mudd, David
Nicholson, David *(Taunton)*
Porter, David *(Waveney)*
Price, Sir David
Riddick, Graham
Rost, Peter
Sayeed, Jonathan
Shelton, Sir William
Skeet, Sir Trevor
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Stern, Michael
Stokes, Sir John
Tapsell, Sir Peter
Thompson, D. *(Calder Valley)*
Thorne, Neil
Thurnham, Peter
Townend, John *(Bridlington)*
Tredinnick, David
Trotter, Neville
Vaughan, Sir Gerard
Viggers, Peter
Waller, Gary
Ward, John
Wheeler, Sir John
Widdecombe, Ann
Wood, Timothy

Tellers for the Ayes:
Mr. Nicholas Bennett and
Mr. David Ashby.

NOES

Abbott, Ms Diane
Allen, Graham
Anderson, Donald
Armstrong, Hilary
Ashley, Rt Hon Jack
Barron, Kevin
Battle, John
Beckett, Margaret
Beith, A. J.
Bell, Stuart
Bennett, A. F. *(D'nt'n & R'dish)*
Blunkett, David
Boyes, Roland
Bradley, Keith
Brown, Nicholas *(Newcastle E)*
Buchan, Norman
Buckley, George J.
Caborn, Richard
Callaghan, Jim
Campbell, Ron *(Blyth Valley)*
Campbell-Savours, D. N.
Canavan, Dennis
Cartwright, John
Clark, Dr David *(S Shields)*
Clarke, Tom *(Monklands W)*
Clay, Bob
Clelland, David
Clwyd, Mrs Ann
Cohen, Harry
Cook, Frank *(Stockton N)*
Cousins, Jim
Cox, Tom
Crowther, Stan
Cryer, Bob
Cummings, John
Cunliffe, Lawrence
Cunningham, Dr John
Dalyell, Tam
Darling, Alistair
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H'l)*
Dixon, Don
Dunnachie, Jimmy
Eadie, Alexander
Eastham, Ken
Ewing, Harry *(Falkirk E)*
Ewing, Mrs Margaret *(Moray)*
Fatchett, Derek
Field, Frank *(Birkenhead)*
Fisher, Mark
Flannery, Martin
Flynn, Paul
Foot, Rt Hon Michael
Foster, Derek
Foulkes, George
Fyfe, Maria
Galloway, George
Garrett, John *(Norwich South)*
Garrett, Ted *(Wallsend)*
Gould, Bryan
Graham, Thomas
Griffiths, Win *(Bridgend)*
Hardy, Peter
Haynes, Frank
Heal, Mrs Sylvia
Hinchliffe, David
Hogg, N. *(C'nauld & Kilsyth)*
Home Robertson, John
Hood, Jimmy
Howells, Geraint
Howells, Dr. Kim (Pontypridd)
Hughes, Roy *(Newport E)*
Ingram, Adam
Jones, Ieuan *(Ynys Môn)*
Jones, Martyn *(Clwyd S W)*
Kaufman, Rt Hon Gerald
Kinnock, Rt Hon Neil
Kirkwood, Archy
Leadbitter, Ted
Leighton, Ron
Lestor, Joan *(Eccles)*
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
McAllion, John
McCartney, Ian
McKay, Allen *(Barnsley West)*
McNamara, Kevin
McWilliam, John
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Marshall, Jim *(Leicester S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Mullin, Chris
Murphy, Paul
Nellist, Dave
Oakes, Rt Hon Gordon
O'Brien, William
O'Neill, Martin
Owen, Rt Hon Dr David
Patchett, Terry
Pike, Peter L.
Powell, Ray *(Ogmore)*
Primarolo, Dawn
Quin, Ms Joyce
Radice, Giles
Redmond, Martin
Richardson, Jo
Robertson, George
Rogers, Allan
Rowlands, Ted
Ruddock, Joan
Salmond, Alex
Sheldon, Rt Hon Robert
Short, Clare
Sillars, Jim
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Smith, Rt Hon J. *(Monk'ds E)*
Spearing, Nigel
Steel, Rt Hon Sir David
Steinberg, Gerry
Stott, Roger
Straw, Jack
Taylor, Mrs Ann *(Dewsbury)*
Thompson, Jack *(Wansbeck)*

Walley, Joan
Wardell, Gareth *(Gower)*
Watson, Mike *(Glasgow, C)*
Welsh, Michael *(Doncaster N)*
Williams, Alan W. *(Carm'then)*
Wray, Jimmy
Young, David *(Bolton SE)*

Tellers for the Noes:
Mr. Harry Barnes and
Mr. Terry Lewis

Question accordingly negatived.

Points of Order

5.37 pm

Sir Hal Miller (Bromsgrove): On a point of order, Mr. Deputy Speaker. I apologise to my right hon. Friend the Chief Secretary to the Treasury for interrupting the proceedings, but I am raising an extremely urgent matter on which we need a statement from a responsible Minister.

I have just been informed that Mr. Peter Mitchell, among others at Walter Somers, has been arrested and was initially denied access to his solicitor, who was procured only through the good intervention of his wife. I should like a Minister to make a statement on how this has occurred, as I have evidence which has been tested by a former Attorney-General and which stands up in court. I am very happy to go to court should they be charged. As they have not been charged so far, I understand that the matter is not sub judice and therefore it is proper and meet to have a statement before the close of business today.

Several Hon. Members *rose*——

Mr. Deputy Speaker (Mr. Harold Walker): Order. Let me deal with one point of order at a time. I have received no request for permission to make a statement. Of course, the matters that the hon. Gentleman has raised are not directly for the Chair, but doubtless what has been said will have been heard. Certainly the Chair will take account of the hon. Gentleman's point about the application of the sub judice rule should these matters be referred to in subsequent exchanges.

Mr. Richard Caborn (Sheffield, Central): Further to that point of order, Mr. Deputy Speaker. As you probably know, the case also affects my constituency. I understand that between Somers and Forgemasters 14 people are now being questioned, three are under arrest and six further executives at Forgemasters are at police stations giving statements. I concur with the request for an urgent statement in the House as the case is having a tremendous effect on both companies and we want to get the matter clear. The Government have a series of questions and a letter that I sent to the Prime Minister because I have had over the phone clearance on those contracts on which those people are now being questioned and which were cleared by the Department of Trade and Industry.

Mr. Deputy Speaker: I cannot usefully add to what I said in reply to the earlier point of order.

Mr. Anthony Beaumont-Dark (Birmingham, Selly Oak): Further to the point of order raised by my hon. Friend the Member for Bromsgrove (Sir H. Miller), Mr. Deputy Speaker. We have now reached a point where one British subject is languishing in a Greek prison and other respectable people are in the hands of the police or the Revenue. If the House is not about justice for individuals, it is about nothing. It is time that the Government made a proper and prepared statement about the matter. There is no justice if people can be made scapegoats for other people's inefficiencies or injustice.

Mr. Tam Dalyell (Linlighgow): Further to that point of order, Mr. Deputy Speaker. If we are to have a statement, and whoever makes it, could we have a Defence Minister present to explain the role of the secretariat of the Defence

[Mr. Tam Dalyell]

Export Services Organisation in the matter? That has considerable relevance to the legal proceedings that have taken place.

Sir John Stokes (Halesowen and Stourbridge): Further to that point of order, Mr. Deputy Speaker. As you will know, the excellent long-established and highly regarded firm to which my hon. Friend the Member for Bromsgrove (Sir H. Miller) referred is in my constituency. The moment that I heard about these difficulties, I tried to obtain information from several Government Departments. I have been given no help whatever. Surely one is entitled to receive an answer from a Minister. Ministers should not hide behind civil servants.

Mr. Frank Haynes (Ashfield): Further to that point of order, Mr. Deputy Speaker. I am surprised that the Chair has not taken some action before now. I concur with the hon. Member for Bromsgrove (Sir H. Miller) about this affair. I suggest that the Chair seriously considers bringing the Secretary of State for Trade and Industry to the Bar of the House. Let us deal with the matter.

Mr. A. J. Beith (Berwick-upon-Tweed): Further to that point of order, Mr. Deputy Speaker. Is it not usual, when the Chair is faced with problems such as this in the course of the day's business, for the Leader of the House to be on hand to intervene and perhaps to avoid the Chair becoming involved in matters that cannot be dealt with easily under Standing Orders? As several Conservative Members have raised legitimate points, has there not been sufficient time to send a message to the Leader of the House that a matter of genuine concern has been raised on which he should come before the House?

Mr. Deputy Speaker: This is a serious matter about which hon. Members are deeply worried. Undoubtedly what has been said in the Chamber will be communicated to the Leader of the House. I repeat that I have not yet received any request for permission to make a statement.

Finance Bill

[Relevant document: Fourth Report of the Treasury and Civil Service Committee of Session 1989-90 on the 1990 Budget (HC314)]

Order for Second Reading read.

5.42 pm

The Chief Secretary to the Treasury (Mr. Norman Lamont): I beg to move, That the Bill be now read a Second time.

The Bill implements the measures introduced by my right hon. Friend the Chancellor of the Exchequer in his Budget. As a background to today's debate, the House has the benefit of the report of the Treasury Select Committee on the Budget. The report is thoughtful and thorough. As my right hon. Friend said in his Budget speech, this year we have provided a longer and more comprehensive account in the Red Book of the operation of monetary policy. I hope that, as we intended, it has been useful to the Select Committee in its inquiry. This is not the time for me to comment on the report in detail. The Committee has made several recommendations, which we are studying carefully and to which we shall respond fully in due course. However, I shall refer to one or two points in the report.

I note with interest the Select Committee's view that reserve asset ratios are not, as is sometimes suggested, an alternative monetary instrument to interest rates. The Committee report suggests that reserve asset ratios do not serve as direct credit controls.

I also note with interest the Select Committee's anxiety about the retail prices index as a reliable, or unreliable, indicator of inflationary pressures. To some extent, the Committee's comments echo remarks and observations made by the Government on other occasions.

The Select Committee's remarks about statistics are also interesting. It is always tempting, although on the whole it is a temptation to be avoided, to blame any problem of economic management on misleading statistics. Harold Macmillan referred to the difficulty of trying to steer the economy on the basis of statistics. He compared it with looking up train times in last year's Bradshaw. More recently, the right hon. Member for Leeds, East (Mr. Healey), in his highly entertaining memoirs which I read at Christmas, said of economic forecasts:

> "Like long-term weather forecasts they are better than nothing . . . But their origin lies in the extrapolation from a partially known past, through an unknown present, to an unknowable future according to theories about the causal relationships between certain economic variables which are hotly disputed by academic economists, and may in fact change from country to country or from decade to decade."

At the time of the 1988 Budget, we believed—on the basis of provisional estimates—that domestic demand had risen by 4 per cent. in 1987. The latest estimate is that demand increased by 5½ per cent. In a situation where we think that the sustainable long-term growth rate may be a little under 3 per cent. a year, this makes the crucial difference between an economy growing at close to its sustainable rate and one growing well in excess of it. That was precisely the point that the Committee made.

The state of economic statistics has been a concern of the Select Committee for some time now, and there has been some interchange between the Committee and the Treasury on this. I am glad to see that the Committee believes that that has been fruitful. As the Chancellor told

the Committee in his evidence on 3 April, it is both desirable and necessary to improve the general quality of economic statistics, and this is being pursued with the Central Statistical Office. We shall return to the Committee and reply fully to those points.

The debate on the Finance Bill usually becomes a debate on the tax measures and on the economy more generally. No doubt we are about to hear from the hon. Member for Derby, South (Mrs. Beckett) a long catalogue of gloomy prognostications, as we heard from the right hon. and learned Member for Monklands, East (Mr. Smith) the other day. The understandable anxiety about inflation, and the current account, should not be allowed to disguise the real gains and improvements that the British economy has made in the past decade.

I am not sure whether the Opposition really believe it when they claim that nothing has gone right and that there have been no improvements whatever in the past decade, but in my opinion they do no service to their party—let alone any wider interest—with that distorted view.

The Opposition seem content to point selectively to the fact, which is not disputed by the Government, that the British economy will grow more slowly than Germany or the EC average this year, without even so much as acknowledging that, on average, over the 1980s the United Kingdom growth rate has been significantly above that of Germany and the EC average. And even with the slower growth forecast for 1990, the United Kingdom will have grown faster since 1980 than Germany or France. The Opposition concentrate on one year at the expense of a decade. The fact that I mentioned is remarkable, but it is never mentioned. I wonder why.

The Opposition are also prepared to point out that our relative inflation rate this year will be considerably worse than the European Community average, without so much as mentioning that for the past 10 years our inflation rate has been broadly the same as—in fact, only 0·1 percentage point above—the European Community average since May 1979. That is a considerable improvement on the previous two years.

The Opposition are again content to point out that investment will fall this year, without acknowledging for one moment that business investment growth since 1980 has been faster here than in all the major seven countries except Japan.

Although it is much mentioned by independent commentators, the Opposition have never in my hearing mentioned the fact that United Kingdom manufacturing productivity growth was faster in the 1980s than all the other G7 countries. It will probably not be long before they mention that this year productivity will slow down as the economy slows down. Again, that is a statistic for one year which needs to be set against the progress of a decade.

Most remarkably, we never hear the Opposition mention that on a standardised basis United Kingdom unemployment is below that for the European Community as a whole. When have we ever heard from the Opposition about the remarkable transformation in profitability of British industry or about the remarkable improvement in industrial relations compared with those a decade ago? If the Opposition are as concerned about manufacturing industry as they profess to be, they should acknowledge those two factors because both are essential for the survival and growth of manufacturing industry.

These are solid achievements in the past decade. The Opposition may dispute them, but other less partisan observers are prepared to be more realistic. An article in *The Independent* yesterday by the director of the Institute of Fiscal Studies is a case in point. In that article, Mr. Bill Robinson drew the connection between the lasting supply-side improvements and the performance of our exports. He wrote:

"UK exporters have broadly managed to hold their share of world markets with no help from the exchange rate. This is an important change, for as long as we were losing market share, we were condemned to a slower rate of growth than our competitors. It is no coincidence that in the 1980s we moved from near the bottom of the world growth league to near the top.

The structural improvements in the economy which wrought that transformation are still in place. There is no reason why the 1990s should not be another decade of steadily improving economic performance."

Mr. John Battle (Leeds, West): The Chief Secretary may be aware that the Engineering Employers Federation published its economic trends survey only last week. It pointed out that there are fundamental structural problems facing the engineering industry because the demand for engineering products outside the United Kingdom is falling rapidly and that will mean the loss of 19,000 jobs in the coming year. It does not paint such a rosy picture as the right hon. Gentleman does. That does not suggest that the Opposition have a partisan view.

Mr. Lamont: There has been a remarkable increase in engineering output in recent years and a remarkable increase in investment in the engineering industry. It has never been disputed that there will be a slow-down, but our point is that people should not look at that slow-down in isolation. They should look not at the statistics for one year, but at the dramatic progress that has been made over a decade.

The hon. Member for Leeds, West (Mr. Battle) might like to look at the annual survey of the United Kingdom economy last autumn by the Organisation for Economic Co-operation and Development, which again pointed to our improved supply-side performance and compared it both with past performance and with the progress of our competitors. It compared the improvement in the balance between output growth and inflation in the 1980s with that from 1973 to 1979:

"suggesting that there have been policy induced improvements in supply performance . . . the deterioration in performance in the 1970s has been reversed and compared with other Member countries, there has been a relative improvement."

Mr. John Townend (Bridlington): Does my right hon. Friend agree that as the engineering industry is facing problems, its answer is to look abroad? It is essential that it keeps down unit labour costs. Does he agree that the unions were very unwise this year to press for a shorter working week, which increases unit labour costs and reduces competitiveness?

Mr. Lamont: I am sure that that is the last thing we can afford at the moment. My hon. Friend is right. Fortunately, exports of manufactured goods, including exports of engineering goods, have been doing extremely well.

Sir Peter Hordern (Horsham): Conservative Members must concur with all that my right hon. Friend has said about the excellent record of British industry and of the economy in general over the past 10 years. Is it not the case that engineering companies are now complaining about

[Sir Peter Hordern]

difficulties ahead? Is it not also the case that wage increases are now rising fast? Is it not important for my right hon. Friend and the Government to make it absolutely clear that the Government will not bail out companies which award large wage increases by depreciating the currency against other major currencies? It would be most helpful for my right hon. Friend to say that.

Mr. Lamont: We will make that clear. We have repeatedly made it clear that excessive wage claims will not be accommodated by a relaxation of monetary policy and that if wage negotiators on either side insist on inflationary wage settlements, the main effects will be felt in the labour market.

My hon. Friend the Member for Horsham (Sir P. Hordern) referred to industry. It was interesting that yesterday the director general of the Confederation of British Industry in a speech again referred to the progress that has been made in manufacturing industry in the past decade. He referred to the period before 1979 as one of relative decline and social disintegration and then said:

"That era ended thank goodness in 1979. The new era could perhaps best be labelled 'the era of free market competition'."

That is the considered view of the director general of the CBI. He went on:

"We enter the 1990s with the supply side of the British economy in incomparably better shape than at any time in our history."

The view that there has been a fundamental transformation of our underlying competitiveness is the view taken by the director of the Institute of Fiscal Studies, by the OECD in its survey of the British economy, and by the director general of the CBI. Apparently everybody is out of step except the Labour party. Who should we believe—the OECD, the CBI, the Institute of Fiscal Studies or the Labour party? Which is the dispassionate observer and which has a vested interest?

Perhaps the director general of the CBI had the Labour party in mind when he said:

"We must believe in ourselves. Too many damaging myths have gained currency—myths which if unchallenged will prejudice our ability to build on what has already been achieved."

I believe that a constructive Opposition would recognise that there have been tremendous improvements in the past decade and that that is an opportunity on which they should be seeking to build, and to suggest a way ahead and improvements rather than attempting to make us believe that there has been no progress.

Mr. Alex Salmond (Banff and Buchan): I hope that the Chief Secretary will tell the House what implications he feels that the coming changes in the poll tax will have for the Budget projections. When the changes are introduced, will they be backdated for Scotland to cover the year in which the Scottish people have borne the full brunt of the poll tax unamended? Will the retrospective changes, if introduced, be funded from the Treasury or merely recycled from Scottish Office funding?

Mr. Lamont: The hon. Gentleman gets 10 out of 10 for ingenuity, but that has nothing to do with the Finance Bill and he will not tempt me.

Our present concerns stem from the excessive growth of 1987 and 1988. That lies behind current concerns about inflation and the current account. That period was one when, incidentally, the Labour party continually claimed that we were not growing fast enough, continually described the economy as being in recession and called continuously for even larger stimuli to be given to the economy.

The fact is that, precisely when the Labour party was calling for further expansion, we had a period of too rapid growth when demand for goods both from companies and from consumers outstripped even a much improved supply-side performance. This has produced an inevitable reappearance of inflationary pressure although the underlying rate is still below the best achieved by the Labour Government and the percentage rise in underlying inflation since 1986 is not out of line with the increase in the United States, Japan or Germany.

We have tightened policy considerably. A tight monetary policy—high interest rates—has been backed by a tight fiscal stance with large budget surpluses. There is clear evidence that the economy has slowed considerably. The evidence can be seen in the housing market, in retail sales and in motor car registrations. Real domestic demand is forecast to fall slightly this year following growth averaging 5 per cent. over the previous three years. Although the monthly trade figures for March were disappointing, the underlying trend suggests that exports are growing far faster than imports.

In the past six months, exports have been up by 11 per cent. compared with a year earlier, whereas imports have risen by only 1½ per cent. in the same period. The CBI quarterly trends survey provides further evidence that the decline in domestic demand has been broadly offset by continued expansion in export orders. The evidence is there to suggest that firms are switching from the home market into export orders on a considerable scale.

The Budget was designed to maintain our tight policy stance. Some have complained that it was not tough enough and some have suggested that taxes should have been raised. To have had any real impact, we should have needed a substantial increase of, say, £5 billion, which in our judgment would have risked pushing the economy into an unnecessary recession and damaging our improved supply-side performance. The Government's expectation is that the current policy will prove tight enough to bring down inflation.

Mr. A. J. Beith (Berwick-upon-Tweed): The Chief Secretary is fond of referring to a consensus of commentators. Does he accept that a consensus of commentators—even the same ones as he has been quoting—would not agree that the Government's policies enable them to get inflation down to their forecast level of 3½ per cent. by 1992?

Mr. Lamont: I do not accept that. The hon. Gentleman may have noticed in the *Financial Times* last week that a range of outside forecasts were placed alongside Government forecasts and published in tabular form. There were about 30 in all. The difference between those outside forecasts and the Government's forecast was not all that great. Indeed, some of the outsiders were even more optimistic.

The years leading up to 1988 and 1989 saw a remarkable increase in confidence and profitability, combined with the freeing of financial markets. These factors provided both the incentive and the means for a huge boom in business investment—perhaps the biggest

since the war. Between 1986 and 1989, companies and public corporations increased their fixed investment by more than 40 per cent. in real terms. Over the eight years to 1989, investment has grown twice as fast as consumption. But although investment has grown rapidly, personal saving has been falling. Individuals, enjoying steadily rising real incomes, have had the confidence to borrow more and save less. As a result, private saving overall has been insufficient to match the high level of investment; indeed, the excess of private investment over private saving has been quite unprecedented in the post-war period.

The need to restore the balance between savings and investment is especially important for the current account. Just as a company which invests more than it saves via retained earnings has to borrow from elsewhere, so a nation which invests more than it saves must borrow the balance from abroad. In other words, the current account will be in deficit. The public sector has been in substantial surplus, but this has been more than offset by the private sector's borrowing from abroad to finance the investment boom. Higher interest rates are already boosting saving, but the Budget and the Finance Bill also contain further measures to bring saving and investment back into balance, which is important for the current account.

The Budget was a Budget for savers, and the Bill contains a whole range of tax incentives which will help to improve the climate for saving. Conservative Governments have always made it their business to support the saver. Anyone who put his money in a building society in 1979 will have seen the value of his savings rise by a half in real terms before tax. Savers are getting a much better return, and rightly so. Under the last Labour Government, a punitive tax system made saving a worthless activity. Inflation was high and interest rates low in comparison. The real return on savings was negative and the post-tax return was fiercely negative.

Nor was the investment income surcharge, as Labour Members often imply, confined to the so-called super-rich. When Labour left office in 1979, the surcharge was payable on savings income above £1,700 a year. Investment income surcharge was payable on sums as small as that.

Mr. Eric Marlew (Carlisle): Does the Chief Secretary agree that, when the Conservative party took office, inflation was running at 10·3 per cent. and that it is likely to have been running at more than 10 per cent. this April? Does not that mean that we have had 11 wasted years of Conservative Government?

Mr. Lamont: I thought that the statistics were so well known that it was hardly necessary to rehearse the average rates of inflation under this Government and under the Labour Administration respectively. Even now, at the high point of the cycle, the underlying rate of inflation is below the lowest level ever achieved by the Labour Government. But that is a slight digression from my main point about savings. Given the situation that we inherited, it is small wonder that one of our first priorities was to reduce marginal rates, and this we have done. Successive cuts in income tax and the abolition of the investment income surcharge mean that for many savers—not just higher rate taxpayers but basic rate taxpayers, too—marginal rates have been halved.

We have made saving worth while. One of the welcome results has been the rise in pensioners' average net incomes, which between 1979 and 1986 went up by more than 30 per cent. in real terms.

Mr. Giles Radice (Durham, North): If the Government's policy on saving is so good, how come the saving ratio is at an all-time low whereas when the Labour Government were in power the savings ratio was about double what it is today?

Mr. Lamont: Perhaps I did not make myself sufficiently clear. As I tried to explain, the problem has not been that people have not been saving in the sense of putting money aside from their earnings. The problem has been that net savings, measured after borrowing, have fallen. The trouble is that people have had confidence and have been borrowing more than ever before. That applies not just to individuals but to companies, and companies do not borrow unless they have great confidence in the future.

Our next priority has been to ensure that the choice in different savings instruments is less distorted by the tax system. For example, if one transfers money from a bank to a building society, no tax charge is incurred, whereas if one transfers it from a bank into equities one has to pay a surcharge in the form of stamp duty. In 1979, the surcharge was as high as 2 per cent. It was hardly surprising that direct share ownership was going out of fashion.

My right hon. Friend the Member for Blaby (Mr. Lawson) halved the rate in 1984 and again in 1986. This year we have gone one step further. Clauses 91 to 95 will finally put an end to a duty which was introduced in 1714, the year of Queen Anne's death. I regret to say that the tax was introduced by a Tory Chancellor of the Exchequer, so this change represents something of a delayed U-turn, although my hon. Friends will welcome it none the less.

Abolition will coincide as far as is possible with the introduction of paperless share transactions by the stock exchange, probably at the beginning of 1992. It will ensure that the City of London enters the European single market in as competitive a position as possible. It will also ensure that share ownership continues to widen and deepen. One in four adults in Britain now owns shares; in 1979, the proportion was just one in 14. That has been a remarkable change. But the benefit of abolition will not just be confined to direct shareholders. Most of the full year cost of £800 million will go to benefit the tens of millions of people who save indirectly through the institutions—in life assurance, pensions and unit trusts.

As well as removing distortions, we have in recent years created new savings media which allow people to accumulate capital, unencumbered by demands for income and capital gains tax. Nearly 4 million people have now taken out personal pensions; 2 million employees have been given shares or options to shares through employee share schemes, again showing that the benefits are not confined to a few rich people; and 700,000 savers have taken out personal equity plans. The number is likely to grow further in the year ahead as savers take advantage of the 25 per cent. increase in the PEP limit announced in my right hon. Friend's Budget.

The success of the schemes has surpassed expectation. And the Government have decided that it is time to extend similar tax treatment to saving through banks and

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building societies. That is how most people—34 million of them—save. That is why we are introducing tax exempt special savings accounts under clause 23.

The attraction of the tax exempt special savings account is essentially its simplicity. It is necessary only to deposit money and leave it there for the full five years of the account and the saver gets his or her return tax free. Savers can withdraw interest as it accrues, albeit on a net of tax basis, or they can leave it to roll up. In either event, they will be entitled to the tax paid at the end of the five-year period. I believe that that is a considerable break-through and much to be welcomed.

The tax exempt special savings account will suit a wide variety of savers. The pensioner with a small capital sum will be able to put up to £3,000 in his account in the first year and £1,800 in subsequent years up to a total limit of £9,000. The younger person, perhaps saving for a deposit on a flat, will be able to put an annual bonus into a TESSA or, if it is more convenient, enter a contractual arrangement saving up to £150 a month.

Of course there have been contractual savings schemes in the past, but they were largely designed to raise money for the Government. The TESSA scheme is completely different. The banks and building societies will be free to offer competitive interest rates. I have no doubt that the scheme will prove immensely popular when it begins in January 1991. As the marketing manager of one of the clearing banks said:

"This is what the banks and building societies have wanted for years. It will do a lot to encourage the small saver and we will be aiming to introduce the TESSA account as soon as possible."

Complementing those measures will be the abolition of the composite rate tax which will be the seventh major tax to be abolished by the Government. When composite rate tax was first put on the statute book in 1951, it affected fewer than 3 million building society depositors. It could be justified on the grounds that it was simple, easy to administer and that there were alternative savings media which attracted interest gross of tax.

The composite rate tax system may have had its administrative attractions for the Government, and for the Treasury in particular, but the advent of independent taxation weakened the case for it considerably. As a result, the number of non-taxpayers paying composite rate tax rose to 14 million and the Government decided that it was time to change the system. From April 1991, non-taxpayers will be able to receive their building society or bank interest free of tax. Five million married women, 4 million pensioners, 2·5 million children and 2·5 million other depositors with low incomes will benefit by an average of £1·40 a week. The relevant clauses will be introduced in Committee.

Mr. Michael Stern (Bristol, North-West): Does my right hon. Friend agree that one of the most admirable aspects of that abolition is the element of self-certification for tax-free status, which shows a greater—and justifiable—trust in the taxpayer than many Governments have dared to show in the past?

Mr. Lamont: I am grateful for my hon. Friend's observations. Obviously abolition also has administrative advantages. I believe that it is better to put the compliance obligation on the taxpayer. I wholly concur with my hon. Friend's point.

Mr. Denzil Davies (Llanelli): Will the right hon. Gentleman confirm that of those paying CRT, although a minority will not pay tax, most depositors will pay more because they will pay at the standard rate? The Government will raise quite a substantial sum of money next year as a result of that change.

Mr. Lamont: We cannot abolish the CRT and expect people who ought to pay the basic rate of income tax not to pay it. That was the whole theory of CRT. There was a weighting between the non-taxpayer and the taxpayer. It was a subsidy to the better off and enormously unfair on the less well off. I am surprised that the right hon. Member for Llanelli (Mr. Davies) intervened on behalf of the better off.

Mr. Jeremy Hanley (Richmond and Barnes): With the standard rate of taxation, personal allowances can be taken into account, which reduces the rate very much lower than the rate to which the right hon. Member for Llanelli (Mr. Davies) referred.

Mr. Lamont: My hon. Friend is absolutely right and I am grateful to him.

I have said that the relevant clauses on CRT will be introduced in Committee. I must state, as I have indicated to the Opposition, that that is not the only measure announced in the Budget which will be tabled in Committee. That reflects pressure on parliamentary counsel, the need to consult interested parties and, of course, the need to get complex and far-reaching measures absolutely right.

An improved environment for savers will in time also feed though to an improved environment for investors. That is the recipe for balanced growth. However, the Bill contains a number of measures designed to have a more immediate effect on businesses. For example, clause 19 will increase the small companies' tax thresholds to £200,000 and to £1 million and will reduce the tax burden for 20,000 companies. That means that no company with profits of less than £1 million will pay the full rate of corporation tax.

Since the Government took office, the lower threshold has increased by more than 60 per cent. in real terms and the higher threshold almost fivefold—and that is on top of a reduction in the small companies corporation tax rate from 42 per cent. to 25 per cent. As a result, we can now fairly claim to have one of the most favourable tax regimes for small firms anywhere in the world. Even though the economy has been slowing down, new businesses are still being created at the rate of about 1,500 a week after netting off failures. That is a dramatic change from the time when the Labour party was in office and there was a net fall in new business creation.

Small firms will also benefit particularly from the VAT changes. The VAT changes in clauses 9 and 10 will reduce burdens on business and they represent a major package of deregulation. By allowing VAT relief on all bad debts, those clauses end an anomaly whereby companies in effect pay tax on money that they did not receive. Registration for VAT will also be easier. The vast majority of firms will no longer be subjected to three complicated turnover tests.

Instead, there will be just one simple test based on turnover in the previous year. That should be of particular benefit to new businesses.

Employee share ownership trusts were given a statutory basis in last year's Budget with support from hon. Members on both sides of the House. My hon. Friend the Member for Esher (Mr. Taylor) has been a veteran campaigner on that issue and the hon. Members for Newcastle-upon-Tyne, East (Mr. Brown) and for Pontypridd (Dr. Howells) have also strongly supported that principle. I believe that support for ESOPs is strong among Conservative and Opposition Members.

If ESOPs are to become widespread, they need further encouragement. At present, if a proprietor sells shares in his company to his work force he incurs an immediate capital gains tax charge. If, on the other hand, he sells them to a quoted company—a point that was brought to my attention last year by my hon. Friend the Member for Esher—in exchange for shares, he qualifies for roll-over relief. That is an enormous disincentive to creating an ESOP and clauses 25 to 32 will ensure that that position is changed. The owner who sells shares in his company to an ESOP will now qualify for roll-over relief.

The Bill also contains a small but useful measure to help training. Training and enterprise councils will give the private sector new opportunities to determine its own needs and to help meet them. The Government believe that employers are best placed to decide the training needs of their businesses and to organise appropriate training. Clause 68 will ensure that contributions by businesses to support TECs are tax deductible. That new relief will give a further incentive to businesses to make donations to TECs.

Clause 20 will ensure that nurseries provided by employers will no longer be treated as a benefit in kind for income tax purposes, as has been the case since 1948. We have always taken the view—and previous Governments have also taken the view—that it is not for the Government to encourage or discourage women with children to work through the provision of artificial tax incentives or disincentives. We remain of the view that, in general, benefits in kind should be subject to income tax. However, it was becoming increasingly apparent that the tax treatment of workplace nurseries was difficult to collect and functioned as something of a disincentive both to people wanting to return to the labour force and to employers.

The measure has been criticised by some as not going far enough, but general child care relief would cost hundreds of millions of pounds and would run counter to the dominant thrust of tax reform in recent years—that is, to achieve a wider tax base with much lower marginal rates.

We have instead opted for a limited relief, which in my view represents a sensible balance between the needs of the tax system and widespread demands for change. The new exemption will involve only a small deadweight cost and, with its focus on the place of work, is consistent with the tax treatment of other benefits in kind such as canteens provided at the employment location.

The final business measure that I should like to mention relates to banks' sovereign debt. Tax relief is, as it should be, available to banks, as to other lenders, for bad and doubtful debts. That includes debts owed to banks by foreign Governments. Clause 66 tackles the thorny problem of the tax treatment of the writing off by some banks of substantial proportions of such debt. The present law is uncertain. To allow banks to claim relief on the full amount written off in any one year could have a significant adverse impact on tax revenues. The proposed clause will allow banks to continue to offset their losses fully against tax, but the losses will have to be phased over a period of some years. The exact phasing permissible will be broadly based on the Bank of England's matrix. If a debt is sold to a third party, the tax relief will be similarly phased. If the debt is sold back to the debtor, however, relief will be immediately available.

Mr. Peter Viggers (Gosport): An important point of principle is involved here. The directors of a company and its auditors should be responsible for assessing the profits of a company, and that company should be taxed accordingly. Clause 66 will, in effect, deprive a company of sovereign debt write-offs to which it would otherwise be entitled. Does my right hon. Friend agree that this is a windfall profits tax and that it would be quite right for the Committee to look carefully at it?

Mr. Lamont: That issue can be debated further, but the present system is extremely uncertain. As I said, the effect of the measure is to phase relief. Relief is obtained in the end, but enormous sums of money are at stake. The measure smoothes out the sudden increases in cost to the Exchequer. In the end, no one is denied relief. To that extent, I do not entirely go along with my hon. Friend's intervention, but the issue can be returned to in Committee.

Sir William Clark (Croydon, South): Surely, although relief will be given eventually, the cash flow of a business is affected. If the relief is confined to banks, why should it not be extended to international companies which also have overseas debts?

Mr. Lamont: We are dealing with sovereign debt. That is the key difference. The existing law provides relief for debt to the extent that the principal is estimated to be irrecoverable. It is very hard to make an estimate for sovereign debt, and it seems reasonable to prescribe the detailed method and to provide a smoother profile. The principles on which tax relief is given remain the same, but the legislation is not restricted only to banks. I do not accept that this measure will have any adverse or significant effect on the standing or position of banks.

Sir Peter Hordern: Will my right hon. Friend give an assurance that no bank will be unable to reduce its liability to sovereign debt to keep up its capital adequacy ratios simply to conform with the best position that it should have to get the maximum tax advantage?

Mr. Lamont: I cannot give that assurance. I shall look at what my hon. Friend has said. If the situation is otherwise, I shall certainly indicate it to him.

If the House will allow me, I now move from sovereign debt and the banks to the slightly more popular subject of football. Few of the measures in the Bill have met with such unqualified approval on both sides of the House as the reduction in pools betting duty, made under the condition that the pools promoters pass on the full amount to the Football Trust, to be used to implement the recommendations made by Lord Justice Taylor. A new clause will be introduced to implement that reduction, which will result in an increase of about £100 million in the

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amount that the Football Trust will be able to make available towards improving comfort and safety at football grounds. I am sure that this measure will go a long way towards making football more attractive and restore its image and its rightful place as our national game and a safe game.

One of the results of lower tax rates and higher take home pay is that people have more disposable income to give to charity. The Government have consistently encouraged that, and since 1979 charitable giving has more than doubled in real terms. This year's Budget continues that approach. In 1987, my right hon. Friend the Member for Blaby introduced the payroll giving scheme. *[Interruption.]* More than 175,000 people are now participating, and donations are now running at more than £7 million a year. Clause 22 will encourage the further expansion of such schemes by raising the annual limit by 25 per cent., from £480 to £600. Opposition Members are obviously unimpressed by that progress but, of course, charities are much more enthusiastic than Opposition Members. I sometimes suspect that the real reason for Opposition Members' scepticism is their basic hostility to private giving rather than any doubts about the mechanics of the scheme.

For the first time, we intend also to allow relief on one-off donations. The gift aid scheme, which was announced in the Budget, will give relief on gifts of between £600—the annual upper limit for the payroll giving scheme so it dovetails well with the payroll giving scheme—and £5 million. Organisations that benefit from large one-off donations—for instance, museums launching appeals for new galleries or major works of art—will be particularly advantaged by gift aid. The Government will be bringing forward a new clause in Committee to give effect to this proposal. The combined effect of the two measures should be a further substantial increase in charitable giving. Opposition Members are sceptical, but the Charities Aid Foundation has estimated that charities might take in an extra £50 million as a result of the measures in the Bill.

There is one notable and unusual feature in this year's Finance Bill. Clause 16 leaves the main rates of income tax unchanged. It is a measure of our success in cutting taxes that this is the first Budget and Finance Bill not to cut taxes or national insurance contributions since 1981. We may not be cutting income taxes this year, but we certainly have done so over the past 10 years. If the bands and allowances that we inherited in 1979 had merely been indexed to inflation and we had maintained the same rates, a married man on average earnings would today be paying more than £1,000 per year more in income tax.

It remains the Government's intention to cut taxes further and to move towards a basic rate of income tax of 20p. Our strategy, policy and commitment are clear. I only wish that the Opposition would be as forthcoming about their intentions on taxation, which remain shrouded in mystery. I always wondered what the Leader of the Opposition meant when, after their election defeat in 1987, he said that what Labour needed was a "relatively blank sheet". That blank sheet is the Opposition's taxation policy—even if it is not quite a blank sheet, the key details are certainly missing. It has been a remarkable achievement by the right hon. and learned Member for Monklands, East that he has made a brilliant success of saying nothing. He has become a leading expert on the content-free review. As Hugo Young put it, he is

"the chief exponent of minimalism."

But the electorate is entitled to more than minimalism and will demand to know the details of Labour's tax proposals —the rates and bands of the new complicated graduated system that the Opposition intend to introduce.

Opposition Members did not like it when Mr. Keating of Credit Suisse First Boston estimated that as a result of their policy many couples without children and on below average earnings would be substantially worse off. He estimated that those earning only one and a half to two and a half times average earnings could, over time, find themselves paying up to £4,000 extra in tax— *[Interruption.]* Opposition Members cry out at that. If those figures are not correct, let them tell us what the correct figures are. They will not say, but some of their colleagues have. Last year, the hon. Member for Kingston upon Hull, East (Mr. Prescott) gave us a snippet when he was reported in *Tribune* as saying:

"It is not credible for Labour to suggest that our policies for full employment or our policies for investing in the Health Service, funded by taxation, free at the point of use, can be financed on a programme of low taxation. It can't and the electorate knows it can't."

We believe in low taxes. The Labour party believes in high taxes. Another difference is that we are prepared to say what our policy is, whereas the Opposition are not. Our policies are clear and unambiguous. The Bill consolidates the progress made in the last decade, and I commend it to the House.

6.31 pm

Mrs. Margaret Beckett (Derby, South): Some aspects of the Bill we undoubtedly welcome because we have pressed for such changes over successive Finance Bills. I pick out in particular the concessions on workplace nurseries and on pools duty, for which my hon. Friends and I have called for many a long year, and we are pleased to see them delivered at last.

We are happy to welcome other proposals, such as the increased differential on unleaded petrol and the assistance for small companies which, as the Chief Secretary said, we shall debate later. There are other proposals that we observe with interest and without hostility, although perhaps with a degree of scepticism from time to time. I pick out, for example, the Chancellor's new savings scheme, TESSA. We are not hostile to that in any way, but whether it will increase savings or merely divert those that are already being made remains to be seen.

It seemed to me—it was also evident from the Chief Secretary's speech—that the most striking aspect of the Budget and of the debates that followed it was not the advent of TESSA, intended apparently to be the key feature of the Budget, but the return in all her glory of TINA, who was even more evident in the Chief Secretary's speech today. Hon. Members on both sides will remember TINA, the figure who highlighted the Prime Minister's first few years in office—"There is no alternative."

No great shifts in policy are reflected in the Bill. Indeed, there is precious little in it. Nor was there much in the Chief Secretary's speech to reflect or address the huge and growing problems of the economy. One would not think, from the Bill or from the right hon. Gentleman's speech, that a week ago the second worst trade figures in our history were announced. One would certainly not think

that that trade deficit included record imports of over £10 billion. Equally, one would not think that as we debate this measure we are awaiting what Samuel Brittan in the *Financial Times* last week called "black Friday"—the arrival of the next set of inflation figures next week, safely of course after the local government elections.

Mr. Hanley *rose*——

Mrs. Beckett: No, I will not give way.

Not only does the Bill tell us little about those problems, but Ministers tell us little about the state of the economy.

Mr. Hanley *rose*——

Mrs. Beckett: I told the hon. Gentleman clearly that I would not give way. I will do so later.

The Finance Bill tells us that the economy is in a mess and that the Government do not know what to do about it, except to reiterate that there is no alternative to the policies that they are following. Worst of all perhaps is not what the Bill fails to say about the problems that we are experiencing, but what it fails to say about the problems of the economy of tomorrow and of all our tomorrows. It addresses in no way the shape of the economy in 1992, let alone in 1993, 1994, 1995 or at any time in the future not bounded by the next general election.

We said when the Budget was launched that it was a Budget for the next 10 days rather than for the next 10 years. It is an increasingly moot point which of its forecasts and prescriptions will survive the next 10 weeks. When Ministers talk about the problems of the economy, as was evident from the Chief Secretary's speech, as opposed to their paeans of selective self-praise, they do so only to assert that those problems are purely temporary.

Ministers seem to have stopped—the Chief Secretary did not use the word once in his speech—using the word "miracle", or perhaps even that is temporary. Even so, the rest of the rhetoric is still there. They continue to talk about greater growth and about a new indicator for inflation. The Chief Secretary used that phrase, and I shall study it with interest to see whether it stands up any better than some of the other phrases that they have used. We have had a new description of levels of employment or unemployment. There has not been much about investment, except for misleading statistics on business investment, and nothing about research and development.

In common with most of the statistics that Ministers use about their record, they are highly questionable at best, particularly when we examine the whole period for which the Conservatives have been in office. The Chief Secretary said, unusually for a Minister, that it was right to look over their whole period in office. I shall remind the right hon. Gentleman of that when, in other debates, he quotes—as he no doubt will again as he has in the past—a set of statistics from 1981, another from 1983 and yet another from 1985, depending on the best and most selective period to choose. The Conservatives' record over their whole period in office looks nothing like as flattering as Ministers normally describe it.

Particularly worrying is the theme of the Chief Secretary's speech, which is that our problems are temporary and soon will be resolved. He was scathing about people who do not believe that there has been a miracle—although he did not use that word today—and who do not believe that there has been an enormous underlying improvement in the economy.

I refer the right hon. Gentleman to the observations of Mr. Martin, the adviser to the Select Committee, who referred to the optimism that the Treasury and the previous Chancellor enjoyed for so long. Perhaps at this stage I should set the record straight by telling the Chief Secretary that my hon. Friends and I were not amused or critical of the Government's proposals on charities, although no doubt we shall debate them. We were amused that the Chief Secretary had dared to mention the name of the departed figure, the man who is not to be referred to except to be blamed for all the mistakes—the right hon. Member for Blaby (Mr. Lawson). [HON. MEMBERS: "Where is he?"]

Although the Chief Secretary may have omitted that, he referred to the claim relating to the background to the former Chancellor's remarks. So I direct him to Mr. Martin's observations about the special circumstances that the Government enjoyed in the late 1980s which created the appearance of greater strength than was there in the economy and which fed the optimism of which the Government have for so long been guilty.

When interviewed by the Select Committee, the Chancellor said that he did not know why the CBI had suggested, for example, that any improvement in the trade deficit might be temporary and that after improving it might deteriorate again. That was not quite the picture that was painted by the Chief Secretary, and was perhaps less than honest, if one dare say so, of the Chancellor.

Mr. Ward, another adviser to the Select Committee, is one of many commentators and forecasters, most of them using the Treasury model, to point out that, sadly, the most likely scenario is that, although the squeeze on inflation that the Government are presently undertaking might succeed in bringing down the balance of trade deficit, as soon as that squeeze is lifted, it is likely to deteriorate because of our propensity to import.

Mr. Hanley: How would the Labour party turn round the trade deficit? What import controls would be introduced?

Mrs. Beckett: The hon. Gentleman must have been reading some of the more hysterical contributions from the Paymaster General. We have made it crystal clear over and over again until we are bored with making it clear that we do not have the slightest intention of introducing import controls and—to save the hon. Gentleman from asking—we have no intention of introducing exchange controls either.

We recognise the Chancellor's problem and that he does not want to refer to the likely improvement in the trade deficit—if it improves, which we certainly hope that it will. The last thing that the right hon. Gentleman wants is for the public—he is not worried about the Select Committee or about hon. Members of whatever party—to realise that if his inflation squeeze works at all, the improvement may be short-lived. It is within that window of opportunity that the Government are hoping to call the next general election. I repeat that it is less than honest——

Mr. Neil Hamilton (Tatton) *rose*——

Mrs. Beckett: It is less than honest for the Chancellor not to acknowledge the danger that the Treasury—and everyone else—has seen, no matter how ropey the statistics——

Mr. Quentin Davies (Stamford and Spalding) *rose*——

Mrs. Beckett: The hon. Member for Tatton (Mr. Hamilton) was first.

Mr. Hamilton: The hon. Lady is advancing a partially attractive argument because she appears to be saying that the Government are not squeezing the economy hard enough. In the absence of exchange controls or import controls, to what extent would her proposals involve either an increase in taxation or an increase in interest rates at this moment?

Mrs. Beckett: The hon. Gentleman seems to be suffering from a pre-speech brief saying, "For heaven's sake, ask this question irrespective of whether it is relevant or follows on from what has just been said." [HON. MEMBERS: "No."] Well, I do not know how the hon. Member for Tatton read into my remarks that I do not think that the Chancellor is squeezing the economy sufficiently. I shall repeat what I said in case the hon. Gentleman did not catch it the first time. I said that if the squeeze that the Chancellor is applying works—we all hope that it succeeds in reducing the trade deficit—allowing for a time lag, the minute that the squeeze is lifted, the balance of trade deficit will deteriorate again.

My point, which I am happy to repeat for the hon. Gentleman's benefit, is that that is the time scale within which the Government are hoping to hold the next election, pretending all the time that the improvement that they have created is long-lasting and that the balance of payments will not deteriorate again, although they must know perfectly well from their Treasury model that that is exactly what is predicted. As I have said, that is less than honest.

Mr. Quentin Davies *rose*——

Mrs. Beckett: If the hon. Gentleman is seeking to intervene on the same point, I am not sure that it will be worth giving way to him——

Mr. Davies *rose*——

Mrs. Beckett: All right, I shall give the hon. Gentleman the chance.

Mr. Davies: I am grateful to the hon. Lady for giving way. As she now seems to have accepted that the major economic problem that we face is that of inflation, will she take this opportunity formally to repent of the consistent errors of the Labour party throughout 1987 and 1988, when Opposition Members continually told the Government that interest rates were too high and should be brought down and that the fiscal surplus was too high and should be lowered? If those policies had been pursued, they would have exacerbated inflation.

Mrs. Beckett: I shall come to the point about 1987 a little later, and I hope that the hon. Gentleman will rest content until I get there. However, the Dispatch Box is not quite the place for the repentence of one's sins.

If we are to judge from what the Government say now and from what they are likely to say if and when the trade deficit improves—the point at which the Government hope to have that window of opportunity—it would be wise for us to take a look at the Government's record on predictions and at how much reliance one can place on their word. I believe that it was Nye Bevan who said, "Why look into the crystal ball when you can read the book?", and I have been reading the book.

I do not want to be unfair to Conservative Members or to go back over their long period in government, so I shall go back no further than the last general election campaign. That must be fair. After all, in 1987 the Government had had two terms in office and that was the very point at which we were told that the economic miracle was in full swing and that we were ahead of West Germany and Japan. Therefore, it can only be fair to the Government to go back that far.

I shall take first the Government's statistics on inflation, which is one of the two most difficult problems that we are facing at the moment, and is what the right hon. Member for Blaby called the "judge and jury" of the Government's record. It makes interesting reading. During the election campaign and in their manifesto, the Government talked about pursuing the "conquest of inflation" and stated:

> "We will not be content until we have stable prices, with inflation eradicated altogether."

No wonder the Government look miserable at the moment.

By November 1987, five months after the election, the prediction for inflation in the fourth quarter of 1988, the following year, was 4·5 per cent. By March 1988, three or four months later, that forecast had improved and the forecast for the end of 1988 was 4 per cent. By November a little more realism had crept in and inflation for that same fourth quarter of 1988 was predicted at

> "a little over 6 per cent."

Mr. Norman Lamont: What does the hon. Lady think about the right hon. and learned Member for Monklands, East (Mr. Smith) who, at exactly the time to which she has referred, November 1987, said:

> "Now is the time for cuts in interest rates to stimulate the economy . . . Now is the time for a programme of well planned public investment to mobilise the unused capacity",

and called for a further stimulus and boost to the economy?

Mrs. Beckett *rose*——

Hon. Members: Answer.

Mrs. Beckett: I am quite content to answer and have already told the Chief Secretary to the Treasury, who was in such a hurry with his quote, that I shall return to the question about what happened at that stage in 1987 and to the question about interest rates a little later. I am talking now about inflation in 1987 and about the record——

Mr. Stephen Dorell (Loughborough): But 1987 is relevant.

Mrs. Beckett: There is no need for the hon. Gentleman to try to conduct a dialogue from a sedentary position. If he wants to come to the Dispatch Box, let him do so, otherwise he should keep quiet. I assure the Chief Secretary that I shall refer to the point that he made. That is the assurance that I gave to the hon. Member for Stamford and Spalding (Mr. Davies), and the right hon. Gentleman knows that I always keep my assurances.

As I was saying, by November 1988 inflation was being predicted at

"a little over 6 per cent."

for the fourth quarter of that year, although in the event it was 6·5 per cent. and, instead of the predicted 4 per cent. by the end of the year, it was 6·8 per cent. The forecast for 1989 that was given in the 1988 autumn statement was that inflation would peak at some point "in the middle" of 1989 before

"falling back again to 5 per cent. by the fourth quarter."—[*Official Report*, 1 November 1988; Vol. 139, c. 824-5.]

That was in November 1988.

By March 1989 and the Budget, the Chancellor was saying that the outlook was for inflation to rise a little further over the next few months—not from 4 per cent. or 6 per cent., but from 7·5 per cent.—to 8 per cent. before falling back in the second half of the year to 5 per cent. in the fourth quarter and to perhaps 4·5 per cent. in the second quarter of 1990. I repeat, that was the prediction in March 1989.

I concede at once that the prediction was half right. Inflation did rise a little and then fall back a little, but what about the prediction that was made just over a year ago of 4·5 per cent. inflation in the second quarter of 1990? I know that you, Mr. Deputy Speaker, will readily recognise that the second quarter of 1990 is the quarter that we are now entering, when predictions are just a little different.

Mr. Tim Yeo (Suffolk, South): Will the hon. Lady give way?

Mrs. Beckett: No, not to the hon. Gentleman.

That brings me to the autumn statement of 1989——

Mr. Yeo *rose*——

Mrs. Beckett: I am not giving way to the hon. Gentleman—as he knows.

In the autumn statement of November 1989, the Chancellor—by this time, we are talking about the present Chancellor—predicted a further reduction in inflation. The forecast last November was for 5·75 per cent. inflation by the fourth quarter of 1990. Alas, by March this year—only a month ago—the forecast had been revised again, to the following:

"A significant fall is still some months away. The position will worsen noticeably before it improves—though I now expect that it may be a little over 7 per cent. by the fourth quarter of this year compared to the 5·75 per cent. that I had previously expected"—

only the previous November—

"but I expect inflation to fall below 5 per cent. during 1991."

It is far from clear to me how any judge or jury could be expected to reach a verdict when the evidence changes with such rapidity. It is no wonder that Mr. Martin, who advises the Select Committee, stated that the Government have "nil credibility" on inflation.

Sir Peter Hordern: The hon. Lady started her speech, by saying that she would concern herself with the future—and she is now talking about forecasts. I am somewhat confused as I thought that she had ruled out any question of import controls and exchange controls. However, so far as we have been able to establish, the Labour party is in favour of lower interest rates and more public expenditure. The latest assurance from the right hon. and learned Member for Monklands, East (Mr. Smith) is of a guaranteed minimum wage. Will the hon. Lady tell the House by how much she expects wages and salaries to increase to keep that pledge?

Mrs. Beckett: I am sorry to tell the hon. Gentleman that there is nothing new in what my right hon. and learned Friend said—it was in the recent policy review. As I recall, the effect of that policy will be an increase in wage rates of about 1 per cent. The answers to the hon. Gentleman's other questions—if they were questions and not assertions—have been given repeatedly from the Labour Front Bench, and will be the subject of my later remarks.

The Government's balance of payments record is another area of considerable difficulty at present. In 1987, the deficit was £1·5 billion. We were told then that that was of no consequence because it would be covered by our earnings on invisibles. We have not heard so much about invisibles of late. In the Budget of March 1988, the then Chancellor forecast an end-of-year deficit of £4 billion. By November 1988—about five months later—the forecast was not a £4 billion deficit, but £13 billion, although falling slightly in 1989 to £11 billion.

In the March 1989 Budget—again three or four months after the autumn statement—there was no change in the prediction for 1989, although the outturn for 1988 had been £15 billion rather than the £13 billion that was initially predicted. However, by November 1989 the result for that year was not after all the £11 billion that had been predicted six months before, but £20 billion, although—of course—that figure was predicted to fall to £15 billion in 1990. That was the Budget forecast in March this year.

Although, of course, Opposition Members hope that those predictions, for once, have some accuracy, and that that deficit will fall, I am bound to observe that far from suggesting a fall from £15 billion, the annualised rate for the first quarter of 1990 suggests a further rise in our trade deficit to more than £22 billion. The Treasury and Civil Service Select Committee drew attention in its report to the Government's observations that they would expect to see the balance of payments gradually moving back towards balance. It said:

"This explanation and forecast is similar to that given at the time of our inquiry into the 1989 Autumn Statement."

In other words, the Select Committee and the House have heard it all before.

The Government say that the present difficulties do not alter the sweeping claims that they have previously made for their economic success. I recognise that the Government now admit to making a mistake, although apparently only one little mistake, made in 1987. Here I come to the point of the Chief Secretary to the Treasury and of the hon. Member for Horsham (Sir P. Hordern). Following the stock market crash, the Government lowered interest rates. I am sure that it is pure coincidence that the one mistake to which the Government are prepared to admit is one that was generally accepted as a wise move, and one that was supported by the Labour party. I concede that we agreed with the Government at the time that it seemed wise for interest rates to be lowered temporarily because of the possibility of a slump. What we have never agreed with or accepted is the path that the Government continued to follow which led directly to the 1988 Budget and the tax cuts that were made in it. There is no doubt that if that is the only mistake that the Government have made—and I do not notice them

[Mrs. Beckett]

admitting to any more—it must have been a beauty as we are still feeling the effects and paying for it now. That will continue to the middle of 1990 at the best.

What is worrying is that sometimes Opposition Members have the impression that the Government really believe that that is the only mistake they have ever made. The Opposition argue that there have been others, the biggest being not the fact that the Government lowered interest rates in the autumn of 1987, but that they went on to add to demand by the huge tax cuts of 1988. They added to those tax cuts the grossly inflated rhetoric of the economic miracle—the stuff about Germany and Japan bringing up the rear. Those tax cuts were not only unjust, but a profound misjudgment of what our economy needed——

Mr. Quentin Davies *rose*——

Mr. Neil Hamilton *rose*——

Mr. Ian Taylor *rose*——

Mrs. Beckett: I take the point raised by the Chief Secretary to the Treasury. We believe that those resources should have gone into a planned programme of investment in our economy. That is the choice that the Labour party would have made. Those resources were available to the Government. Sadly, they are not available now because the Government have used that money for tax cuts that have fuelled demand and the growth of credit in the economy.

Mr. Quentin Davies *rose*——

Mr. Ian Taylor *rose*——

Mrs. Beckett: I shall not give way again to the hon. Member for Stamford and Spalding (Mr. Davies). I have been speaking for 25 minutes and I am barely halfway into my speech. I may not give way for some time.

Apart from the Government's constitutional dislike of admitting that they have ever made a mistake, they have another important reason for refusing to accept the part that they played in causing our problems by the tax cuts of 1988. They do not want to admit that those tax cuts fuelled the explosion of spending and the demand for credit because they want to do it again. That is how they are hoping to win the next election—by either the promise or the performance of further income tax cuts.

Mr. Ian Taylor *rose*——

Hon. Members: Give way.

Mrs. Beckett: I have given way on a number of occasions and I shall not do so again—if I do at all—until I have made substantially more progress.

The Government have tried to claim credit for trying to teach the British people that there is no such thing as a free lunch, but they are incredibly reluctant to apply that lesson to Government policy. The harsh reality is that we are paying now for the profligacy of 1988 with increases in mortgage rates, rents, the price of electricity, gas and water, prescription charges and bankruptcies, a collapse in the construction industry and, as sure as night follows day, inevitable increases in unemployment.

One of the shabbiest tricks that the Government have recently employed is that they have sought to pretend—as they did in their evidence to the Select Committee—that somehow the economic squeeze that they are applying to squeeze out inflation does not bring with it, as they know it does, the expectation of a rise in unemployment. My hon. Friend the Member for Norwich, South (Mr. Garrett) challenged the Chancellor on that point in the Select Committee, but he refused to take it up. I hope that the Government are not pretending that if unemployment rises this year—we hope that it does not—it will be purely as a consequence of wage increases. They know that that is not true. Of all the commentators and forecasters who have examined the Government model for the economy, the only one who did not say that it implied an automatic increase in unemployment because of the squeeze was the National Institute of Economic and Social Research because it predicted a further change in the manipulation of unemployment statistics. It predicted nothing different about jobs, but something different about the unemployment figures. This morning the Confederation of British Industry said that it seems likely that many thousands of jobs will be lost, especially in manufacturing, because of the economic problems that we are now experiencing. It refers especially to the high cost of finance as well as of labour.

So there is no question but that one of the consequences of the policies of the present Government is likely to be an increase in unemployment, and it is clear, too, that what is happening on the wages front—the Governor of the Bank of England made it absolutely clear in his evidence to the Select Committee when he spoke about "administered" price rises—is that wage rises are still following price rises.

The Select Committee expressed a little surprise that the diagram previously in the Red Book of unit labour costs was not in this year's, but I suspect that it is because the diagram showed that, while inflation has slowly and steadily risen in the past two or three years, wage costs have stayed remarkably stable, and that it is only when people are faced with the impact of the most recent interest rate rises, of the poll tax and of the other price increases coming through this year that wage claims have begun to rise.

Although a number of hon. Members intervened while the Chief Secretary was talking about wage costs, I do not recall hearing very much from any of them last year when a number of directors of the companies that support the Conservative party and give it a lot of money gave themselves wage increases, not of 7, 8 or 9 per cent. but of 27 per cent. or 28 per cent. That was only last year. I understand that some have already begun to award themselves increases on a similar scale this year. Yet these are the very people who benefited most from the income tax cuts in 1988; they are the very people who benefited most of all because of that considerable cut in the top rate of income tax——

Mrs. Alice Mahon (Halifax): And from the poll tax.

Mrs. Beckett: And they are the very people—I take my hon. Friend's point—who benefit from the change from the rates to the poll tax.

I recognise—the Chief Secretary was at it again today when talking about marginal tax and so on—that the Government claim that none of this matters because they have been generous to workers who are low paid. This claim is particularly difficult to substantiate if one looks at the overall tax burden—not just at income tax but at the

real impact on people's net disposable income of income tax, national insurance contributions, value added tax and the package of measures for which the Government are responsible and because of which the average household's tax burden has increased since this Government came to power.

I want to look, particularly because of the way in which the tax-exempt special savings account is described in this Budget, at what is happening under this generous Government, where all benefit from increased prosperity and the economic miracle, to the lowest paid of all. In the Budget, the Government refer to a group that they call moderate or relatively small savers who will save up to £150 a month or about £16 a week. They obviously regard these people as not especially well-off. I draw the attention of the House to a group of people who get very little attention in this place, particularly from hon. Members on the Government Benches—those who earn very low wages, from as low as £60 a week to £170 a week.

I have been following the detailed statistics for this group since spring 1988 when not only did we have these massive cuts in taxation which particularly benefited the best off but we had a massive package of reforms in social security. The figures are an average because they include average rents, average costs of travel and things of that kind, but they are figures from parliamentary answers and they show a particularly interesting comparison in the movement of incomes over the year and the marginal rates of tax to which the Chief Secretary referred. The figures that I have recently received from the Government are particularly illuminating. They show that someone in this low-earning bracket—the Government have deliberately fostered low earnings in their time in power—can have an increase in gross pay of £10 a week and see his net disposable income rise by as little as 55p. In one particular case, someone with a two-child family earning between £90 and £100 can experience a drop in income of 11p a week. That is a marginal tax rate, to pick up the Chief Secretary's phrase, of well over 90 per cent.

If we were particularly generous and took that whole spread of earnings, from £60 to £170—presumably, to get that kind of increase, someone would have to change his job—a married man with two children of four and six could have that gross increase of £110 a week and come out with just under £16·50 extra in disposable income—£16·50 gain for a gross rise in income of £110 a week. What was that again about marginal tax rates?

A single parent with two children presents a similar picture. By going into part-time employment with earnings of £20 a week, such a person would gain £8·10 of her £20 extra, but if she went into full-time employment and earned as much as an extra £40 a week she would still get only £9·21 a week more than she would receive on benefit —an extra £1·11 in net disposable income for a £40 increase in gross pay and the burden of full-time work, with no allowance made for any contribution to child care costs——

Mr. Quentin Davies: Explanation!

Mrs. Beckett: No, I would like to go through this comparison and finish the point. I do not need any explanation, I assure the hon. Gentleman. I am very familiar with these figures. Let me give him a little more explanation.

Let us take a family with two children. I have asked for a comparison to be made between their income now and their income in 1987 when these packages of tax and social security reforms were introduced. The House will, I know, be pleased to learn that this year, for the first time since 1987-88, the family are better off in cash terms, although in some cases by as little as 12p a week. That is a 12p increase in net disposable income over three years under a Government who have given us an economic "miracle". Of course, they are all worse off in real terms than in 1987.

If I take now the figures for a single parent with two children aged four and six, in cash terms those earning £60, £70 or £80 a week are worse off now than they were before the package of changes in 1988. If they are worse off in cash terms, they are substantially worse off in real terms.

I know that hon. Members on the Government Benches do not like criticism of the Government's record. There is an increasing and worrying tendency to equate criticism of the Government with disloyalty to the country. The Chief Secretary was at it during Question Time the other day. The phenomenon is seen at its most extreme in the case of the Prime Minister. It began—although it seems hardly to have been noticed and certainly not much commented on —when the Prime Minister began to talk about "my Government", a phrase that I had previously heard only on the lips of Her Majesty the Queen. Then we got on to the use of the royal "we". Then we had gates to protect the Prime Minister from the admiring populace. Now we have the change in approach to the civil service, who are told that their loyalty is not to the Crown but to the Government of the day, and the increasing identification of the interests of the country with those of the present Government, which is percolating along the Back Benches.

What we seem to have, therefore, is a Government who do not like the attitude of the civil service and who feel that they must change its code of conduct, and who do not like the attitude of Opposition Members. We had that again today from the Chief Secretary, who thinks that there is something wrong with an Opposition who dare to think that they have the right to criticise the Government. We have seen the ultimate in the wish to ensure proper agreement with the Government's policies in that, although the Government have not actually tried to change the electorate yet, they are doing their best to manipulate who will vote. I understand that there is a well-funded campaign, headed by the hon. Member for Dorset, West (Sir J. Spicer), to persuade those who left the country as much as 20 years ago that it is their moral duty to prevent people who have been so unpatriotic as to stay here from exercising what we had previously thought was their right to change their Government.

I find it particularly offensive in this regard that the hon. Member for Dorset, West should apparently focus his campaign in South Africa, where he is telling white South Africans to vote Conservative because Mrs. Thatcher is the best friend that they have in the world. There would be no point in his addressing any remarks to black South Africans——

Mr. Andrew Mitchell (Gedling): On a point of order, Madam Deputy Speaker. A good many people wish to take part in the debate on the Second Reading of the Finance Bill. The hon. Lady's comments, while entertaining, are entirely irrelevant to the matter under discussion.

Madam Deputy Speaker (Miss Betty Boothroyd): The hon. Gentleman should leave it to the Chair to determine what is in order. If there were no interventions I am sure that the hon. Lady would finish her speech earlier.

Mrs. Beckett: You know me well enough, Madam Deputy Speaker, to know that I am about to relate my remarks directly to the proposals and policies of the Government. Despite the hon. Gentleman's intervention, however, I shall finish the point. The hon. Member for Dorset, West is appealing to white South Africans; it would be a waste of his time to appeal to black South Africans, who do not even have the vote in their own country, let alone in ours.

The other way in which the Government are attempting to influence the composition of an ungrateful electorate is through the poll tax. In theory it might be possible to separate registration on the electoral roll from registration for the poll tax, but this is certainly the nearest thing to reintroducing a link between the ability to pay and the right to vote that has been seen in this country for many a generation.

This brings me directly back to the Government's record on inflation. One of the many administered price rises imposed on us, as the Governor of the Bank of England said, by political decision, is the poll tax itself. I know that the Select Committee received differing evidence about whether it is the equivalent of increasing income tax by a ha'penny or by twopence, but it is clear that however it is quantified or explained it is yet another increase in the tax burden that ordinary people are trying to meet; and yet again, the only answer that they receive from the Government when they complain about that tax burden is that inflation can be dealt with only by interest rates and the price rises that they bring. I ask the Government again whether they will reconsider even now whether the use of interest rates alone is as successful as they have claimed, or whether the sheer bluntness of that instrument is not affecting its impact.

I draw to the attention of the Chief Secretary the report by the Treasury and Civil Service Select Committee which states:

"The time which it has taken for successive increases in interest rates to restrain demand sufficiently calls into question the effectiveness of interest rate policy on its own."

The Chief Secretary quoted the Select Committee report. I shall read his remarks in the *Official Report* with care, but I am not sure whether he was entirely accurate. He said that the Select Committee had said that the role of reserve asset ratios had no impact on the growth of money, but in fact that was the Select Committee quoting the Red Book. So the Chief Secretary was quoting what the Government say, not what the Select Committee said.

The report suggests—in particular, the comments of Mr. Reading suggest—that the Government should consider alternatives to the use of this single instrument. The report recently produced by the Bundesbank—*[Interruption.]* I shall be happy to send a copy of it to the hon. Member for Richmond and Barnes (Mr. Hanley) so that he can read it. The report draws attention to the fact that everywhere in Europe and across the western developed world, except here and in Luxembourg, there is a use—in a variety of degrees and with various detailed arrangements—of some form of credit management, some means of influencing the extent to which banks are prepared to lend and add to the growth of credit—

Mr. Hanley: What does the report mean?

Mrs. Beckett: The hon. Gentleman should read the Bundesbank report and not waste the time of the House.

We have never said that the use of such instruments would be a replacement——

The Financial Secretary to the Treasury (Mr. Peter Lilley) *rose*——

Mrs. Beckett: The hon. Gentleman will have a chance to make his own speech.

We have never claimed that the use of such instruments would be a replacement for the use of interest rates. All that we have ever observed is that their use, even temporarily, might have allowed, and even now might allow, slightly lower interest rates than are necessary when the policy pursued is one of interest rates alone. That is a matter of particular moment at a time when the danger is that interest rates may have to be raised again.

Mr. Lilley: Can the hon. Lady point to any phrase in the Bundesbank report that shows that it is possible by using minimum reserve ratios to have lower interest rates than would otherwise obtain? I am sure that she cannot, because it does not say that.

Mrs. Beckett: It does not say as much in those terms, and I cannot find the precise reference now, but the report shows that Spain and France, by manipulating their credit instruments, were able to avoid a rise in interest rates.

Mr. Norman Lamont: The hon. Lady is wrong.

Mrs. Beckett: Perhaps we can pursue this some other time; I have not marked the exact passage in the report. It is no good the Chief Secretary shaking his head. It is not five minutes since the former Chancellor and the present Chancellor told us that no one in Europe uses these methods any more. We were told that they did not exist and that, in so far as they did exist, they had been abolished. The Bundesbank report clearly says that every country—Japan, the United States and every country in Europe except ourselves and Luxembourg—uses some form of this mechanism in a variety of ways. The report says even more clearly, in a clear contradiction of the remarks of the Chief Secretary, the Chancellor and the former Chancellor, that it is not true that the use of these instruments is being abandoned. They are being refined and made more effective. Further, the report suggests that if there is to be progress towards economic and monetary union, some measure along these lines will have to be considered in every country.

Mr. Norman Lamont: On a point of accuracy, the previous Chancellor argued not that these instruments were not used but that they were not an alternative to putting up interest rates. He argued that reserve asset ratios were merely an instrument by which interest rates were manipulated. I wonder whether the hon. Lady has read the remarks made this week by the president of the Bundesbank who has called into question the use of reserve asset ratios throughout Europe and who says that all Europe should consider getting rid of them—they are becoming redundant.

Mrs. Beckett: I have not read the report of that. The report to which I am referring was published only two weeks ago, so perhaps the Bundesbank needs to sort out what advice it is giving the rest of the world—

[Interruption.] I am quoting from a report published by the Bundesbank in March 1990. If, in the third week of April 1990, the Bundesbank is saying something different, I shall study it with considerable interest. I remind the Chief Secretary of how he misquoted the Select Committee's report earlier, so perhaps all these reports seem to have a different flavour depending on which party uses them.

Mr. Quentin Davies *rose*——

Mrs. Beckett: I cannot give way; I have spoken for too long already.

I turn now to the impact of interest rates on investment decisions. I was amazed to see—I note that the Select Committee was, too—that the Governor of the Bank suggested that the level of interest rates was not particularly important as an influence on investment decisions, although there were exceptions. Unfortunately, that does not agree with reports from the engineering industry, the CBI or a variety of sources. Recent reports from Peat, Marwick, McLintock, from the senior receiver, and from Barclays bank and the Midland bank suggest that these difficulties are having a serious effect on the Government.

I note also that the Select Committee remarked on the difficulties experienced because of the poor quality of statistics available to the Government. That is rich in irony: the Government have sown the seeds and they are now reaping the whirlwind. They have cut down the signposts and now complain that they do not know where they are. Here, too, the scale of the problem is alarming. I note that in his report to the Select Committee Mr. Martin says that the errors in the Government's statistics are "beyond the pale". Sir Douglas Wass, not so long ago Permanent Secretary to the Treasury, complained that as a result of economies, industrial statistics in Britain are inferior to those of almost all our competitor countries.

But although the signposts in the form of statistics may be missing, the real economy tells us all too clearly what is happening. There have been cuts in the construction industry; a fall of 40 per cent. in starts was announced a few weeks ago. At long last British Rail has recognised that it can no longer square the circle of squeezing the consumer directly to fund investment. There has been a predicted fall in the Government's phoney measure of business investment, in which investment in casinos is seen as just as valuable as investment in manufacturing. There are problems with output and imports; a downturn in the balance of payments is predicted based on a presumed drop in those imports. Mortgage rates are at their highest ever. We have a record manufacturing deficit and trade deficit.

The Government have utterly and comprehensively lost their way. The Chief Secretary told us that no one apart from the Opposition believes that. Let me quote from the House Builder magazine, again of March 1990. The director of the House Builders Federation says that these "are signs of a Government in terminal decline. It has lost the ability to take sensible, pragmatic decisions, it is afraid of its own shadow, but contemptuous of important groups and industries whose support it needs."

The Government seem to have made the elementary mistake of believing their own propaganda and of believing that they have performed a miracle. The Greeks call that hubris. It is certainly being followed by nemesis. The way in which the Government are approaching the issue is our greatest charge against them, the Budget and the Finance Bill. Even now there is no evidence that the Government have the wisdom or the foresight to invest what is left of our oil wealth in training, industry, civil research and development, and in the engines of growth that are driving our competitors further and further ahead every month and year. These are the policies which are needed for long-term prosperity. These are the areas in which the Government are still making cuts.

In the race to 1992 our competitors are three quarters of the way round the track and we have not even left the starting block because we are still busy listening to the team captain claiming that the tactics and techniques of the other runners are wrong. We are not even in the race. We are not running in the race because we have a Government who have run out of ideas and of steam, and who are fast running out of time.

7.21 pm

Mr. Terence L. Higgins (Worthing): The task of a Chief Secretary on the Second Reading of the Finance Bill is never easy. Although he may spend some time discussing the general economic position, he inevitably spends quite a lot of time discussing individual clauses in the Bill. On the other hand, the House traditionally tends to concentrate very little on the clauses and very much on the general economic position, and in particular to consider whether it has changed between the time of the Budget speech and the Second Reading of the Bill. The Budget looks sometimes better and sometimes worse than it did initially.

This year the Budget looks much the same as it did on Budget day, for the simple reason that the overall economic position has been confused and obscure. Inevitably that reflects the fact that we are suffering severely from the problem of inadequate economic statistics. In the report of the Select Committee, which I am glad to say was not only unanimous but on which there were no divisions, we stress strongly how important it is to get the statistics right.

The debate so far has dealt at length with the position in 1987 after the stock exchange crash. I do not think that there is any doubt that mistakes were made at that time. I think that that is generally recognised on these Benches and on the Opposition Benches, where even more reflationary measures were advocated. We live now with the consequences of those misleading statistics and the actions which were mistakenly taken upon them. That is now notorious.

I do not think, as the hon. Member for Derby, South (Mrs. Beckett) suggested, that it was a question of what happened on interest rates; she would assert that it was a problem of tax cuts. Even after the tax cuts at that time the Budget surplus was still 10 times bigger than any surplus achieved under a Labour Government. Therefore, I do not believe that the hon. Lady's argument was right. None the less, the fact that stimulus was imposed on the economy at that time has caused serious problems. The Select Committee, in its report, draws attention to the possibility of using the asset price index as an additional lead indicator of what is happening in the economy. If we had paid attention to that at the time, I believe it would have been helpful.

We are still suffering from the statistical problem. At the time of the Budget the public sector debt repayment

[Mr. Terence L. Higgins]

was anticipated to be £7 billion. We now know that the estimated outturn, after only about a month, is £8 billion. At one time a difference of £1 billion in the public sector debt repayment or borrowing requirement would have been regarded as a major change in economic policy, yet that is now the difference being thrown up by the statistics within a few weeks. That brings out strongly the problems we are suffering.

The latest balance of payment figures have been referred to. The biggest deficit ever shown has led to very little reaction in the City because I do not believe that the City thought the figures were right. Indeed, I find the figures in conflict with what we know is happening in the high street and the market. By now it ought clearly to have come through into the import figures or, on the other side of the equation, into the export figures when the exchange rate over the last year has gone down 10 per cent.

As the Select Committee says, it is essential to put more resources into getting better statistics. As the Chief Secretary courteously said, there has been a team effort between the Select Committee and the Treasury to try to bring that about. We have had the Pickford report and an action plan to improve matters. However, further action must be taken urgently. The disadvantages of not spending money on it, compared with the potential benefit, are very great.

What worries me also—this came out in the autumn statement report of the Select Committee—is that almost always we find that the turning point errors in the forecast are very much bigger than the errors when there is an upturn or a downturn. It is when the economy turns round that the errors are great. We are at the turning point because all the Chancellor's measures are deliberately designed to get the economy back on course.

Taking everything I have said into account, I fear that the economy is probably slowing down a great deal more than the statistics or the forecasts suggest. Therefore, the Chancellor was right in his Budget to do very little to change the overall balance in the economy. A further massive move, such as some commentators in the City suggested, would have caused a real danger within a few months of a massive recession which it would have taken a long time to dig ourselves out of.

One lesson from 1987 is that when a mistake is made, largely because of bad statistics, it takes years to get the position right again. My hon. Friend was right in his Budget judgment, and he was right also in seeking not to raise interest rates further.

Mr. Ian Taylor *rose*——

Mr. Higgins: I shall give way very briefly because I believe that Privy Councillors should not speak for more than 12 minutes.

Mr. Taylor: My right hon. Friend has made an extremely important point. Does he agree that a further tightening of fiscal policy in the Budget, as was urged by the City and by Opposition Members, would not have taken effect until the end of this year or the beginning of next year when we might already be in a severe recession?

Mr. Higgins: I agree very much with my hon. Friend. The point which emerges is that my right hon. Friend the Chancellor has a more difficult task, because of all the conflicting signals, than perhaps any of his predecessors.

The other major problem is unit labour costs. The Select Committee published a chart, provided by the Treasury, which was not in the original Red Book. There are real dangers for our competitive position because of international relations. The fact that unit labour costs are expected to rise again is of grave concern against the background which I have just described. Although the position is vastly different in many respects from 1980, with public expenditure a much smaller percentage of gross national product and a public sector debt repayment of £8 billion plus compared with an £8 million deficit in 1980, none the less if the Chancellor's deflationary measures, which in my view are stronger than are generally supposed, run into inflationary wage settlements, we will be in danger of getting back to the position of 1979-80 and unemployment could rise substantially. We have made great progress in reducing unemployment in recent years, but the position is now dangerous. That is why it is so important to take into account what is happening with wage settlements. Overall, I believe what is happening is right.

I am anxious to allow time for others to speak because a large number of hon. Members are waiting to do so, but I shall say a word or two about the relationship between monetary and fiscal policies. Up to now I have not taken the view that my right hon. Friend the Chancellor of the Exchequer or his predecessor were guilty of a one-club policy. It is not the case that, up to now, only interest rates have been used. That policy has been backed up by a tight fiscal policy, and the two have been working together. However, as the Select Committee points out, we need a better measure of fiscal stance than we have had so far. There is considerable obscurity about that at present.

However, the Committee stresses strongly that there can often be a dilemma about the use of interest rates. Sometimes, one might have to move them upwards for exchange rate stability while, at the same time, one should move them in the other direction to control the domestic economy. That is currently true and has always been true. There is not always a dilemma; sometimes the interest rates should move in the same direction for both reasons.

If we join the exchange rate mechanism, as everyone expects—the Governor of the Bank of England rightly said that the only barrier to our joining was the differential inflation rate between this country and Europe—interest rates will necessarily be dedicated to the maintenance of the exchange rate within whatever range band is selected. In cases of conflict, the interest rate would not be available for managing the domestic economy. Therefore, it will increasingly be necessary to adopt a more flexible approach towards fiscal policy, as well as using interest rates.

While I do not think that the one-club gibe has been a legitimate attack on the Government until now, we shall need an interest rate putter in relation to the exchange rate. However, if we try to use that same club for driving the economy, we shall not hit the ball very far. Therefore, our approach to the problem will need such a change.

I believe that, in the immensely difficult position in which he finds himself, the judgment of my right hon. Friend the Chancellor of the Exchequer has been right. We all wish that he is successful in his policies. We say in our

report that he has taken the view that what is being done at present is sufficient to put matters right. Further dramatic changes would not be either wise or necessary.

7.33 pm

Mr. Robert Sheldon (Ashton-under-Lyne): It is always a pleasure to follow the right hon. Member for Worthing (Mr. Higgins), particularly when he produces one of his best reports. The reports are bound to vary considerably because of the wide range of membership of his Select Committee and other factors. However, this is undoubtedly a valuable report, which I read with great interest.

I take fully the right hon. Gentleman's point about statistics. The Government were wrong to try to save money on that crucial matter. I understand full well the comments which have been made by the Chief Secretary. Treasury Ministers always make such comments, belittling and scorning statistics, but when it comes to making decisions, it is those statistics that they use, because they have nothing else to use. They can rely only on their own guesses or the figures produced for them. In my experience, they use them to a much greater extent than they confess.

The Chancellor of the Exchequer has been prepared to listen. In his Budget statement he went into great detail in producing a reasoned defence of interest rates as the only practicable weapon. I welcome such dialogue, which we have not generally had throughout this Government's lifetime. It is important for the Chancellor of the Exchequer—I give him full credit for it—to engage in such dialogue so that he can learn from some of the experiences and arguments of other hon. Members. That is the proper way to deal with such matters. I am sorry that the Chief Secretary to the Treasury did not follow that way of handling such matters, but I hope that he will in future.

I do not agree with the Chancellor of the Exchequer about interest rates being the only practicable weapon. The suspicion that we have had about the present policy rests on the fact that it was on 3 June 1988—nearly two years ago—when interest rates commenced their upward drive. The purpose of that was to slow down consumer demand. The Prime Minister became involved in this matter when she spoke on 30 June. The Leader of the Opposition asked why the right hon. Lady had to inflict the increased interest rates on British industry and British home buyers. Her answer was:

"To keep downward pressure on inflation."—[*Official Report*, 30 June 1988; Vol. 136, c. 520.]

We have had two years of that, but it has not been successful. Inflation has been going up and up. Therefore, this policy has had little effect on inflation and little observable effect on the demand for credit. One estimate is that £150 billion of extra credit has been created during those two years. That was a complete reversal of the Government's intentions. So far from credit being reduced and demand slowing down, they have increased.

Previous Chancellors of the Exchequer may have been deficient in many ways, but one thing they all knew was how to bring about a reduction in demand. It is a simple trick. All one has to do is to raise taxes or, in the old days, use the regulator and, as further measures, restrict credit and put up interest rates. Almost from day two, one could see the spending level decline. However, the Chancellor of the Exchequer did not agree with that way of handling such matters. He said:

"fiscal policy is not, in my view, a flexible instrument which should be altered to meet short-term contingencies. Fine-tuning fiscal policy is not only disruptive to the public sector, to business and to taxpayers, but its effects on the economy are uncertain and often destabilising."—[*Official Report*, 20 March 1990; Vol. 169, c. 1015.]

I am sure that if he were to find himself back in time to two years ago, he might have a different view on that. There is no question but that during the past two years he has not succeeded and there are political as well as economic problems.

Mr. Neil Hamilton: The right hon. Gentleman will be aware that the tax cuts of the 1988 Budget amounted to about £4 billion. The amount of credit generated by the reduction in interest rates was £40 billion. By how much would he have recommended that the Chancellor increase taxation in 1988 in order to choke off the inflationary impetus which that gave?

Mr. Sheldon: We must not take too simplistic a view. We must take into account such matters as people's perceptions. Once they found that the brakes were being taken off, people got into a spending spin that lasted longer than it should have done. A sum of £150 billion credit is a large amount to have accumulated in those two years. Now that the two years have passed we must ask why Conservative Chancellors of the Exchequer are totally unable to do what their predecessors did so effortlessly, bring about a reduction in demand and create what might be a soft or hard landing. The trouble now is that we have had no landing. Two years have gone by and we have not landed yet. They have been unable to do so because, once again, they are impaled on a dogma, which is what rules such matters. Changes in taxation under the Government are said to be a one-way movement downwards. They cannot even be used to smooth the flow of a changing economy. That is one of the important factors. That was why the Conservative party introduced the regulator. It is not necessarily fine tuning; there has been more fine tuning on interest rates than on taxation. They have tried to reduce the levels of demand without making changes in taxation.

The Government rely on interest rates, but they do not bring about changes next week or next month; they work on a long-term perception of what will happen. Taxation takes money out of the pocket and has an immediate effect. The Chancellor found that he could not use credit controls or taxation, so he was left with interest rates. Now, for the first time in recent years, he is left only with exhortation. Given the civilised behaviour of this Chancellor, it is a mild form of exhortation—somewhere between exhortation and advice. He said in his Budget statement about extended credit:

"I believe that the financial institutions would be wise to reconsider their policy, and I hope that the subject will be covered in the code of practice . . ."—[*Official Report*, 20 March 1990; Vol. 169, c. 1012.]

It is all very well asking the financial institutions to be wise, but their mail shots continue to pour into our homes. Recently my bank manager even berated me for not borrowing. A good customer is one who borrows, as that is to the advantage of the bank or finance house.

Another fallacy is that interest rates reduce the demand from everybody. Many people do not have high mortgages. Indeed, many have savings and they will benefit from high interest rates. There is no reason why they should reduce their spending. The great advantage of using the tax system for smoothing the ups and the downs of economic fortunes is that that affects everyone who

[Mr. Sheldon]

spends. No one objects to tax changes downwards, but within that direction there should be fluctuations to take account of the position facing the Chancellor.

The problem facing the Government is that they are trying to be obedient not to the demands of the economy but to the needs of the election and the opinions of the Prime Minister. Although they may be cursing the fate that led them into this position only two years from the next election, they will have to live with that. They did not take the necessary measures two years ago when they had plenty of time to do so. Although they could have engineered a short-term recovery in time for the election if they had started from the position of 3 June 1988, when they first diagnosed trouble, they have now left it too late. They cannot rail against fate. They were left with plenty of time for the usual economic election tricks. In fact, surprisingly, fate has, in limited terms, been rather kind. Pay increases are running at about 9·5 per cent., very high, but only at about the same level as last year. However, inflation is now approaching 10 per cent.

Some people decry the inflation figures in pay settlements. Sam Brittan's words are especially colourful —he insults what he calls idiot inflation figures. However, whether or not they include mortgage relief, the figures assess the spending of the family and they lead to pay increases. If the Government wish to reduce inflation, they need to take account of those factors over which they have some control, and that includes interest rates. Indeed, it appears that, however bad the trade or inflation figures, or however bad they might become, the game of playing with one club has just about run its course. The next step—if, unfortunately, one is needed—would be to choose between letting the pound go, doing a U-turn on taxation or introducing some form of credit controls.

Of course, there are those who think that the Chancellor has the ultimate secret weapon—entering the exchange rate mechanism. They say that if we do that interest rates will come down, the pound will be steady and that, although there will be problems in the long run, that will take Britain to the other side of the general election. Meanwhile, they think that the short-term effects will be good. There will be a shock to companies that cannot increase pay because there is no prospect of devaluation. Trade unions will learn that new rules have come into play that will limit their wage claims.

Let me consider the role of companies and workers. If anyone really believes that companies and workers will be disciplined by the ERM, they are even more out of touch than the Government. After all, we have covered the same ground before. Almost 20 years ago, there were those who said that entering the Community would provide a shock; that Britain would have to face reality. Some 10 years ago there were those who thought that monetarism and sterling M3 would provide a shock. They held to the lofty theory of rational expectation—the rational expectation that trade unions would enter negotiations saying, "Because sterling M3 is a bit too high, we will not put in much of a wage claim." What nonsense. Only the Government could believe that. The rational expectation that I and many others had was that that would prove to be nonsense. Trade union leaders and management did not believe it, and they were right.

I agree that we should join the ERM, although my reasons for saying that are largely political in the context of a Europe in which we cannot for ever remain a dissentient voice. When we join the ERM, there will be a honeymoon period of six or nine months, and then unless fundamentals are changed there will be a forced devaluation of the pound. In political terms, that could be difficult for the Government. They have to make a judgment on the right timing and they may have little control over that. My advice to the Chancellor, for what it is worth, it to do the proper thing: act like a Chancellor, enter the ERM, and make use of his fiscal and credit control weapons. He must remember that if he gets it wrong he will be to blame, not the Prime Minister.

I am worried about investment. With 25 per cent. capital allowances, there is no longer a great deal of incentive to invest. If a company buys a machine for £1,000, the next day it will be written down to £750. That is serious because it means that companies are having to borrow money at high interest rates, and with depreciation being wholly out of line with the worth of the machine. That could result in serious cuts. I am sure that the Confederation of British Industry is right to highlight that important factor.

The Chancellor could have done something about that. A 15 per cent. interest rate acts differently on different people. For an individual, there is a problem with the mortgage. For those with savings, it will improve income. For an expanding industrialist, it hits very hard. Not only is the level of capital allowance less than the actual depreciation, but the industrialist must also find a large sum of money in a market that is uncertain because of the uncertain future of the economy. The Chancellor could have dealt with those matters. If he was so optimistic about the future, he could have said that for this year only capital allowances would be improved. That would have had a strong effect. He could have judged the right level to encourage the sort of investment that could have been afforded. That would help industry at a time when it is under pressure.

The invisible earnings have shown us that only manufacturing industry will save the country, yet we have treated it abominably, shabbily and disgracefully. It is to manufacturing industry that we must now look, and it is time that we started looking after its interests.

7.48 pm

Mr. Neil Hamilton (Tatton): I must admit that I had some difficulty in understanding the logic of the right hon. Member for Ashton-under-Lyne (Mr. Sheldon). If he agrees with the hon. Member for Derby, South (Mrs. Beckett) that the rapid reduction in interest rates following black Monday in 1987 was substantially responsible for the credit boom, I do not understand why that theory does not work in reverse and that credit is discouraged when interest rates are increased sharply. The right hon. Gentlemen seems to have the odd idea that we should not have increased interest rates and that the economy could have been calmed down by some increase in taxation, when to match the volume increase in spending which has occurred in the past few years, the increase in taxation that would have been required to substitute for rises in interest rates would have been absolutely colossal and, I have no

doubt, quite unacceptable. I do not believe for a moment that any Labour Government faced with such a problem would ever have been able to do that.

I shall start my speech with a text, as the rest of it may sound a little like a sermon:

"Let us admit it frankly as a business people should.
We have had no end of a lesson, it will do us no end of good."

Those were lines written by Kipling on the Boer war, but I want to apply them to the experience of the Government in the past few years in what I hope to be the temporary abandonment of monetarism.

I was heartened by the speech of the hon. Member for Derby, South as it betrayed no understanding of the causes of the problems that the economy poses for us today, and certainly *showed no idea of what to do about it. That* bodes well for us politically at the next election, whenever it will be.

I hope that Conservative Members, at any rate, now recognise the problems that have been caused and the reasons for them. I believe them to be threefold: first, the end of overfunding; secondly, the abandonment of broad money targeting; and, thirdly, the fixation with fixed exchange rates, particularly following the Louvre agreement and the unofficial peg with the deutschmark up to early 1988.

It would be as well for us to admit that at that time my right hon. Friend the Prime Minister was right. She faced a Chancellor who took a different view of the role of monetary policy, and in particular the role of exchange rate targeting. There was a public row when the Prime Minister was regarded or accused, as she always is, of being intolerant, dogmatic and handbagging Cabinet Ministers round the table in the manner of "Spitting Image". But she was defeated by the then Chancellor, my right hon. Friend the Member for Blaby (Mr. Lawson), and had to retreat, and what a disaster it was for us all.

Mr. Nicholas Budgen (Wolverhampton, South-West): My hon. Friend ought to remember also that she was undefeated by the 1922 Committee, who told the Prime Minister that the position of the Chancellor of the Exchequer was unassailable in the Tory party at the time.

Mr. Hamilton: I know nothing of the workings of the 1922 Committee, which is a mythical body which I seldom attend.

The myth of the dictatorial Prime Minister is hard to dispel. But when the Prime Minister is being accused similarly in other areas of policy, it is as well to recognise that perhaps the truth is different.

On 30 January 1985 my right hon. Friend the Member for Blaby delivered the following judgment:

"I have never believed in intervention in the foreign exchange market as a way of life, still less as a substitute for firm fiscal and monetary action."

How correct he was and how that has been proved by the experience of the past two years.

Having started out very successfully in our fight against inflation by targeting broad money and having no exchange rate target, we reversed our policy and did not target broad money and had an exchange rate target. The end of overfunding meant that we could no longer be confident of meeting broad money targets by selling gilts to neutralise the effects of high bank lending, and thereby denied ourselves the opportunity to bolster our anti-inflationary policy. I remember agreeing with my hon. Friend the Member for Wolverhampton, South-West (Mr. Budgen) at the time, but my voice may not have been heard as he is far noisier than I am.

The second error was that we attached ourselves to a policy of stabilising exchange rates and managing the global economy. My right hon. Friend the Member for Blaby is a man of some distinction and considerable abilities, but managing the global economy was a bit much even for him. But he enthusiastically adhered to that policy following the Plaza reports of 1985. I believe that the rot set in at that moment because our domestic monetary policy was compromised to sustain the exchange rate of the dollar. There was a significant increase in the rate of bank lending to the private sector which trebled in three years. The rate of growth of that lending doubled in the same period.

Paragraph 58 of the Treasury and Civil Service Select Committee referred to the massive expansion in broad money in the period since 1979. It stated:

"Broad money (as measured by M4 definition) has increased dramatically from £[illegible] billion to £423 billion, that is by over four times. Over the same period nominal GNP has increased by 157 per cent. with real GDP rising by 25 per cent., the rest of the increase representing inflation. We take the view that the rapid monetary growth has contributed to the United Kingdom's high rate of inflation."

I believe that judgment to be correct.

The Treasury argues that broad money targeting is no longer appropriate in deregulated markets, but I do not believe that there is more than a grain of truth in that. It may well be difficult to ascribe particular numbers to the broad money measures, but it is a long step from that to say that those measures mean nothing at all. I believe that we must return to targeting broad money if we are to be more successful than we have been in the past few years. I do not believe that MO is a valuable predictor of what the economy will do. I believe it to be a coincident indicator, not a leading indicator, because it ignores inflation of asset prices and the diversion of domestic demand into imports in an overvalued exchange rate.

The principal cause of the ills with which we are so painfully having to grapple arises from the policy of concerted intervention in foreign exchange markets. In 1986 that intervention increased M3 by £181 million. In the three months following the Louvre agreement on 21 February 1987 there was a massive increase in intervention and the extent to which that fed through into broad money expansion. From that increase of £181 million for the whole of 1986, the month of March 1987 produced a growth in M3 of £946 million, which increased in April to £1,750 million and in May to £2,861. Interest rates then came down—enthusiastically supported by the Labour party for which interests rates are too high in all conditions and at all times—to 9 per cent. In June 1987 bank lending was up 32 per cent. on the previous year, and in July it was up 63 per cent. on the previous year. That caused a small increase in interest rates to 10 per cent.

Following black Monday, interest rates came down to 8·5 per cent. and we all shared the misapprehension that the consequence of black Monday would be the possibility of the economy plunging into recession. We all overestimated the effect of share prices and underestimated the effect of property prices. So we all have to accept a share of the blame for that error of policy.

At that time domestic monetary policy should have been tightened severely, but because of our fixation with maintaining a pegged exchange rate, particularly against

[Mr. Hamilton]

the deutschmark, we reduced interest rates, when, if anything, we should have been increasing them, to the inappropriately low level of 7·5 per cent. in early 1988. That led to massive intervention which boosted broad money growth when it should have been slowed.

I believe that the present fixation with the exchange rate mechanism of the EMS will simply cause us to repeat the mistakes. I should like the Government to say that there is never a right time for us to join the ERM because I believe that it is a chimera. The more we follow these false gods, the less likely we are to keep to the true monetarist path which is so eloquently and picturesquely defended by my hon. Friend the Member for Wolverhampton, South-West.

Joining the ERM is no soft option. We have a choice. Either we can use interest rates to stabilise the currency, in which case the economy will go up and down, or we can stabilise the economy, in which case the currency will go up and down. There is no way of wishing away that distinction and that choice.

The level at which the argument for joining the exchange rate mechanism is advanced—certainly by the Labour party and also by the hon. Member for Berwick-upon-Tweed (Mr. Beith) on behalf of the SLD—does not do justice to the serious fundamentals of the controversy.

There are structural differences between economies that cannot be magicked away by the philosopher's stone of the ERM. There are psychological differences between people and the way in which they respond to different economic stimuli. They mean that at whatever rate one goes into the mechanism—if the decision to do so is taken in due course—almost by definition divergences will occur swiftly.

Mr. John Watts (Slough): Does my hon. Friend agree that we could expect to enjoy German interest rates and levels of inflation only if the British people had the same in-bred fear of inflation as the German people?

Mr. Hamilton: I entirely agree with my hon. Friend. As my hon. Friend the Member for Wolverhampton, South-West has said on many occasions, the British people are wedded to inflation. They love it when it is high. It is only the contraction that is necessary to cure it that is disliked, as Conservative Members are finding out to their cost now.

Mr. Budgen: Does my hon. Friend agree that the 1922 Committee performed a signal and excellent service to the British nation by demonstrating, at a time when inflation was being furiously stoked up, how grateful it was to the stoker up?

Mr. Hamilton: My hon. Friend is being mischievous. I shall not respond to that invitation to join him. His career is behind him and mine lies ahead of me.

The structural and psychological differences to which I referred would make some countries more prone to inflation than others and mean that, if we joined the ERM, ultimately there would be a confrontation between the requirements of domestic monetary policy and those of exchange rate management, which have brought us to our present state of difficulty.

To some people the ERM is a totem, a lodestone of European attachment. It is one which, I am glad to say, I have never shared. Others say—and it is at least a semblance of a respectable argument—that joining the ERM would show a determination to fight inflation. However, if the fundamentals of economic policy are wrong, that position will become unsustainable in due course.

In our entusiasm for returning to fixed exchange rates, we shall repeat all the mistakes that we made throughout the 1960s and 1970s. We shall return to the days of sterling crises and all the political problems that they caused. I have recently read the account by Lord Wilson of Rievaulx of the Labour Government of 1964-70, which I recommend to right hon. and hon. Gentlemen. I particularly recommend the passages that refer to the period of devaluation in 1967. On page 448 he gives us this account of his difficulties:

> "As the foreign exchange markets opened for a new week, they showed themselves in a highly neurotic condition; any rumour, any press article, however well-intentioned, could cause millions of pounds to swing for or against any particular currency."

One can see the same thing happening now. An incautious word by the Prime Minister's Parliamentary Private Secretary in the Tea Room might set off a run on the pound. Any such remark in those difficult circumstances can produce tremendous political problems.

In his Lord Mayor's Banquet speech at about the same time, Lord Wilson said:

> "Not the least of my difficulties was what words to use about sterling which would be true and at the same time not a signal to speculators."

What a moral hazard for the Prime Minister of Britain to be in. He did not say which of those two options he elected to take up, but Conservative Members can guess.

There may be a right time for us to join the ERM, but that time would not survive for long. A divergence would soon occur that would falsify the whole basis of the assumptions on which entry took place.

Mr. Ian Taylor: Will my hon. Friend give way?

Mr. Hamilton: No. I should like to give way to my hon. Friend, but I am aware that I am taking a lot of time in the debate. I do not wish to be as self indulgent as the hon. Member for Derby, South.

The exchange rate mechanism is a means of subsidising German exports and now German reunification. It is an attempt to impose on the British people a new kind of poll tax—a Pöhl tax. The British people will pay to underwrite the inflationary costs of the exchange of ostmarks for deutschmarks at a wholly unrealistic rate. We could learn from history, although we do not often do so. We can look back to the period in 1925 when we went back on to the gold standard at an inflated rate of exchange, when British prices were 10 per cent. higher than German prices. Keynes, whom I do not often quote in support of my theories, in a book called "The Economic Consequences of Mr. Churchill", said that Churchill was

> "committing himself to force down money wages and all money values, without any idea how it was to be done. . . . If everyone was to accept a similar reduction at the same time, the cost of living would fall, so that the lower money wage would represent nearly the same real wage as before. But in fact there is no machinery for effecting a simultaneous reduction . . . Deliberately to raise the value of sterling money means, therefore, engaging in a struggle with each group in turn."

We should be back to exactly the same confrontations in industrial relations which prices and incomes policies and all their works brought and from which we freed ourselves in 1979.

I regret that I do not share the fashion or fad for the ERM which many other candidates for the leadership of our party espouse. I lay my stall out before my fellow Conservative Members. If, in due course, there is a contest for the leadership of our party, at least one person will follow the lines that our Prime Minister has so stalwartly followed in recent years. I very much hope that she will continue to do so.

8.7 pm

Mr. A. J. Beith (Berwick-upon-Tweed): It is always a delight to see the theologians of monetarism coming out to take the Government to task. But they met their Waterloo during a previous session of the Treasury Select Committee, before its earlier reports. The Committee saw fit to recount that important exchange in our report in paragraph 56. We quoted the present Chancellor of the Exchequer who said:

"You answered your own question yourself, Mr. Budgen, when you said that used to be the theory in your judgment, the Government may have followed some time ago. It certainly has not been the theory that the Government have followed during any period I have been in the Treasury."

Those were harsh words for some members of our Committee.

Mr. Budgen: They are true.

Mr. Beith: Of course, they are acknowledged to be true.

I agree with the hon. Member for Tatton (Mr. Hamilton) that regard should always be had to important indicators, whether monetary or asset prices, and with some other points that he made. However, he is wholly wrong in supposing that the exchange rate mechanism is a system of entirely fixed exchange rates. It manifestly is not. He also suggested that it would damage our economy. On the contrary, it offers us the opportunity of lower interest rates without losing all discipline. If there is one area of agreement between us it is that there should be some measure of firm discipline on inflation. I shall return to that point in a moment.

The Finance Bill is overshadowed by two things. One is the fact that, at the same time as it is being introduced, the most important change in personal taxation that most ordinary people have experienced in their lives is taking place. It is the introduction of the poll tax. The Bill is also overshadowed by events that have taken place since the Budget.

It seems extraordinary that we should be about to embark on a long series of Committee discussions and debates on the Floor of the House on a taxation Bill which is miles removed from the main tax preoccupation of most people. It would be reasonable to make an offer to the Government. There is much discussion about last-minute changes that might be made to the poll tax this year. It would be reasonable for the Opposition to say that we should facilitate the introduction of any new clauses that would bring immediate relief from the impact of the poll tax this year. We see no reason why the Finance Bill should not be used to carry out those measures. I should prefer to see the Finance Bill used to abolish the poll tax entirely and to set in its place a far better tax. [HON. MEMBERS: "Hear, hear."] I must say to those who cheer from the Labour Benches that I am grateful for their support, but I hope that it will extend also to support for a better alternative—local income tax—than they have so far been able to devise.

Many people at present have in mind the need for some immediate relief this year from the enormous impact of the poll tax on those on low incomes, and the Finance Bill would be an appropriate vehicle for that. I extend to the Government the offer that we shall assist them—I have no doubt that hon. Members of other parties will do the same—if they will have the common sense to use the Finance bill to implement some relief for this current year. Who knows what it will be; even Ministers do not seem to know.

I was present when one Minister had a piece of paper stuck in front of him revealing that the announcement of the Prime Minister's parliamentary private secretary had been widely publicised and it all seemed to be news to him. It is obvious that great turmoil is going on. We can only hope, for the sake of our constituents, that some useful result comes of it in terms of help with the terrible impact of that tax on so many people.

I referred to economic developments since the Budget, the most obvious of which is the appalling trade figures which have called the Budget judgment into question. Some of us called the judgment into question at the time. The Chairman of the Select Committee on the Treasury and Civil Service, the right hon. Member for Worthing (Mr. Higgins), did not do so. He is on record as having supported every Budget judgment of every Conservative Chancellor of the Exchequer since he came to the House, and certainly since be became Chairman of the Select Committee. Suffice it to say that he has not been right on every occasion and that he has come to recognise that fact.

The trade deficit reveals that we must achieve an average of £1 billion a month as against £2·2 billion to satisfy the Chancellor's latest forecast. There was genuine hope in many quarters that the most recent set of trade figures would be a great deal better than it was. The trade figures were a real disappointment to many people and they have again called hugely into question the Chancellor's forecast. "Erratic" and other strange descriptions will not explain them away and will certainly not explain the size of the difference from expectations. Despite hopes that the trade figures were improving, the comparison of the latest three months with the previous three months suggests that, once again, the trend is adverse. Exports are up, but imports are going up more and that is the most worrying feature of the figures.

The analysis that the trade deficit was simply the result of excess demand seems flawed if demand is reducing to the extent that the Government claim. One wonders how many appalling sets of trade figures the pound can bear without the Chancellor being put under pressure to increase interest rates to protect sterling at the same time as he should reasonably be preoccupied with the problem of inflation.

It is significant that the Government no longer seem keen to draw our attention to underlying inflation. The Chief Secretary and other Ministers always used to talk about it and whenever Opposition Members referred to the retail prices index, they corrected us immediately and said that it was the underlying figure that counted. The underlying figure has gone up to a worrying 6·3 per cent., and that high level of underlying inflation is likely to get worse. It is likely to be pushed further by the wage-price spiral on which we now seem to have embarked.

[Mr. Beith]

Inflationary expectations, whether of trade unionists or of those in the markets, suggest that we may have a far higher underlying inflation rate.

All that is worsened by what the Governor of the Bank of England called administrative price increases—those price increases in basic services over which the Government have control and some of which arise from political decisions to privatise industries. However much the Government soften us up for a dreadful set of RPI figures in just over a week's time, the Government's anti-inflation strategy is in tatters. It is extraordinary that the Government now seem to be hinting that we shall have a 10 per cent. RPI by the end of next week. There seem to be briefings attributed to the Treasury to that effect. That may mean that the rate may be only 9·9 per cent. and that an attempt is being made to make it sound worse than it will be, but it will clearly be very serious.

It is not surprising that with an anti-inflation policy in such a markedly unsuccessful phase there is increasing interest in the idea that we need some other framework within which to operate. It is not surprising that interest is widening in the independence and anti-inflationary role of a central bank. I still believe that the former Chancellor's paper should be dug out of the wastepaper basket and published so that it could be the subject of genuine public debate.

The inflation dangers also cast into doubt the Government's programme for entering the exchange rate mechanism. It is now reasonable to call it a programme as Government spokesmen throw no doubt on the intention to enter the exchange rate mechanism. They say, "When we join" and they talk about what the terms are. What is to be the inflation measure by which we judge whether inflation is proximate to or approaching that of the other Community countries? The Governor suggested that the only condition that the Government had set which had not been satisfied was inflation. The Select Committee sought to establish with the Chancellor what figure he would use to determine whether our inflation was on course to enable us to join the exchange rate mechanism. The Committee asked whether he would consider the trend, the retail prices index figure or the underlying inflation figure. The Chancellor said:

> "We made it perfectly clear initially that we needed to see a substantial fall in British inflation and I have refined that by explaining that we are looking for a proximate rate of inflation between ourselves and the Community overall, but I am not going to go into further details, I am afraid. I do not think it would be wise or productive to do so."

That comment suggested to me at the time that the Chancellor hoped that he would have a free choise of about three different inflation measures and that one of them would be appropriate at the time that the political decision was made to enter the exchange rate mechanism. He would not tell us whether that decision had already been made. His comments did not suggest that he now knew what was the most effective measure of inflation and would apply it in making that decision. The present pressures towards higher inflation cast doubt on the timetable that the Government may be operating for entering the exchange rate mechanism.

I believe that we should be in that mechanism as early as possible. Without it, the Chancellor is in considerable danger of being forced into a position where he knows that he should have higher interest rates, if that is the weapon on which he has to rely, but is in no position to bring that about. Even those in the Conservative party who take a view different from mine on the general management of the economy believe that the Chancellor may have reached the political limit of what he can do with interest rates because of the effect they have and the way in which that effect is seen in the Government's own unpopularity. The Government's unpopularity is apt to increase the pressure on sterling and to increase the demand for further rises in the exchange rate, so the Government are caught whichever way they go.

To make matters worse, high interest rates do not hurt everybody. Some benefit from high interest rates and would have substantially more disposable income as a result. They would, no doubt, buy imported goods with the fruit of those higher interest rates. Again, there are more circular pressures on the Chancellor which mean that a total dependence on interest rates is likely to bring him to the point where he cannot increase them to the extent that he and his advisers would regard as necessary to bring about the necessary correction.

When one thinks about using interest rates as a corrective against high borrowing, it is worth bearing in mind that the value of private housing in 1988, after deducting the money borrowed to buy it, was £740 billion, which is an awful lot of asset value to use as collateral for further borrowing. A number of people are in a position to make use of that collateral for a great deal of further borrowing.

For a long period the Government have ignored the combined effect of their fiscal stance and the structural changes in the housing market, the credit institutions and the mortgage markets, and the competition between the financial institutions. That constitutes a failure to apply their various doctrines and beliefs to actual facts and changes which they knew were taking place and of which the most graphic example was the previous Chancellor's failure to see what the effect would be of postponing the changes he was making in the mortgage rate so that people had long enough to make house purchases, taking advantage of the tax relief.

That worrying set of circumstances is the background to the Bill and has called into question the Budget judgment. I believe that the Chancellor should have taken a tighter stance in the Budget. Had he done so, he would have allowed himself more room for manoeuvre. I reject the Chancellor's view that levels of personal taxation as an aspect of fiscal policy are not an appropriate means to use for the regulation of the economy. The Chancellor will not be able to continue in that view once we are in the exchange rate mechanism, as the Select Committee has pointed out. The interest rate instrument is tied up with the operation of the exchange rate mechanism, so the Chancellor will not be able to use it for regulation purposes. At times, he will have to use fiscal policy.

Why was income tax not reduced by a penny in the pound in the present Budget? It is the Government's declared intention to reduce income tax to 20p in the pound. They have not done so in this Budget because they considered that it would not be prudent. What is that but a decision about the management of the economy in present circumstances? The Government have set aside a declared policy objective to do a bit of fine-tuning by not taking any more off income tax. That option would not have been available to the Government if they had

achieved their objective. If the Government had achieved their chosen level of income tax in the long term, there would no longer be room for manoeuvre. But let there be no doubt that this year the Chancellor exercised his freedom to make a judgment of fiscal policy based on current circumstances. It is absurd for the Chancellor to argue that such measures are not appropriate, and in future years he will have to change his doctrine.

I wish to comment on the taxation aspects of the Bill which will not take too long, because there is much in the Bill that is not in the least controversial. At first glance, there does not seem to be much that is controversial in the Bill although, last year, we found ourselves dealing with some fairly controversial retrospective clauses in the later stages of our deliberations. Some of them were introduced during the passage of the Bill. I do not know why once again the Government are having to resort to introducing important clauses on composite rate taxation at a late stage. That suggests that they decided to make the composite rate change at the last minute. I shall not be too critical, however, because I welcome the change; indeed, I wish that it had taken place a year ago.

As it is, building societies are devising complicated but useful schemes to enable people—particularly married women—who will be non-taxpayers this year to gain the benefit of a year under the present system and have the interest paid in the first year of the new system because of the one-year delay. If that were not done, all the money would go into offshore accounts in a year in which there will be a larger number of non-taxpayers but no change in the system.

I cannot agree with the argument of the right hon. Member for Llanelli (Mr. Davies), who thinks that the change is somehow unfair to people who previously had their rates of tax reduced by the contributions of people who should not have been paying tax at all.

Mr. Denzil Davies: I did not say that it was unfair; I merely pointed out that more people would pay more tax and that a minority would benefit but the majority would not.

Mr. Beith: But previously a minority were being penalised. That was unfair; it should have been changed and I am glad that it is now being changed.

I welcome the provisions on football pools duty and on tax incentives for savings—at least as far as they go. They are very much in line with the arguments that the Liberal Democrats have advanced. But I must reiterate that I find it absurd that the tax that is affecting most people does not find a place in our debate.

One of the relatively widely welcomed features of the proposals have been the child care provisions. They have been welcomed by the Labour party because they were precisely what the Labour party asked for—tax relief on workplace nurseries. Nevertheless, I think that the provisions will prove a great disappointment to many working women who do not have access to workplace nurseries but who are paying out of their taxed income for access to nurseries or child care.

How flexible does the Chief Secretary intend the Bill to be? We can discuss it in detail in Committee, but let me ask him this. If two or three employers on adjacent sites on an industrial estate combine to run a workplace nursery, will that provision be excluded or included? If two or three branches of a bank in the same town provide a workplace nursery, which has to be at one of the branches, will all the employees in all three branches benefit, or only those who work on the premises at which the nursery is located? The provision seems very limited.

The Liberal Democrats believe that there should be a wider form of tax relief on child care that extends to all those who are now having to pay for the facility out of their taxed income. It will seem doubly unfair to many women that a limited number who have access to workplace nurseries should receive tax relief when nothing will be done for them. The change is desirable, as far as it goes, but it will appear particularly divisive and disappointing to the many more women who pay for child care, whose skills are particularly needed at present and who will not be helped by the Bill. Last year when we pressed the case, the Labour party disagreed with us. Labour Members argued that we were going too far and that the relief should be confined as the Government proposed. I think that the issue will continue to be discussed for some time to come.

It is disappointing that we still have no useful new environmental taxation measures in the Budget, apart from the extension of relief on lead-free petrol and some change in company car arrangements. The opportunity could yet be taken if the Secretary of State for the Environment came up with the new tax proposals. Perhaps he is too busy with the poll tax to bother about this subject. The right hon. Gentleman was supposed to have been introducing proposals and I hope that, if he does, they will include tax proposals.

There is still much concern among charities about their future zero-rating. I hope that the Government will make clear their position on that. The fact that there are measures in the Bill to help charities does not allow us to escape that problem. Charities are very concerned about what will happen from 1992, and anxious to protect their status. If their status were changed, it would severely damage a great deal of charitable work in Britain.

If hon. Members go back to their constituencies, especially before next Thursday, waving copies of the Bill and saying to their constituents, "This wonderful Government have removed stamp duty on securities", their constituents will ask them, "What have you done about the poll tax—the real tax measure that is hitting so many of us so hard?"

8.26 pm

Mr. Michael Grylls (Surrey, North-West): The hon. Member for Derby, South (Mrs. Beckett), who opened the debate for the Opposition and who spoke for an inordinately long time, tried to make a very gloomy assessment of the British economy, in addition to referring to particular problems that are well known to all of us. I suppose that that is her job. The important thing is the overall position of the economy, not the specific problems that have been referred to, which I shall not rehearse now. New firms and new jobs are being created, the budget is in surplus, we are paying back debts, the economy is not going into decline but is still growing, albeit more slowly than before, and business activity generally is pretty good. To me, those are not the signs of a moribund economy —they are signs of an economy that has been freed by deregulation in successive Budgets introduced by Tory Chancellors.

[Mr. Michael Grylls]

The hon. Member for Berwick-upon-Tweed (Mr. Beith) chided us by saying that we could not go to our constituencies in advance of polling day on Thursday and say what a wonderful Budget this year's Budget was. I cannot imagine anything worse than introducing a Budget designed to sell to people on polling day. The great thing about the Budgets of the past 10 years is that in them successive Chancellors have tried steadily to improve the lot of the economy. They have been long-term Budgets, reforming taxation and changing the basis of the British economy, and the country has benefited enormously from the changes.

The hon. Member for Derby, South referred in particular to the change in the small firms rate of corporation tax, to the 25 per cent. band and to the increase in the level for marginal relief from £150,000 to £200,000. I was glad to hear her say that she welcomed that. I also welcome it because medium-sized companies can grow only by using internally generated profits. If those are overtaxed, the companies will not grow and expand.

Tax reform is important and it should continue. Although we did not see substantial changes in income tax in this Budget, we hope that those changes will continue in future Budgets. I believe that it is generally accepted that we are still taking too much from people by way of personal taxation. Although we have reformed taxes and cut tax rates, and we should be proud of doing that and should signal to the outside world that our tax rates are among the lowest in the world, the generality of tax is still too high. I am sure that my right hon. Friend the Chief Secretary to the Treasury would agree about that.

Mr. Graham Allen (Nottingham, North): Will the hon. Gentleman give way?

Mr. Grylls: No. If the hon. Gentleman will forgive me, I will be brief and allow another hon. Member to speak.

Generally it is agreed that we want to return to reducing personal taxation, certainly at the lower end. Tax cuts must be a continuing part of our long-term policy and I hope that that will continue in succeeding Budgets.

I wish to refer to a particular omission from the Budget. I do not decry the positive things that have been done, some of which I have referred to while others are already well known, but I hope that the omission that I intend to highlight will be corrected in a future Budget from this Government. One of the Government's great successes has been in creating what has been accurately called the enterprise society, in which people have been encouraged by tax changes and other incentives to invest their money in small and medium-sized firms and to take a risk.

Many of these small and medium-sized firms are still hit very hard by the level of inheritance tax. It is true that there have been big changes in that tax—the top rate used to be 80 per cent., but it is now down to an effective rate of 20 per cent. once business relief is taken into account —but we should not be satisfied while inheritance tax is still applied to family businesses. That cannot be right.

I know that the Treasury asks, "What are you fussing about?" because the inheritance tax is avoidable. If one gives away the company or hands over one's share to the next generation or the managers within seven years, no inheritance tax has to be paid. However, that argument misses the point. We cannot decide when we are going to die; we have very little control over that. Inheritance tax distorts business decisions. Too much business planning is spent trying to decide when shares should be handed over to the next generation, whether it be the family or managers. If someone is wise under the present tax system, he arranges that early, but the person to whom control is being handed over may not be ready to accept it. The assets may therefore be damaged. The business might be damaged by someone who is not ready to take on the reins.

I am not talking about inheritance tax on personal wealth—that is a completely different issue—but we should be seriously considering 100 per cent. relief from inheritance tax for businesses so that they can be passed on from one generation to another without being damaged or facing a big bill.

If a company has assets of £1 million—that need not be a big company these days—and pays the normal rate of inheritance tax, it would have to find £200,000 in cash to hand over to the Chancellor. The Treasury sometimes seems to believe that businesses have that kind of money in a drawer somewhere, waiting to be paid out when the proprietor retires or dies, but that is not the case. The company to which I have referred would be badly damaged and would probably have to be sold and taken over by a bigger firm. I am sure that neither the Opposition nor the Government would want that to happen.

We want businesses to grow from generation to generation. Very few businesses succeed in reaching their maximum size in one generation. That is true of business after business. We should ensure that businesses remain independent units of competition and can therefore be handed over to the next generation.

In discussions in relation to the next two Budgets, I beg my right hon. Friend the Chief Secretary to the Treasury to consider how marvelous it would be for Ministers at the end of 12 or 13 years of this Government to abolish inheritance tax for businesses because we want them to thrive and pass on to the next generation as that is the best way to ensure that they grow.

8.35 pm

Mr. Giles Radice (Durham, North): I am sure that the hon. Member for Surrey, North-West (Mr. Grylls) will forgive me if I do not follow his remarks.

I believe that it is a good custom that we consider the report of the Treasury and Civil Service Committee when we debate the Second Reading of the Finance Bill. I hope that the Chief Secretary to the Treasury will not mind my saying that it is a particularly good custom this year because of the rather dry and technical nature of this Finance Bill. Probably the only group of people to enjoy this Bill will be the accountants, who I am sure are already sharpening their pens and giving advice to their customers about the Bill. Of course I accept that there are hon. Members on both sides of the House who are longing to spend our summer nights considering the Bill's 104 clauses. However, we have done the House a service by producing our Treasury and Civil Service Committee report in time for this Second Reading debate and I will concentrate my remarks on that report.

The 1977-78 Procedure Committee which set up departmental Select Committees hoped that they would oversee the work of Government Departments and would come to be a check on the Executive. It is probably fair to

say that, despite all the limitations, the Treasury and Civil Service Committee is beginning to do that. I believe that we have been helped by television, too, which informs the public and helps to sharpen the questions, which places Ministers under greater pressure than previously.

The Select Committee's investigation into the economic background of this year's Budget provides a good indication of the progress that has been made. Our sittings, as usual skilfully chaired by the right hon. Member for Worthing (Mr. Higgins), revealed the significant difference of emphasis between the Governor of the Bank of England and the Chancellor of the Exchequer on two key issues —the level of inflation and the exchange rate mechanism.

The Governor—whose evidence as the guardian of the currency we must, of course, respect—predicted that inflation would rise higher than 9 per cent., mostly because of the impact of what he called administered or politically decided prices, especially the poll tax. When we put that to the Chancellor, he refused to answer. To most of us, his silence was as revealing as if he had spoken. It is clear that the retail prices index is likely to go well over 9 per cent. As the hon. Member for Berwick-upon-Tweed (Mr. Beith) said earlier, it could reach 10 per cent. next week.

With regard to the exchange rate mechanism, the Governor of the Bank of England was brutally frank about the Government's conditions for entry which, he said, apart from the level of inflation, were "mere details". In contrast, the Chancellor played a very dead bat. Clearly he was still worried about his relationship with the Prime Minister.

I use those two examples to show that the Select Committee process of question and answer, if properly employed, as I believe it was in our hearings, can throw considerable light on the attitudes and motives of Ministers, and in that sense the Executive becomes more accountable than it otherwise would be.

Given the varied views of the members of the Committee, our reports are usually better known for their analyses than for their prescriptions. I do not believe that they are any the worse for that. Thanks partly to our advisers, our track record is rather better than that of the Treasury. In April 1988, when the then Chancellor was still boasting about an economic miracle, we were warning of the dangers of overheating. We also began to be concerned about the level of inflation and the balance of payments. It was not a matter of hindsight—we got it right at the time.

Mr. Higgins: And house prices, too.

Mr. Radice: And house prices, too, as the right hon. Member for Worthing reminds me.

It is worth seeing what we have to say in our 1990 report, which is closely based on the evidence that was presented to us. We repeat our warnings about inflation and, like the Governor of the Bank of England, we place special emphasis on the possible response of pay bargainers to the impact of the poll tax and other administered crises. We are concerned also about the effect of further currency depreciation on the Government's counter-inflationary strategy. Bearing in mind that there has already been a depreciation of 10 per cent. in the past year, which has clearly had an impact on inflation, one can see what we mean. We are also much less sanguine than the Government about prospects for a significant reduction in the balance of payments. The latest trade figures show just how far we have to go even to bring the annual deficit down to £15 billion, the forecast level for this year.

For once, the Committee's most interesting observation relates not to economic analyses but to economic policy. Significantly, we note the implication of the stress that the Chancellor laid in his Budget on the medium-term nature of the Government's fiscal policy. Several hon. Members have remarked on that point. By definition, and of necessity, it means that the Chancellor's counter-inflationary strategy is a one-club policy. The consequences are serious. Most hon. Members know from their constituency experience just how damaging the one-club policy has already been. It is literally clobbering small business and investment generally. As the Committee points out, it is also taking a long time to dampen demand. I agree with the right hon. Member for Worthing who chairs our Committee that it is important to have the right statistics, but even so it is clear that it has taken an enormously long time to work.

The Committee points out also that, once in the exchange rate mechanism, the Chancellor will be forced to abandon his one-club policy. Interest rates may need to be used more to support the exchange rate than as part of a counter-inflationary strategy. That means that he will need to use fiscal policy as a short-term weapon. If that is to happen inside the exchange rate mechanism, he might as well get used to it now.

The Chancellor would do well to look across the channel to see how the French economy is now being managed. Another recently published report, the OECD report on the French economy, congratulates the French authorities on their economic management and predicts a period of non-inflationary growth. After two years of sustained growth and low inflation, the OECD report expects the French economy to out-perform other OECD countries on the inflation and growth fronts. That is quite significant, given the problems that the French economy had during the 1980s.

The secret of French success with inflation is that, in contrast to the British Government, the French authorities have been prepared to use all available instruments—monetary, fiscal and exchange rate policy, and even wages policy. As the OECD report points out, French membership of the exchange rate mechanism played a key role in bringing French inflation down to the German level. There is a lesson for us. A country with a similar economy in some ways—it is certainly a similar size—has managed substantially to reduce inflation and to make its economy far more competitive. It has done that without the benefit of North sea oil, which we have enjoyed for the past 10 years or so.

In conclusion, the message of the Select Committee's report is that, in contrast to the French economy, our economy remains dangerously out of balance with a high level of inflation and a big balance of payments deficit. What is more, the report casts doubt on whether the Government are pursuing the appropriate policy instrument to bring the economy back into balance again. Those are disturbing findings that the Government will ignore at their peril.

8.45 pm

Mr. David Howell (Guildford): We are told that there is nothing to be said in 10 minutes that cannot be better said in five. Therefore, I shall attempt to adopt that principle at this late hour—a principle that the hon. Member for Derby, South (Mrs. Beckett) would have been wise to adhere to after an inordinately long speech that said nothing much.

I admire the Budget strategy and the Finance Bill. It is a thoroughly workmanlike operation that meets many of our medium-term supply side needs. As the Treasury Select Committee says in yet another excellent report, it is probably broadly neutral in so far as the Budget's impact on the economy can be measured. Of course it has not really made much difference to our immediate economic worries, of which the most overwhelming by far is the level of inflation, partly as measured by the retail prices index and partly by the underlying inflation rate, which may not be so high but which all would agree is far from satisfactory.

A decade ago we used to say that inflation was the fundamental enemy. It was not only unjust but poisoned everything. Those words were true then and they are true today. I still think that hon. Members do not fully understand just what appalling poison the inflation rate and the RPI rate are injecting into the rest of the economy and creating all sorts of secondary infections throughout the system. We know that every point increase in the RPI immediately adds just under £1 billion to public expenditure, through indexing of state pensions and social security benefits. Straight away, the Budget is hit sideways by an increase in the RPI. Although my right hon. Friend the Chief Secretary tried bravely to head off the proposition—he was talking about another aspect, keeping aside the proposition that the community charge has any immediate relevance to budgetary constructions—the truth as enumerated in the Select Committee report is that it has a devastatingly direct impact on the Budget and, of course, immediately adds to public expenditure. That is quite aside from the fact that we then move on from an RPI figure to pay settlements related to the RPI figure, which gives the whole matter a further spiral upwards, and quite apart also from the fact that inflation has helped to screw up the introduction of the community charge by involving the Treasury in making some absurdly hopeful estimates of inflation rates that had no chance of being met. Local authorities, which are not businesses and do not act like businesses, merely said, "We shall do what is open to us, which is to pile it on to the community charge." Inflation is our problem, as it was a decade ago, and we must get on top of it much more decisively than we are doing now. Of course we have hopes for next year and we must act more urgently.

There are two broad strategies to deal with inflation—there always have been and they remain today. One is to make operative and effective our own domestic monetary discipline in ways that ensure that, whatever happens to different levels of prices—even to the community charge—it is not validated by increases in the money in circulation. The second, in an open economy such as ours, set as we are alongside the huge continental exchange rate bloc of the exchange rate mechanism, is to have an exchange rate policy rather than not to have an exchange rate policy.

That is a controversial view for my hon. Friends and others who think that, if only we can get the monetary discipline at home right, the exchange rate will look after itself. I fear that in the real world, in the real currency markets, that is too simplified a view. They are right in half their proposition—that we must get our monetary discipline more effective—but they are wrong in their proposition that we can then leave the exchange rate side to look after itself. Both are necessary and interlocking elements. Without them both being pursued with more vigour, we shall not get matters right.

On the monetary discipline side, the position is not good. Whether one is a monetarist or a revised monetarist or one merely appreciates in a common sense way the importance of money in the inflationary process, it is worrying to note that the monetary aggregates are going astray. M3 rose by 2·4 per cent. in the period to March; M4 by 17·3 per cent.; and even M0, which is the Government's published target—it is the only one and is only an indicator, not a quantity of control of monetary demand or supply—is moving outside the frame.

It is worrying that we appear to lack the mechanisms and systems by which to control the monetary conditions inside the country. We shall never make a good member of any exchange rate mechanism until we get our own qualifications right as regards monetary discipline. That is why the Chancellor was right when, at the beginning of this year, he said, as he repeated in his Budget speech, that he was concerned about mechanisms of monetary control in this country and was seeking to reform them in a number of ways.

We must face the fact that our present structure does not operate on the supply of money. It operates mostly on the demand for money. Setting the short-term interest rate sets the price, and the Bank of England then says that it will supply virtually unlimited funds, one way or another, to the banks at that level. It is then left to the banks to decide what they do with all that money. The result is that if it is available and they can lend it, they lend it; and if it is lent, it is spent. That position continues even with the very high short-term interest rates that we have today. We shall not achieve effective control over monetary conditions in this country until we move more to controlling the supply of money as opposed to the demand for money.

It is in that area that we must apply our minds if we are to achieve credibility internationally that we have monetary discipline at home. We must give thickness and quality to Britain's monetary policies to ensure that our currency performs decently in international markets, thereby enabling us to command respect and make a contribution in international monetary circles.

The time has come to move towards the proposition being advanced—vigorously by the Governor and deputy Governor of the Bank of England and others—that we need a central monetary authority. The Bank of England is a politically subordinate organisation—it is effective in that role—but it must have a clear statutory obligation to achieve monetary targets and maintain control in the price and value of money. To do that, we should consider more than we have going against the monetary base of the banks, using the weapon of monetary reserve asset ratios—which on occasions the Select Committee examines and does not turn down—and developing a number of other techniques, which I do not have time tonight to enumerate, for going against the supply of money.

In the end, it all comes out in the interest rates. It is valid to say that everything we do is reflected in interest rates. But there is a difference between setting an interest rate and then finding that we must slip away from it, or otherwise operating through a variety of ways on the supply of money and seeing interest rates come out differently. It is the difference between letting the banks lend happily in the knowledge that they will never be caught out, and putting the banks in the position of having to start drawing in their lending in case they find that they must borrow short money at a price higher than they can lend it.

The other part of the policy is the exchange rate mechanism. I agree that it is not a quick fix. We must first get our own monetary position under much better control. If we can do that, it makes sense to move into the exchange rate mechanism, and we should declare more openly our preparedness to do that. When we do that, we may have higher interest rates in certain conditions, but with less volatility.

The interest rate has been moved by public policy decisions 84 times since May 1979. Short-term interest rates have moved that number of times in this country. We can do better. We could have a calmer pattern of interest rates if we had a context in which sterling was seen to operate and in which people could lend across the exchanges without such an exchange rate risk. People could invest in this country to take advantages of our relatively high interest rates with fewer exchange rate risks and that would create a downward and calming pressure on interest rates. It would enable us to get through the next difficult year with less strain than using a system of monetary control that is not up to the task that we face.

Those were the only remarks that I wished to make on that narrow issue. What I am endeavouring to put forward is fundamental to our success in beating inflation, which in turn is fundamental not only to the success of the Government but to the viability and prosperity of Britain in the coming five years.

8.55 pm

Mr. Denzil Davies (Llanelli): This debate, as with previous Finance Bill debates, has in essence been about the development of the economy, certainly since the Budget, and there are no prizes for guessing the facts about that development. It has been poor since the Budget.

Inflation is rising again, the trade deficit is horrendous, unemployment is beginning to rise again or will rise soon, our interest rates are the highest in Europe, as we have been told, and they could rise further—that matter is not entirely within the control of the Chancellor—and manufacturing investment is beginning to stagnate and stop.

I should remind Conservative Members—there were echoes of this in the speech of the right hon. Member for Guildford (Mr. Howell)—that in 1979 they came to power to defeat inflation, to right the wrongs and curb the excesses, as the radical right say them, of the 1960s and 1970s and to stop, as the Conservatives of the time say it, the economic decline of Britain.

We see, 11 years later, that they have failed to do those things. We have heard today that inflation, measured by the RPI, may be 10 per cent. this or next month, and Government spokesmen—and the few who still have some sympathy with the Government—try to console themselves by saying that the underlying rate of inflation is about 6 per cent. Even so, 6 per cent. is twice the rate of inflation in France and Germany, our major competitors on the continent.

By the time that the increases in the poll tax, the mortgage rate increases and the raised excise duty have fallen out of the RPI, perhaps the rate of 10 per cent. will come down. But by that time the underlying rate of inflation may have gone up from 6 to 8 per cent., partly as a result of wage increases and partly because of the devaluation of the pound which has taken place but which has not fully worked its way through the system.

I had always thought that there was an inner contradiction in the policies of the radical right. It believes in controlling and regulating the money supply, but it does not believe in controls or in regulations. That has been the fundamental problem. Indeed, that point was touched on by the right hon. Member for Guildford (Mr. Howell). If one does not believe in regulating the market but believes in freeing everything, including money, how on earth can one control the money supply? Of course, one cannot do so, as has been demonstrated to a considerable extent.

In the latter part of the 1970s it was difficult to control the money supply in a country such as Britain which, because the City of London is an international trading centre, was an open financial economy even then. However, it is far more open today than it was in 1979. Yet a Government came into power who at least espoused monetary policy and called for controls on the supply of money, but who deregulated everything and did not leave themselves any instruments with which they could control the money supply.

The contrast with France and Germany is stark. Germany has a fairly flexible governmental regulatory system but a strong independent central bank. On the other hand, France has a weak central bank—that used to be the case and I believe that it is still true because we certainly do not hear much about the Banque de France —but has a strong, central and almost inflexible governmental regulatory system.

Therefore, while one country has an independent central bank and a looser system of government, the other has the opposite, but both are now maintaining a rate of inflation of between 3 and 3·5 per cent. In Britain we have neither. We do not have a governmental regulatory system and, although I am not advocating an independent central bank, we have a central bank that is somewhere between the Banque de France and the Bundesbank. We have neither one system nor the other.

As I have said, I do not believe that we should have a central bank that is totally independent because I do not believe that in a democratic society bankers should be allowed to control the supply of money. That is something for Government. With great political will and great political skill, plus the instruments at their disposal, the French have shown that that can be achieved through democratic institutions in a democratic society.

The other problem is the balance of payments. The March deficit of £2·2 billion was a shock to everybody, especially the Treasury. Last year we had a deficit of £20 billion, some of which, I concede, resulted from excess demand, and eventually some of the deficit will disappear as demand is reduced. Nobody can know for certain about such things because they are extremely difficult to forecast,

[Mr. Denzil Davies]

but I do not believe that we will get our balance of payments deficit down to much below £15 billion even with high interest rates.

In the past all kinds of excuses have been made about the balance of payments deficit. First, we were told by the right hon. Member for Blaby (Mr. Lawson) that it did not matter and that we should forget about it. Then we were told that, although it did matter, it did not matter as long as we could finance it. Then we were told that if the figures were wrong anyway, why pay any attention to them? Now we have "erratics" and are back to diamonds and to being told about jumbo jets and Boeings. We have been over that ground before, but the deficit now is much greater than it was in 1970 when the Labour Government lost the election.

It does not give me—or, I hope, anybody else—any pleasure to say that I am fearful that we shall not be able to reduce the deficit to below £15 billion because there may very well be a structural problem, which could have arisen in two ways. First, large sections of our manufacturing industry have been wiped out. That means that we are not substituting for imports because we cannot produce the goods that would provide that substitute. I am talking about a vast range of consumer goods—the kind of goods that most people want to buy and are determined to buy despite the high rates of interest.

Secondly, although I concede that to some extent there has been a change in some industries in the past 10 years, even in those parts of British industry which are now more productive, most of the plant and machinery that is used and most of the investment goods have come from abroad. That is a continual process. It is not a case of buying something once and for all because, in today's world, plant and machinery must change, change, change and we must keep up with the changes.

All hon. Members have toured factories in their constituencies. We have all seen foreign machinery, plant and equipment. The replacement parts and even the servicing of that equipment come from abroad and have to be paid for ultimately in our balance of payments.

Therefore, I cannot see how we can reduce our balance of payments to much below £15 billion without stringent measures.

The other night I watched "Newsnight" in which my right hon. and learned Friend the Member for Monklands, East (Mr. Smith) participated, along with that highly respected—I say that with the greatest of respect—financial columnist, Mr. Samuel Brittan. On that occasion my right hon. and learned Friend the Member for Monklands, East was not up to his usual standard. Perhaps he was speaking with tongue in cheek, but he suggested that one advantage of having an economic monetary union was that one could wipe out the balance of payments deficit. We know that there can be an act of union and no balance of payments deficit, but that does not solve the problem. All that will do is turn Britain into the South Dakota or the Oklahoma of the united states of Europe. The problem is still there as a drain on our resources and infrastructure. The balance of payments is one of the best indicators of an economy's health. We fall down badly on that, as the Government fall down badly on inflation.

The Government can be accused of many things, such as the neglect of public services and the introduction of the awful, ridiculous poll tax, but in the end it is the economic mess that they have created during the past 10 years that we must consider. It will have to be cleared up by the next Government, at great cost and with great problems for the British public.

9 pm

Mr. James Paice (Cambridgeshire, South-East): I have listened with interest to the whole debate. I support strongly what my right hon. Friend the Member for Worthing (Mr. Higgins) said, especially when he supported the Chancellor for not heeding the siren voices that called for substantial increases in taxation, and his comments about Government statistics. As we visit businesses in our constituencies and talk to bankers—as we all do—it must be abundantly clear to us all that the Government's actions on interest rates are already having a strong effect. We can see the effects on the retail sector in the difficulty faced by shops in our constituencies. Sales are down; many have had to shed staff and many are closing. The Chancellor's medicine is clearly working. It is a matter of regret to us all that it is taking longer than we hoped, but that could be construed as a measure of how strong the economy was in the first place.

Until recently, I had lingering yearnings for credit controls, but, such thoughts were dashed and destroyed, not by my right hon. Friend the Chancellor, or even his predecessor my right hon. Friend the Member for Blaby (Mr. Lawson), but by the right hon. and learned Member for Monklands, East (Mr. Smith) who on 24 October 1989 was espousing the cause of voluntary restraint by the banks. When he was pressed by my hon. Friend the Member for Croydon, South (Sir W. Clark) about the foreign banks—which since the abolition of exchange controls have developed a major stake in this country—he said:

> "I do not think that foreign banks would take an irresponsible view if approached by the Government."—[*Official Report*, 24 October 1989; Vol. 158, c. 694.]

That is naive. Foreign banks would be more likely to heed the advice of their own Governments and shareholders than that of the Government of the country in which they operate. They operate solely for commercial benefit.

Credit controls by voluntary restraint and moral persuasion were first introduced in the early 1950s. For the following two decades, the severity of the "voluntary" persuasion was increased, until finally in 1971 it was abandoned for pc .tive constraints on the banks. I do not believe that they have any part to play in controlling credit today, to say nothing of the fact that they would not tackle the problem of housing credit, which is the root cause of many of the difficulties.

I hope that my right hon. Friend the Chancellor will examine what has happened in the past week with credit cards. Credit card borrowing accounts for a minuscule amount of total credit, but I object—I know that others do, too—to paying charges that are used to keep interest rates down for those who use the card to borrow. The fact that people who regularly pay off their credit card accounts every month are subsidising other people's interest is especially distasteful. I do not know whether it is something in which we should intervene as a Government, but it gives me cause for regret.

Much has been said this evening about the exchange rate mechanism. I lend my voice entirely to those who are trying to persuade my right hon. Friend the Chancellor not to adhere too strongly to the Madrid requirements but to seek entry sooner rather than later. I say that not because I believe that it is some wonderful palliative or panacea; it is clearly not the sole answer to our difficulties, and anyone who believed that it was would be foolish. My right hon. Friend said in his Budget statement that it would provide a new framework for interest rate decisions, but that even then no one should suppose that it would bring a dispensation from the need for a strong domestic monetary policy, and that is absolutely right. But belonging to the exchange rate mechanism would provide the stability in the currency markets for which industry yearns, and it would be an extra weapon—an extra club in the bag—for the Chancellor in his constant battle to control inflation.

Those of my right hon. and hon. Friends who believe that there is some national pride at stake and that we should not on that account join the rest of Europe in the exchange rate mechanism are, I believe, mistaken: for a long time we have been influenced to a very large extent by what happens in other capitals and by other Governments' activities.

In thinking about the Bill I have also considered what is not in it and what could be in it if there were another Government. My right hon. Friend the Chief Secretary has already mentioned the minimum wage promised by Opposition Members at a cost of 500,000 jobs. What is not in the Bill is anything that could be construed as assisting inflation or accepting inflation as inevitable, but it is clear from an examination of the policy of Opposition Members that they accept a degree of inflation as an inevitable part of progress.

Perhaps most significant of all, the Bill does not introduce any extra income tax on investment income, such as a surcharge on income over £3,000 from some form of savings. Three thousand pounds is the sort of income that would come in from a relatively small amount of savings, perhaps a half-share of an inherited property —the sort of savings and income that many families would expect to have, particularly pensioners. It is not a Budget which reintroduces the gift tax or destroys the opportunity for many people to rent a home by removing the business expansion scheme exceptions from private landlords.

From listening to debates here on the economy I find that many Opposition Members have still not grasped the fundamental fact that the tax rate reductions that we have followed for the past 11 years have increased the Government's revenue and therefore the Government's ability to spend on important services. If people really care about public expenditure on those vital services, what is crucial is not the individual rates of tax but the total sum of money raised from that tax policy; and it has been clear to us all who have followed the path of the past 11 years that the reductions in the tax rates have served to increase the overall take to the Government and therefore the amount of money available. The alternative would be to borrow or to cut expenditure, the path followed by Labour Governments in the past and one that would be followed in the future.

Hon. Members have mentioned the changes in charity taxation. They are widely welcomed on both sides of the House and are not in dispute. I know that it is outside his direct remit, but I suggest to my right hon. Friend the Chief Secretary that the changes would be considerably enhanced if he could persuade my right hon. and learned Friend the Home Secretary to bring forward a Bill for charity law reform to make sure that charities are in a strong position to use to the very best the enhanced resources that they will receive from this Bill. Concern has been expressed in the press only in the past few days about one large charity—

Mrs. Alice Mahon (Halifax): Will the hon. Gentleman give way?

Mr. Paice: I will not; other hon. Members want to speak.

I believe that the Government would be wise to introduce charity reform as soon as possible.

TESSA has been widely welcomed on both sides of the House. Its strength is that it is a simple scheme that will be readily understood by ordinary people. The personal equity plan scheme has worked very well, but it has been too complicated, I fear, for many people. I should have liked a more front-end loaded savings scheme that would have enabled the saver to see his benefits more clearly. TESSA, which is fundamentally simple, will go a long way towards remedying our savings difficulties, and that in turn will, I hope, lead to a shift in the underlying levels of interest that it will be necessary to charge in the long-term future.

The abolition of composite rate tax must be right. As a parent I have found it difficult to examine possible investment schemes for my children's meagre savings, since so many of them carry composite rates of tax. Although the abolition will not take place until next year, it will be a great improvement.

The Bill is largely neutral, but my right hon. Friend the Chancellor has clearly shown that in a broadly neutral Budget it is possible to deal with unfairnesses and difficulties and to hand out a range of remedies to those who would otherwise suffer. This is a good Bill, welcomed in many sectors, and the House should welcome it, too.

9.17 pm

Mrs. Alice Mahon (Halifax): I tried to intervene when the hon. Member for Cambridgeshire, South-East (Mr. Paice) was speaking about charities because I, like other Labour Members, was disgusted to hear Oxfam singled out for political treatment. I think that the line goes back to No. 10. I should have liked to have told the hon. Gentleman that the Adam Smith Institute is also a charity. It is highly political, and it certainly never supports Opposition policies.

The Bill fails to address the real problems facing our nation. Our economic predicament is grim, but listening to speeches by Conservative Members one would think that we were in the middle of an economic miracle.

I want to concentrate on the fact that the Bill singularly fails to do anything for manufacturing industry. Manufacturing industry faces grave difficulties, yet Government policies, such as high interest rates, have brought investment almost to a halt and that has further damaged our manufacturing base.

The other day I talked to a director of a good textile firm in Halifax. Textiles have been in retreat, badly damaged by Government policies of the past 10 years. He told me that he had planning permission for an extension

[Mrs. Alice Mahon]

to a factory, he had full order books, yet he could not make the required investment because of the expense of borrowing money.

The Government have severely neglected manufacturing industry. The latest figures show that manufacturing output has ground to a halt. The forecasts in the Budget assume zero growth, and that is bad enough for manufacturing. But recently we had a debate on the multi-fibre arrangement, in which a junior Minister at the Department of Trade and Industry spoke. He hinted that we did not need a multi-fibre arrangement and that it would save no jobs. Hon. Members who heard that must have been depressed about the future for textiles. Those representing constituencies where thousands are employed in the textile industry were very worried. The Silberston report thought that 30,000 jobs would go; the TUC gave a more realistic assessment of about 100,000 jobs. If that happens, an important industry may be wiped out.

The Government have a dismal record on the support of manufacturing industry. The growth rate in manufacturing output in the United Kingdom between 1979 and 1989 was 12·2 per cent. That places us seventeenth of the 20 OECD countries. It would be difficult to find a Government policy which did not damage industry and workers. High inflation, high mortgages and the poll tax mean that low-paid workers have no choice but to ask for pay rises. For the Government to pretend that that in itself will lead to higher inflation is a cheek.

I have already said that high interest rates are damaging manufacturing. Nothing in the Bill will help industry. Families have not benefited, nor have low-paid workers. If Government Back Benchers were honest, they would have tried to do something for families. We have heard praise for tax relief on workplace nurseries, but we heard nothing about the freeze on child benefit which has damaged families.

The so-called reform of the social security system has led to great hardship. Every day we find out about some new hardship. Only the other day I discovered that women who were in receipt of family credit are now much worse off.

Women who work only during school hours and who, for obvious reasons, have the school holidays off cannot claim family credit. They are excluded because they are not working for 52 weeks a year. That is unfair. We are told that the adjudicator will have to decide on those cases. In whatever the Government have done, they have damaged the low-paid and people on low incomes.

A few months ago, a regulation was pushed through the House which will mean that textile workers and other workers who are laid off regularly will not be entitled to full unemployment benefit. The Government have inflicted low pay upon us. The Budget and the Bill will do nothing about it. We have heard from various hon. Members tonight about low pay. Conservative Members have talked about workers claiming exorbitant pay increases. Let me tell them about low pay. In my constituency C and M Packing pays its workers only £10 per day. That is the kind of economy that the Government say we need.

The one provision in the Bill which I welcome is the tax relief on workplace nurseries. Tax should never have been imposed on the nurseries. It was a scandal to pretend that workplace nurseries were a benefit which should be taxed, along with company cars. When we look at what the Government have done, we see how little it is and that the Government are not concerned.

This week in the *House of Commons Magazine* the Secretary of State for Employment talked about the demographic time bomb and the fact that 95 per cent. of workers in the future will be women. He praised the Government for taking off that unfair taxation in the Budget. Child care in this country is an absolute disgrace, and the Government do nothing about it. Workplace nurseries represent only 3 per cent. of child care in this country. If the Government were serious about trying to get women back to work, they would be talking about a comprehensive child care policy giving local government the money needed to fund nurseries and local authority community nurseries, doing something about low pay and making sure that women could get back to work.

One of the most comprehensive surveys conducted on workplace nurseries—a Government survey conducted by the Department of Employment—showed that less than 0·2 per cent., or 198 women, out of 1 million women surveyed had children in employment-provided creches. That shows the Government's lack of commitment towards getting women back into the workplace. Government Ministers will have to do something more than stand at the Dispatch Box and pretend. If the women of this country are to get back into the work force, they need to do something about who looks after their children, and that is a Government problem.

9.25 pm

Mr. Nicholas Budgen (Wolverhampton, South-West): I am sure that the hon. Member for Halifax (Mrs. Mahon) will find it difficult to believe that those of us caricatured as hard-faced monetarists are so mostly because we are concerned, like her, about the weakest sections of the community who are hit hardest by inflation.

I had not expected to catch Mr. Speaker's eye in this debate. I have heard most of the speeches and came into the Chamber expecting not so much to contribute as to benefit from hearing the speeches. Having heard the various speeches, particularly that of my right hon. Friend the Member for Guildford (Mr. Howell), I reflected that he, most of all, represented respectable opinion. In all his speeches he goes on about the way in which we all want to defeat inflation, and says it is extraordinary that inflation continues. He speaks of various monetarist statistics as though he, and he alone, had the privilege of seeing them and almost says that ordinary commentators in this country had no means of noticing, for instance, that house prices were going up by 20 per cent. in one year or 30 per cent, in another. It seemed to suggest that all those signs of the stoking up of inflation can only now, retrospectively, be seen with the benefit of hindsight. In fact, all those figures were there for all to see at the time. The conclusion that we all reach is that, initially, inflation is much welcomed in this country.

Every time interest rates are unwisely brought down, it is put forward by the Government of the day as an indication of their wisdom, good management or personal generosity. The time must come—I do not know when—when this country will finally decide that it is serious about wanting to get on top of inflation. At that stage, it

will surely say that the track record of Governments is so bad that the control of the money supply must, sadly, be delegated to another independent organisation.

Like my right hon. Friend the Prime Minister, I am highly sceptical of the proposals put forward with such magnificent effrontery by my right hon. Friend the Member for Blaby (Mr. Lawson). I recollect that on an earlier occasion he said that the relationship between the Treasury and the Bank of England was one of the Treasury deciding the policy and the Bank of England carrying it out. If a Labour Chancellor had said that, the pound would have dropped, all respectable opinion would have taken to the correspondence columns of *The Times* and there would have been a near constitutional disaster. However, at the time it was regarded as an engaging expression of my right hon. Friend's vigour and supremacy.

My right hon. Friend the Prime Minister was properly sceptical of the proposals to make the Bank of England more independent. She suspected that it was part of a wider scheme to bring Britain within the exchange rate mechanism and closer to a European central bank. As she rightly says, we believe in a supreme Parliament with an entirely independent central bank.

I see your eagle eye upon me, Mr. Speaker, so I will conclude. We have an independent judiciary, which is not supported by any special Bill of Rights. It is supported by convention. That is recognised by all parts of what I might pompously describe as educated opinion. In the same way, if we find, as we shall, that entering the ERM does not bring a painless attack upon inflation, and if we find that it has gone exactly the same way as prices and incomes policies, the control of interest rates through reserve assets, credit controls, or all those other myths of a painless way to control inflation, we shall have to give to the Bank of England greater independence within our constitution because we shall have plainly proved that, sadly, over all the years since the war democratic politicians have demonstrated that they and the British people, if in doubt, like inflation.

9.32 pm

Mr. Chris Smith (Islington, South and Finsbury): Perhaps inevitably, much of today's debate has focused on the general condition of our national economy rather than on many of the detailed items of the Finance Bill. That is as it should be because the Bill will ultimately be judged by what it does or does not do to bring relief, improvement or assistance to our ailing economy. It roundly fails that test.

I wish to remind the House about some of the overall economic indicators. Had my hon. Friends the Members for Nottingham, North (Mr. Allen) and for Leeds, West (Mr. Battle) been lucky enough to catch your eye, Mr. Speaker, I am sure that they, too, would have wanted to draw attention to those indicators.

Many hon. Members have referred to the balance of payments deficit. The March figure is the second worst ever. The figure for the first quarter of this year of £5·6 billion is the highest ever first quarter figure in our history. Hon. Members have drawn attention to the rate of inflation, which now stands at 8·1 per cent. and is set to rise dramatically in a week and a half.

It is worth reminding ourselves that when the Government took office they inherited an inflation rate just above the European average. It is now double the European average. Right hon. and hon. Members have drawn attention to the record on output. The latest figures show that manufacturing output is lower now than it was in January 1989. They have also drawn attention to the investment figures. In the last quarter of 1989 investment in manufacturing was 5 per cent. down on the previous quarter, so we have stagnant output, falling investment, a record balance of payments deficit and rising inflation.

It is scarcely surprising that the Chief Secretary concentrated on what had happened in the past rather than on what is happening now to the British economy. However, he made one slip. He tried to convince us—as he has tried to do in the past and we have tried to put him right—that the present Conservative Government believe in low taxes. He may have forgotten what the Government themselves have said in the Red Book which was published at the same time as the Budget. Table 2.5 of the Red Book shows clearly that the overall taxation burden in the economy in 1978-79 was 34 per cent. of GDP. In 1989-90 —the financial year just gone—after 10 years of Conservative stewardship of the economy, the overall taxation burden was 36¼ per cent. of GDP. What is worse, in the current financial year, 1990-91, the overall taxation burden goes up by a full percentage point from 36¼ per cent. of GDP to 37¼ per cent. The bulk of that increase is largely due to the unfair and undemocratic imposition of the poll tax on the people of Britain.

The Government are not the party of economic success, nor are they the party of low taxation. What about the Government's chosen policy to bring an errant economy to heel—high interest rates? We have the highest interest rates among the major economies and the highest mortgage rate ever in our history. Those interest rates are supposed to be bearing down on the demand side of the economy, but the figures to which my right hon. Friend the Member for Ashton-under-Lyne (Mr. Sheldon) referred show that they are not working.

Since the previous Chancellor of the Exchequer began to tighten monetary policy to bear down on the demand side, a further £150 billion worth of credit has been pumped into the domestic economy. We have had 21 months of pain, increasing repossessions, household budgets in savage difficulty and mortgage payments increasing by £200 a month or more. And all for what? For £150 billion of extra credit going into the domestic economy.

Interest rates not only have an impact—however loose and ineffective that impact may be—on the demand side of the economy; they also harm the supply side of the economy. We need look no further than the account given by Midland bank on 24 April this year when its chairman warned that high interest rates were hitting businesses as well as individuals and leading to the worsening of the bank's bad debt situation. That warning was echoed again two days later by the deputy chairman of Barclays bank.

The evidence is clear that the operation of high interest rates is hitting business even more harshly than it is hitting the mortgage payers who are paying so much more each month for the homes in which they live.

Mr. Quentin Davies: Will the hon. Gentleman give way?

Mr. Smith: No. I am afraid that time is extremely limited.

Against that background, the Finance Bill fails completely to measure up to the task that the economy

[Mr. Smith]

demands. Some items in the Bill are sensible and we welcome them. We have pressed some of them on the Government for some time. Last year we pressed for assistance for friendly societies. The Bill contains a little assistance for them. Last year the Government said that there was no way in which fiscal measures should be used. Now they are using them. We asked for changes in the provisions on Third world debt. The Bill introduces some changes that will help to stop the gravy train for banks to some extent, but those measures will do nothing specific to assist the ailing economies of the Third world.

Last year we asked for the abolition of the tax on workplace nurseries. We have argued that case throughout the past four years. It was dismissed out of hand last year by the Chief Secretary. Now he asks us to accept a Finance Bill that includes it. We welcome that. We are glad that the Government have changed heart on some matters.

We wish to scrutinise other items more closely, such as the changes in oil taxation. We shall want to be convinced that the relief on abandonment costs is balanced by the cap on petroleum tax payments. We are not sure that it is.

We shall examine the treatment of unit trusts, which seems to leave investment trust companies out in the cold. We shall scrutinise the precise operation of relief against VAT for bad debts. We shall examine the closing of loopholes for dual resident companies, a long overdue measure. We shall want to know that those loopholes have been fully closed.

We shall examine the abolition of the business expansion scheme locality rule which makes yet more attractive the private rented property sector of BES, which is already gobbling up 80 per cent. or more of BES relief.

Most important of all is not what the Finance Bill does but what it fails to do. It contains no green agenda for environmental use of the taxation system. Before the Budget we urged the Government to consider some sensible measures such as reducing VAT for energy-efficient appliances, insulation material, recycled material and catalytic converters and increasing VAT on chlorofluorocarbons and other polluting substances. We urged them to use the allowance system against corporations in an environmentally friendly way, to grade the vehicle excise duty scale of payments to encourage people to have smaller cars, and to reduce car tax where catalytic converters are fitted. None of those ideas has been taken up by the Government.

The Government have included no green agenda in the Bill. Nor is there any real help for investment in the manufacturing sector of our economy. There is no help on first-year capital allowances. There is no switch of the emphasis of the business expansion scheme from rented property to manufacturing.

The Bill contains only relatively minor measures on training. The negligible estimated cost of training and enterprise council provision in the Bill reveals that the Government do not intend very much training to take place as a result of the change that the Bill brings about.

The Bill contains no relief for ordinary people facing financial problems with their mortgages, electricity payments, water rates, transport fares, rents or the poll tax. Indeed, the Government have given clear signals that high interest rates are likely to be with us for a long time until there is an unseemly dash to the ballot box with electoral bribes to the people. By that time the British people will have rumbled the Government for what such bribes undoubtedly will be.

Above all, there is no statement in the Bill or in any of the speeches about it that gives us any hope that the Government are more serious than they have been recently about British membership of the exchange rate mechanism. The evidence of the Select Committee on the Treasury and Civil Service is extremely instructive here. When the Select Committee asked the Governor of the Bank of England whether all the conditions, other than the condition on inflation, out of the Madrid conditions had been met, the Governor said clearly, "Yes." When the Chancellor of the Exchequer was asked the same question, he said, "No." We are entitled to ask the Financial Secretary tonight which of them was giving the Government's position. Have the conditions other than the inflation condition been met or not? On the exchange rate mechanism, as on so much else of Government policy, there is doubt and confusion leading ultimately to disaster.

The Bill is a tinkering Bill which merely scratches the surface of the major problems facing the British economy. It fails miserably to measure up to the task. When the Chancellor commented on the appalling trade figures last week, he made much of what he called "erratic" items in the accounts. The *Financial Times* on Saturday had the right riposte to the Chancellor and the Government. It said:

> "Erratic imports are being blamed for the Government's latest trade disaster. Other factors leading to the economic mess, presumably, include erratic inflation, erratic bank lending and erratic productivity growth. But I guess that the Government will never blame erratic policies."

The truth is that we have a Government with erratic policies who have failed the British economy and the British people. The sooner they go, the better.

9.46 pm

The Financial Secretary to the Treasury (Mr. Peter Lilley): Before I begin properly, I will answer the question asked by the hon. Member for Islington, South and Finsbury (Mr. Smith). Yes, we are on course to join the exchange rate mechanism of the European monetary system. We welcome Italy's recent moves to abolish exchange controls, but there remain conditions to be met —notably the reduction of inflation in this country. We wait to hear whether the Opposition are still committed to, as they said, "major changes" in the working of the European monetary system before they would be able to join.

This has been an important debate with a number of excellent contributions. I especially regret missing the contributions of my right hon. Friend the Member for Guildford (Mr. Howell) and of my hon. Friends the Members for Surrey, North-West (Mr. Grylls) and for Cambridge, South-East (Mr. Paice). I shall read their contributions closely after the debate. If I am unable to reply to them or to a number of other hon. Members now, I hope that I shall be forgiven due to the brevity of time available. I will provide written replies on any outstanding points.

My right hon. Friend the Member for Worthing (Mr. Higgins) made an especially important contribution. He will appreciate that I cannot pre-empt the reply that my right hon. Friend the Chancellor of the Exchequer will make to the excellent report of the Treasury and Civil

Service Select Committee. My right hon. Friend the Member for Worthing placed particular emphasis on getting the statistics right. I assure him that my right hon. Friend the Chancellor is fully seized of the importance of that and is vigorously pursuing measures about which he has given the Select Committee an idea and on which he will report to it further. We certainly do not intend to spoil the ship for a ha'porth of tar, and it is fair to say that the problems with statistics are not the result of reductions in expenditure, but a consequence of deregulation and more rapid change in the economy with which the statistical process has not kept up.

The right hon. Member for Ashton-under-Lyne (Mr. Sheldon) said that we should return to fiscal fine tuning to control demand and that interest rates were unsuitable for that task. We should be virtually alone among the major countries of the world if we accepted that advice. Most other countries rely on interest rates and on small and regular adjustments, and are successful in so doing. They include socialist countries as well as Conservative countries. Moreover, I do not recall exclusive or major reliance on fiscal policy being as easy or successful as the right hon. Gentleman suggested.

My hon. Friends the Members for Gosport (Mr. Viggers), for Croydon, South (Sir W. Clark) and for Horsham (Sir P. Hordern) expressed concern about our measures on sovereign debt. They were particularly concerned that the new tax treatment might interact adversely with prudential provisioning for bad debt. I can reassure them on that. One effect of our measures will be to separate the tax treatment from the prudential aspect of provisioning, which will remain the responsibility of directors, taking into account the advice that they receive from the Bank of England. The measure will bring certainty both to the Exchequer and to the bank and will phase future increases in relief over a period. It will also increase the relative attraction of selling back debt to debtor nations—a measure that I know is welcomed by hon. Members on both sides of the House.

My hon. Friend the Member for Tatton (Mr. Hamilton) was in vintage form. I heard it suggested that he was being rather brave, at a time when the possibility of promotions is in the air. I thought that his speech was a naked bid for promotion—if only to shut him up. I am certainly not brave enough to comment on all the thorny issues that he raised.

My hon. Friends the Members for Tatton and for Wolverhampton, South-West (Mr. Budgen) joined together in affirming that the British are wedded to inflation, but I believe that they are wrong. It may have been so in the past, but since the experience in the foothills of hyper-inflation in the late 1970s, things have changed. That experience registered a shock on the British psyche similar to the shock which made the German people permanently hostile to inflation. Our shock may have been smaller, but it is fresher in our minds. I believe that there is now a much larger constituency in this country for anti-inflationary policy. I do not expect people to express pleasure while undergoing the painful measures that are essential to get inflation down, but I am certain that they will never vote in a party which is manifestly soft on inflation and whose policies are wholly lacking in credibility.

That brings me directly to the speech made by the hon. Member for Derby, South (Mrs. Beckett). I am grateful to her for her welcome for a number of the measures included in the Bill. Those apart, however, she did not mention a single item in the Bill, nor did she use the occasion—as one might have expected from the spokesman of a party which hoped to be taken seriously as an alternative party of Government—to spell out Labour's alternative tax proposals. There was not a word about them. Sometimes Treasury Ministers are criticised for going into pre-Budget purdah. The present Opposition are the first Opposition to go into a post-Budget purdah, which is in fact a pre-election purdah. Labour Members intend to remain mum on the subject for as long as they can, but we shall not permit them to do so.

The hon. Member for Derby, South refused to answer the question posed by a number of my hon. Friends: what would the Labour party do to get inflation down? We know what Labour would do to get inflation up. It would cut interest rates prematurely, increase public spending, squander the surplus and return to deficit financing. The hon. Lady admitted that Labour had endorsed the mistake that we have acknowledged that we made in reducing interest rates in October 1987, following the worldwide stock market collapse. What she did not admit was that the Labour party demanded that we do more—lots more—and continued demanding it for some months afterwards. The right hon. and learned Member for Monklands, East (Mr. Smith) said:

> "Now is the time for cuts in interest rates to stimulate the economy . . . Now is the time for a programme of well planned public investment to mobilise the unused capacity . . . There is no economic constraint on such action"—

only the restraint of what the right hon. and learned Gentleman called "self-imposed dogma."

The Labour party is in a difficult position. If Labour Members admit that our problems resulted from cutting interest rates too much and holding them down for too long, they would have to acknowledge that a period of high interest rates is a necessary and practical way of getting inflation down. Instead, Labour tried to blame everything on the 1988 Budget—the first Budget with a £14 billion surplus that I have ever heard described as inflationary. At that time, no other Government in the western world were running a surplus of that magnitude. The income tax cuts that we made then were more than offset by rises in tax revenues elsewhere, so that Budget was more than fully balanced. There were only £4 billion of reductions in income tax then. As my hon. Friend the Member for Tatton explained, there was something like a £50 billion increase in borrowing over the ensuing year. It is hard to believe that any increase in taxation could have been adequate or appropriate to offset that rise in borrowing. Clearly, one should treat such matters at source—and that means dealing with interest rates.

The hon. Member for Derby, South thought that there might be some salvation for her position in a rather obscure Teutonic document from the Bundesbank. She said that if we adopted minimum reserve ratios we would be able to reduce our interest rates but still control the volume of credit. Nowhere in that document is it suggested that minimum reserve ratios enable the Bundesbank to restrict the volume of credit while keeping interest rates below the market clearing level. Minimum reserve ratios are simply a device to help to ensure that the interest rates set by the Bundesbank are transmitted throughout the banking system.

That point is made crystal clear in a research paper, also published by the Bundesbank, which states:

[Mr. Peter Lilley]

"the Bundesbank can work only indirectly towards ensuring that the . . . money stock develops along the envisaged lines, by the appropriate fixing of interest rates".

Central bank interest rates are only transmitted through the banking system in Germany or in the United Kingdom if the banks rely on the central bank for their extra cash. The central bank therefore fixes an interest rate at which it will lend to the commercial banking system. It must ensure that the commercial banking system is borrowing from it.

In Germany that shortage is ensured by the minimum reserve ratio. The Germans must use the MRR because for constitutional reasons they are not allowed to intervene in the money market in the way that we are by selling Treasury bills. In this country we are free to sell Treasury bills and maintain a shortage on that basis.

Mr. Allen *rose*——

Mr. Lilley: If the hon. Member for Derby, South seriously believes that she has found a solution to the problems of reducing interest rates while controlling credit, she is deluding herself.

This year's Budget is important because it is the latest in a series of reforming Budgets in which my right hon. Friend the Chancellor of the Exchequer and his two predecessors have cut tax rates and abolished seven major taxes. In this Budget alone we have abolished two major taxes—we have abolished the composite rate tax on savings held by those with low incomes, and we have also abolished stamp duty. We have yet to hear whether the Opposition would reinstate stamp duty or whether they intend to follow our lead and acknowledge that it is right to abolish it. Even though the time left to me is limited, I will allow the Opposition to make their position clear on that. They have still not made up their minds.

We have reformed the tax structure in our series of reforming Budgets. We have reformed the structure of corporation tax, of national insurance contributions and of income tax at all levels. We have also reformed the taxation of husbands and wives and in this Budget we have reformed the taxation of savers. This Finance Bill contains a variety of measures which have been welcomed by savers in particular and also by women, small businesses, charities and football. I commend it to the House.

Question put, That the Bill be now read a Second time:—

The House divided: Ayes 335, Noes 205.

Division No. 189] **[10 pm**

AYES

Adley, Robert
Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael
Allason, Rupert
Amery, Rt Hon Julian
Amess, David
Amos, Alan
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Tom *(Hazel Grove)*
Ashby, David
Aspinwall, Jack
Atkins, Robert
Baker, Rt Hon K. *(Mole Valley)*
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Banks, Robert *(Harrogate)*
Batiste, Spencer
Beaumont-Dark, Anthony
Bellingham, Henry
Bendall, Vivian
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Bevan, David Gilroy
Biffen, Rt Hon John
Blaker, Rt Hon Sir Peter
Body, Sir Richard
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Boswell, Tim
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, A *(Brighton K'pto'n)*
Bowden, Gerald *(Dulwich)*
Bowis, John
Boyson, Rt Hon Dr Sir Rhodes
Braine, Rt Hon Sir Bernard
Brandon-Bravo, Martin
Brazier, Julian
Bright, Graham
Brown, Michael *(Brigg & Cl't's)*
Browne, John *(Winchester)*
Bruce, Ian *(Dorset South)*
Buchanan-Smith, Rt Hon Alick
Buck, Sir Antony
Budgen, Nicholas
Burns, Simon
Burt, Alistair
Butler, Chris
Butterfill, John
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Carttiss, Michael
Cash, William
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher
Churchill, Mr
Clark, Hon Alan *(Plym'th S'n)*
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Colvin, Michael
Conway, Derek
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Couchman, James
Cran, James
Critchley, Julian
Currie, Mrs Edwina
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Devlin, Tim
Dickens, Geoffrey
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Tony
Dykes, Hugh
Eggar, Tim
Emery, Sir Peter
Evans, David *(Welwyn Hatf'd)*
Evennett, David
Fairbairn, Sir Nicholas
Fallon, Michael
Fenner, Dame Peggy
Field, Barry *(Isle of Wight)*
Finsberg, Sir Geoffrey
Fookes, Dame Janet
Forman, Nigel
Forth, Eric
Fowler, Rt Hon Sir Norman
Fox, Sir Marcus
Freeman, Roger
French, Douglas
Fry, Peter
Gale, Roger
Gardiner, George
Garel-Jones, Tristan
Gill, Christopher
Gilmour, Rt Hon Sir Ian
Glyn, Dr Sir Alan
Goodhart, Sir Philip
Goodson-Wickes, Dr Charles
Gorman, Mrs Teresa
Gorst, John
Gow, Ian
Greenway, Harry *(Ealing N)*
Greenway, John *(Ryedale)*
Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Grist, Ian
Ground, Patrick
Grylls, Michael
Hague, William
Hamilton, Hon Archie *(Epsom)*
Hamilton, Neil *(Tatton)*
Hampson, Dr Keith
Hanley, Jeremy
Hannam, John
Hargreaves, A. *(B'ham H'll Gr')*
Hargreaves, Ken *(Hyndburn)*
Harris, David
Haselhurst, Alan
Hawkins, Christopher
Hayes, Jerry
Hayhoe, Rt Hon Sir Barney
Hayward, Robert
Heath, Rt Hon Edward
Heathcoat-Amory, David
Heseltine, Rt Hon Michael
Hicks, Mrs Maureen *(Wolv' NE)*
Higgins, Rt Hon Terence L.
Hill, James
Hind, Kenneth
Hogg, Hon Douglas *(Gr'th'm)*
Hordern, Sir Peter
Howard, Rt Hon Michael
Howarth, Alan *(Strat'd-on-A)*
Howarth, G. *(Cannock & B'wd)*
Howe, Rt Hon Sir Geoffrey
Howell, Rt Hon David *(G'dford)*
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Irving, Sir Charles
Jack, Michael
Jackson, Robert
Janman, Tim
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Jopling, Rt Hon Michael
Kellett-Bowman, Dame Elaine
Key, Robert
Kilfedder, James
King, Roger *(B'ham N'thfield)*
King, Rt Hon Tom *(Bridgwater)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Knox, David
Lamont, Rt Hon Norman
Lang, Ian
Latham, Michael
Lawrence, Ivan
Lawson, Rt Hon Nigel
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lester, Jim *(Broxtowe)*
Lilley, Peter
Lloyd, Sir Ian *(Havant)*
Lloyd, Peter *(Fareham)*
Lord, Michael
Luce, Rt Hon Richard
Lyell, Rt Hon Sir Nicholas
McCrindle, Robert
Macfarlane, Sir Neil
MacKay, Andrew *(E Berkshire)*
Maclean, David
McLoughlin, Patrick
McNair-Wilson, Sir Michael
McNair-Wilson, Sir Patrick
Madel, David

Major, Rt Hon John
Malins, Humfrey
Mans, Keith
Maples, John
Marland, Paul
Marlow, Tony
Marshall, John *(Hendon S)*
Marshall, Michael *(Arundel)*
Martin, David *(Portsmouth S)*
Mates, Michael
Maude, Hon Francis
Mawhinney, Dr Brian
Maxwell-Hyslop, Robin
Mayhew, Rt Hon Sir Patrick
Meyer, Sir Anthony
Miller, Sir Hal
Mills, Iain
Miscampbell, Norman
Mitchell, Andrew *(Gedling)*
Mitchell, Sir David
Moate, Roger
Monro, Sir Hector
Montgomery, Sir Fergus
Moore, Rt Hon John
Morris, M *(N'hampton S)*
Morrison, Sir Charles
Morrison, Rt Hon P *(Chester)*
Moss, Malcolm
Mudd, David
Neale, Gerrard
Needham, Richard
Nelson, Anthony
Neubert, Michael
Newton, Rt Hon Tony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Nicholson, Emma *(Devon West)*
Norris, Steve
Onslow, Rt Hon Cranley
Page, Richard
Paice, James
Patnick, Irvine
Patten, Rt Hon Chris *(Bath)*
Patten, Rt Hon John
Pattie, Rt Hon Sir Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Price, Sir David
Raffan, Keith
Raison, Rt Hon Timothy
Rathbone, Tim
Redwood, John
Renton, Rt Hon Tim
Rhodes James, Robert
Riddick, Graham
Ridley, Rt Hon Nicholas
Ridsdale, Sir Julian
Rifkind, Rt Hon Malcolm
Roberts, Wyn *(Conwy)*
Roe, Mrs Marion
Rost, Peter
Rowe, Andrew
Rumbold, Mrs Angela
Ryder, Richard
Sackville, Hon Tom
Sainsbury, Hon Tim
Sayeed, Jonathan
Scott, Rt Hon Nicholas
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shelton, Sir William
Shephard, Mrs G. *(Norfolk SW)*
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Smith, Tim *(Beaconsfield)*
Speed, Keith
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stanley, Rt Hon Sir John
Steen, Anthony
Stern, Michael
Stevens, Lewis
Stewart, Allan *(Eastwood)*
Stewart, Andy *(Sherwood)*
Stewart, Rt Hon Ian *(Herts N)*
Stokes, Sir John
Stradling Thomas, Sir John
Sumberg, David
Summerson, Hugo
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Teddy *(S'end E)*
Tebbit, Rt Hon Norman
Temple-Morris, Peter
Thatcher, Rt Hon Margaret
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Thorne, Neil
Thornton, Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Townsend, Cyril D. *(B'heath)*
Tracey, Richard
Tredinnick, David
Trotter, Neville
Twinn, Dr Ian
Vaughan, Sir Gerard
Viggers, Peter
Walden, George
Walker, Bill *(T'side North)*
Walker, Rt Hon P. *(W'cester)*
Waller, Gary
Ward, John
Wardle, Charles *(Bexhill)*
Warren, Kenneth
Watts, John
Wells, Bowen
Wheeler, Sir John
Whitney, Ray
Widdecombe, Ann
Wiggin, Jerry
Wilkinson, John
Wilshire, David
Winterton, Mrs Ann
Winterton, Nicholas
Wolfson, Mark
Wood, Timothy
Woodcock, Dr. Mike
Yeo, Tim
Young, Sir George *(Acton)*
Younger, Rt Hon George

Tellers for the Ayes:
Mr. Alastair Goodlad and
Mr. David Lightbown.

NOES

Abbott, Ms Diane
Adams, Allen *(Paisley N)*
Allen, Graham
Anderson, Donald
Archer, Rt Hon Peter
Armstrong, Hilary
Ashley, Rt Hon Jack
Ashton, Joe
Barnes, Harry *(Derbyshire NE)*
Barnes, Mrs Rosie *(Greenwich)*
Battle, John
Beckett, Margaret
Beggs, Roy
Beith, A. J.
Bell, Stuart
Benn, Rt Hon Tony
Bennett, A. F. *(D'nt'n & R'dish)*
Bermingham, Gerald
Bidwell, Sydney
Blunkett, David
Boateng, Paul
Boyes, Roland
Bradley, Keith
Brown, Nicholas *(Newcastle E)*
Brown, Ron *(Edinburgh Leith)*
Buchan, Norman
Buckley, George J.
Caborn, Richard
Callaghan, Jim
Campbell, Ron *(Blyth Valley)*
Campbell-Savours, D. N.
Canavan, Dennis
Carlile, Alex *(Mont'g)*
Cartwright, John
Clark, Dr David *(S Shields)*
Clarke, Tom *(Monklands W)*
Clay, Bob
Clelland, David
Clwyd, Mrs Ann
Cohen, Harry
Cook, Frank *(Stockton N)*
Cook, Robin *(Livingston)*
Corbyn, Jeremy
Cousins, Jim
Cox, Tom
Crowther, Stan
Cryer, Bob
Cummings, John
Cunliffe, Lawrence
Cunningham, Dr John
Dalyell, Tam
Darling, Alistair
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H'l)*
Dixon, Don
Dobson, Frank
Doran, Frank
Duffy, A. E. P.
Dunnachie, Jimmy
Eadie, Alexander
Eastham, Ken
Evans, John *(St Helens N)*
Ewing, Harry *(Falkirk E)*
Fatchett, Derek
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fisher, Mark
Flannery, Martin
Flynn, Paul
Foot, Rt Hon Michael
Forsythe, Clifford *(Antrim S)*
Foster, Derek
Foulkes, George
Fraser, John
Fyfe, Maria
Galloway, George
Garrett, John *(Norwich South)*
George, Bruce
Godman, Dr Norman A.
Gordon, Mildred
Gould, Bryan
Graham, Thomas
Grant, Bernie *(Tottenham)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Hardy, Peter
Harman, Ms Harriet
Hattersley, Rt Hon Roy
Heal, Mrs Sylvia
Hinchliffe, David
Hogg, N. *(C'nauld & Kilsyth)*
Home Robertson, John
Hood, Jimmy
Howarth, George *(Knowsley N)*
Howell, Rt Hon D. *(S'heath)*
Howells, Geraint
Howells, Dr. Kim (Pontypridd)
Hughes, John *(Coventry NE)*
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport E)*
Hughes, Simon *(Southwark)*
Ingram, Adam
Janner, Greville
Jones, Ieuan *(Ynys Môn)*
Jones, Martyn *(Clwyd S W)*
Kaufman, Rt Hon Gerald
Kirkwood, Archy
Leadbitter, Ted
Leighton, Ron
Lestor, Joan *(Eccles)*
Lewis, Terry
Litherland, Robert
Livingstone, Ken
Lloyd, Tony *(Stretford)*
Lofthouse, Geoffrey
McAllion, John
McAvoy, Thomas
McCartney, Ian
Macdonald, Calum A.
McFall, John
McKay, Allen *(Barnsley West)*
McKelvey, William
McLeish, Henry
Maclennan, Robert
McNamara, Kevin
McWilliam, John
Madden, Max
Mahon, Mrs Alice
Marek, Dr John
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martin, Michael J. *(Springburn)*
Martlew, Eric
Maxton, John
Meacher, Michael
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffield Heeley)*
Mitchell, Austin *(G't Grimsby)*
Moonie, Dr Lewis
Morgan, Rhodri
Morley, Elliot
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Mowlam, Marjorie
Mullin, Chris
Murphy, Paul
Nellist, Dave
Oakes, Rt Hon Gordon
O'Brien, William
O'Neill, Martin
Orme, Rt Hon Stanley
Owen, Rt Hon Dr David
Patchett, Terry
Pendry, Tom
Pike, Peter L.
Powell, Ray *(Ogmore)*
Prescott, John
Primarolo, Dawn
Quin, Ms Joyce
Radice, Giles
Redmond, Martin
Rees, Rt Hon Merlyn
Reid, Dr John
Richardson, Jo
Robertson, George
Robinson, Geoffrey
Rogers, Allan
Rooker, Jeff

Rowlands, Ted
Ruddock, Joan
Salmond, Alex
Sedgemore, Brian
Sheldon, Rt Hon Robert
Shore, Rt Hon Peter
Short, Clare
Sillars, Jim
Skinner, Dennis
Smith, Andrew *(Oxford E)*
Smith, C. *(Isl'ton & F'bury)*
Smith, Rt Hon J. *(Monk'ds E)*
Smith, J. P. *(Vale of Glam)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Steinberg, Gerry
Stott, Roger
Straw, Jack
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Rt Hon J. D. *(S'ford)*
Thompson, Jack *(Wansbeck)*
Turner, Dennis
Vaz, Keith
Walley, Joan
Wardell, Gareth *(Gower)*
Watson, Mike *(Glasgow, C)*
Welsh, Andrew *(Angus E)*
Welsh, Michael *(Doncaster N)*
Williams, Rt Hon Alan
Williams, Alan W. *(Carm'then)*
Winnick, David
Worthington, Tony
Wray, Jimmy
Young, David *(Bolton SE)*

Tellers for the Noes:
Mr. Frank Haynes and
Mrs. Llin Golding.

Question accordingly agreed to.
Bill read a Second time.

FINANCE BILL (Committal)

Ordered,

That Clauses 3, 9, 10, 18 to 20, 23, 25 and 68 be committed to a Committee of the whole House;

That the remainder of the Bill be committed to a Standing Committee;

That, when the provisions of the Bill considered, respectively, by the Committee of the whole House and by the Standing Committee have been reported to the House, the Bill be proceeded with as if the Bill had been reported as a whole to the House from the Standing Committee.—*[Mr. Durant.]*

Committee tomorrow.

Points of Order

10.14 pm

Mr. Anthony Beaumont-Dark (Birmingham, Selly Oak): On a point of order, Mr. Speaker. Earlier today we raised points of order about the problem of what is now being called the "supergun of Iraq". People at Walter Somers are now being questioned and are being held in custody by the police on evidence that has been laid against them by Customs and Excise. I wonder, Mr. Speaker, whether you have had a request for permission to make a statement on this grave matter. Surely it must be a matter for the House that people who have asked the Department of Trade and Industry for clearance, which has been granted, should now be parted from their families. That seems desperately unfair.

Mr. Speaker: Order. I understand that this matter was raised earlier in the evening. It is not a matter of order in the Chamber, but I am sure that what has been said has been heard by the Patronage Secretary, who will take account of it.

Mr. Richard Caborn (Sheffield, Central): Further to that point of order, Mr. Speaker.

Mr. Speaker: I am not certain that I can help.

Mr. Caborn: As you probably know, Mr. Speaker, this matter is of great concern to many of my constituents because one of the factories in question is Sheffield Forgemasters, which is in my constituency. In the light of the Government's refusal to make a statement this evening, I would like your guidance—probably overnight—Mr. Speaker, as to what the position will be tomorrow at the Select Committee on Trade and Industry. *[Interruption.]*

Mr. Speaker: Order. Would hon. Members who are not in the Chamber to listen to the points of order kindly come into the Chamber or leave quietly?

Mr. Caborn: I would like your guidance, Mr. Speaker, on the position of the Select Committee on Trade and Industry tomorrow in the light of the charges that may have been laid. Would it be proper for that Select Committee to consider the evidence that has been lodged with it, which proves the innocence of Sheffield Forgemasters and clearly shows that the Department of Trade and Industry gave permission for the company to sign the contract?

Mr. Speaker: Order. I am not certain that I should be hearing matters that are to be raised in a Select Committee.

Mr. Caborn: I am asking for your consideration overnight, Mr. Speaker, of whether evidence that will be heard tomorrow that shows the innocence of those people will fall foul of the sub judice rule.

Mr. Speaker: I cannot dictate to a Select Committee what it discusses, as Select Committees regulate their own business. It is not my responsibility.

Mr. David Winnick (Walsall, North): Further to that point of order, Mr. Speaker. I also represent a west midlands constituency. I hope that you will appreciate my concern and that of the hon. Member for Birmingham, Selly Oak (Mr. Beaumont-Dark). There is much concern in the region about this matter. I have tried persistently to find out through parliamentary questions the exact dates when the hon. Member for Bromsgrove (Sir. H. Miller) made inquiries of the Department regarding the order for Iraq. Had those questions been answered—either by written answer or by a statement by the Secretary of State—perhaps the people who have been interviewed today by the police and the Customs and Excise officials would not have been investigated.

Is there any way in which you, Mr. Speaker, could use your power and influence to ensure that tomorrow the Secretary of State for Trade and Industry comes to the House to answer those questions? When did the hon. Member for Bromsgrove contact his Department? The hon. Member for Bromsgrove said in the House that he made inquiries on behalf of the Walter Somers company. Why have we not had the information?

Mr. Speaker: I do not know about matters of that kind. It is not a matter of order for me in the Chamber, but it will undoubtedly have been heard by the Government Front Bench.

Mr. Tam Dalyell (Linlithgow): Further to that point of order, Mr. Speaker. I know that you, Mr. Speaker, cannot dictate to the House, but the Government Chief Whip does us the courtesy of being here. However, could it be expressed that there is a wide feeling that not only Trade and Industry Ministers should be present, but that a Defence Minister should come to the House when people are facing charges? We know that the Defence Export Services Secretariat knew at an early stage about the order. People are now being charged for that which was in the domain of the Government and, in particular, in the

domain of the DESS inside the Ministry of Defence. It is high time that Defence Ministers, asked direct questions as they were two Wednesdays ago as to when they first knew, came out with the truth, because people are being charged.

Mr. Speaker: That is as it may be. I am sure that it will have been taken into account by the Patronage Secretary, who has listened throughout to these points of order.

Housing (Stoke-on-Trent)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Durant.]*

10.20 pm

Ms. Joan Walley (Stoke-on-Trent, North): It is precisely because of my experience at constituency surgeries over the past few months that I have been prompted to seek the Adjournment of the House to debate what is a most important issue in my constituency. Anyone who had seen the huge number of homeless people who have come to my surgeries, who have families and who have nowhere to live, would be left with no alternative but to bring the matter urgently to the attention of the House. I know that the Minister who will reply to the debate has in recent weeks had the opportunity to visit Stoke-on-Trent, North and I know that he has seen at first hand some of our many problems. I hope that we will have a constructive response from him which will enable the city council of Stoke-on-Trent and the borough council of Newcastle to go a considerable way in dealing with the huge problem of homelessness. Roughly one third of Stoke-on-Trent comes under Newcastle borough council and the remaining two thirds under Stoke-on-Trent city council.

Of all the problems of the area, housing is one of the major ones. I stress that both councils are Labour-controlled and will remain so. Both are equally committed to deal with the acute and growing housing crisis which is easily the worst since the second world war. Both councils are doing the very best job that they can under the impossible constraints imposed by central Government. Neither council is able to invest either in new house building or in the improvement of existing housing on the scale which is now both necessary and urgent.

I stress that it is the scale of the problem that is so important. New and improved homes are urgently needed. Both councils are working in close partnership with the Government on specific schemes, and we welcome them. We have seen some progress. But it is important to state that, although there have been some improvements, far more are needed. My surgeries have shown me that homelessness is now a serious problem that we must tackle. I hope that I can persuade the Government that more resources are needed and that, if they cannot be provided this financial year, it is essential that the Government plan to make them available in the next allocation of housing money to the two councils concerned.

North Staffordshire is no different from most other parts of the country in this respect. Last year Channel 4, in consultation with Shelter, produced an important documentary about homelessness. I felt that it should have had the status of the documentary "Cathy Come Home". Wanting to dispel the false assumption that only London has a problem of homelessness, the makers of the programme selected North Staffordshire as an average area not normally associated with rising homelessness. The documentary confirmed beyond all doubt that, after 10 years of Tory policies, it is not just in London that people are made homeless and are without homes; homelessness is an everyday reality for thousands of people throughout the country. Families as well as single people are without a place to live. The situation is intolerable. I want the

[Ms. Joan Walley]

Minister to answer for the misery that his Government's policies are causing to my constituents and others in the west midlands and the north-west.

In the west midlands in 1989 as many as 14,250 households were homeless and came under the responsibility of the local authorities, under the provisions of the Housing Act 1985. Similarly, in the north-west in 1989 as many as 21,210 households were homeless and local authorities had to accept responsibility for them.

Returning to a constituency level, and taking Newcastle first, how does the Minister account for there being as many as 59 families with children in lodgings, 24 eligible transfer applicants and 17 approved cases, all awaiting rehousing in two or three-bedroomed houses—not in the whole area of Newcastle but just in the Kidsgrove area of the borough, including Talke, Talke pits and Whitehill? How does he account for there being only five houses available for re-letting in that area during the past three months; and how does he account for the waiting time for eligible applicants being more than one year?

It is difficult to imagine what it must be like for applicants who have to come to my surgeries time and again and who are told by the council that despite its best efforts there are no houses available for letting in the near future. It is difficult to imagine the fear that their children will be grown up before they have had any chance of providing a secure home for them. It is difficult to imagine what it must be like for families feeling guilty about the extra pressure that they are placing on ageing relatives when they have to share their accommodation and use only the downstairs living room because the remainder of the house is already overcrowded with the rest of the family living there. Surely it is wrong that these people have no home of their own in the area to which they belong and in which they have strong community links, and where they want to stay, with decent accommodation.

Just in case the Minister had thought of intervening to say that this is purely a matter for the local council to sort out, I should like to remind him of some figures. Newcastle council spent more on housing in 1988-89 than on anything else, yet its housing service has been increasingly restrained by Government legislation and reductions in finance. After the past 10 years in which the council's borrowing allocation for housing work has been reduced, its ability to improve its properties or to build new ones has become progressively limited. By 1989-90 the council's basic allocation as a percentage of its actual bid was 14·5 per cent., and the Housing Act is set further to restrict the council's ability to satisfy the area's many housing needs.

This year, the council's bid for a housing allocation was for £8·863 million—a figure based not on some wild dream but on the justifiable housing needs of the borough and on what the council knew it could realistically spend. In return the council received approval to spend a mere £2·8 million, which is not enough, given the scale of the homelessness problem.

I know that when the Minister visited the area he had every opportunity to reassure himself that the allocation from the Government was being properly and efficiently spent. I wonder why the Government are so blinkered and determined. Why do they insist that market forces alone can deal with housing policy? Why do they prevent councils from building much-needed family houses?

I am worried about the new provision that allows purpose-built accommodation for elderly and disabled people to be sold off. In the long term that is making matters worse. It is ludicrous that councils have not been allowed to spend all the money from council house sales on building new homes for people on the waiting list.

In Kidsgrove we have an area known as Birchenwood, which is reclaimed land; we are pleased to have had Government support, in conjuction with the local council, for reclaiming that land. Of the 37 acres of derelict land that have been reclaimed and are now ready for development, 12 were originally earmarked for council housing, but they have already been sold to the private sector.

Twenty-five acres remain. Outline planning permission has already been given for housing. I would like to hear from the Minister a commitment that he would consider both public and partnership housing bids on that site for a housing allocation for the future. It is nonsense to expect people who are on the housing waiting list and who are homeless to be able to afford houses which cost £60,000 to £80,000 new. It is also regrettable that the Housing Corporation, which could help with housing on that site, has had its money reduced so drastically. I want the Minister to take that into account when considering the bids for Newcastle for next year.

The Housing Minister has visited Kidsgrove and is familiar with the area. I should like him to acknowledge that there are special problems on Galleys Bank estate caused by British Coal's failure to tell people that houses built for miners who moved into the north Staffordshire coalfield were defective under the housing defects legislation. Will he accept that, unless the Government step in, the local council does not have the cash to make good all the houses belonging to the so-called eligible and non-eligible owners? Does he accept that that in itself would go a considerable way towards easing the specific problems of the homeless in that area? If he can give an extra £637,000 and then an additional £690,000 to the neighbouring Conservative-controlled Staffordshire Moorlands council to assist owners of designated buildings there, surely he can treat Newcastle in the same way.

In Stoke-on-Trent, where traditionally the council has provided a large number of houses and there is a great need for repairs to older stock, homelessness is also increasing, as the documentary on Channel 4 showed. The crisis of homeless families is deepening. The council rents out 28,000 houses. Approximately 7,000 have been sold. The main concern is that the council has not been able to replace the houses that have been lost.

During the Minister's visit to Stoke-on-Trent he could see that the council has proved over and over again that it will co-operate with central Government and that it is prepared to have partnership schemes where there would be a considerable improvement in conditions. Certainly the Minister was able to take advantage of the opportunity to see the good progress being made in Tunstall and Chell Heath, which I welcome, and which has been the result of extra money.

None the less, Government economic policy, leading to mortgage repossessions, and the refusal to allow councils to build affordable houses, are having their effect on a once-stable community. The housing chair in Stoke-on-Trent, Councillor Jean Edwards, told me that for the first time ever people are queueing to get into the family

homeless unit. The only lettings that the council can make are to homeless families. Couples and single people do not stand a chance of being housed. Homelessness is a major problem in Stoke-on-Trent. The local councils are doing the best they can. They know best what needs to be done. The fact remains that, in 1989-90, £36 million was needed to deal with the housing problem but only £9 million was agreed by Government.

In the week of the local government elections voters all over the country will be voting for Labour-controlled councils which have pledged to deal with the shortage of affordable accommodation for rent and for sale. When even the Tory-controlled Association of District Councils pleads for more cash to invest in housing we know that the Government are in deep trouble. The Government have created a crisis. I welcome the opportunity of the Adjournment debate to hear from the Minister precisely what his proposals are to tackle the growing problem of homelessness, and especially how he proposes to assist councils which have to deal with homeless families in Stoke-on-Trent, North.

This is a week, too, when North Staffordshire district health authority and other organisations are meeting for the first time to discuss the report on the health profile of Stoke-on-Trent commissioned by the city. The report confirms that health throughout the city is considerably worse than the national position. The city has a death rate 25 to 30 per cent. above the comparable national rate. Within the city there is not a single ward that does not suffer excess mortality.

I commend the report to the Minister. Bearing in mind the relationship between good health and good housing, and the effect on ill health of high deprivation and housing conditions, I gladly present him with a copy of the report, if he has not already seen it. I ask him to bear it in mind when considering the housing allocations for my constituency. We owe it to those who are homeless to give them the basic right to a home of their own. I hope that the Minister will take account of the report on the health profile of Stoke-on-Trent.

10.36 pm

The Parliamentary Under-Secretary of State for the Environment (Mr. Christopher Chope): I am sorry that the speech of the hon. Member for Stoke-on-Trent, North (Ms. Walley) has been so negative. I am sure that the hon. Lady will agree that housing conditions in Stoke-on-Trent are immeasurably better now than they have ever been; and there have been dramatic improvements during the past 10 or 11 years. That is not to say that there is not room for further improvement and I shall draw attention to some of the enterprises and joint ventures that are taking place in the partnership schemes.

It is a pity when people come to the House and adopt a thoroughly negative approach. That was not the spirit in which I visited Stoke-on-Trent exactly five weeks ago today. I enjoyed the visit. It was constructive, and I looked closely at the problems drawn to my attention. I know that as a result of that visit Stoke-on-Trent city council is going to send forward a more detailed submission. Stoke's bid for resources has to be considered alongside other bids, but Stoke has not done badly out of the housing investment programme. In fact, it has done rather well.

This year, in 1990-91, the housing investment programme allocation in Stoke-on-Trent is £16·605 million. That compares with £5·798 million last year. It has gone up by almost three times. For the hon. Lady to suggest that the Government are mean in their allocations to Stoke-on-Trent is unfair and is not borne out by the facts.

Ms. Walley: I should like to correct the Minister and point out that I welcome the partnership schemes that have got under way. If he reads my text when it appears in *Hansard* tomorrow, I do not think that he will find anything to contradict the fact that I welcome the partnership schemes that are taking place between the two councils involved and the Government. For the Minister to suggest otherwise is unfair.

This year there is an improvement in the housing allocation to Stoke-on-Trent, but the point that I made was that during the past 10 years we have had a progressive reduction of money available which has led to an accumulation of problems that we now need to tackle on an urgent basis because of the homelessness problem in the city and in the borough of Newcastle-under-Lyme.

Mr. Chope: I am grateful to the hon. Lady for confirmation of her support for the partnership schemes. The Government are determined that they will play a full part in supporting the continuing improvement of housing in both the public and private sector in Stoke.

The mechanism by which local authorities formulate their housing strategy is, as the hon. Lady knows, the housing investment programme review. They publish their detailed proposals, including their bids for resources, and my Department responds, following discussions with the councils, with general and specific allocations of resources for the financial year in question. It is too early to start talking in detail about allocations for next year, but councils are already thinking ahead and preparing their thoughts on allocations and bids for next year. I am sure that Stoke is far up in the field in doing so.

Stoke has one of the largest increases in resources of any local authority in the west midlands. That surely demonstrates the Government's commitment to supporting the drive to improve housing conditions in Stoke and will enable the city to continue with the programme for substantial improvements generally to their own housing stock and to older privately owned housing, as well as to designated defective housing, to which I shall return.

Over and above the yearly allocations of housing investment programme resources, we have made very substantial resources available to improve run-down council estates by means of the Department of the Environment's estate action programme. That is an additional source of funds for the local authority. In close co-operation with my Department, the council is invited to work up detailed proposals to improve its run-down estates. Wide-ranging objectives are set, including improvements to the fabric of the houses or flats, environmental improvements, local estate-based management and employment initiatives.

When I visited Stoke I saw the Chell Heath estate action scheme and I was very impressed with the progress that has been made. It is a major success story, where a partnership between the city council and the priority estates project has benefited from £6 million additional investment from the Department of the Environment for improvement work. A further £1·2 million has been set aside for this year's programme. That is an improvement

[Mr. Chope]

programme on an existing estate, and we might well ask rhetorically how it was ever allowed to get into such a state. Now those major improvements are being made. If resources are put into improving the housing stock, often that has to be at the expense of building new houses. I am sure that the hon. Lady agrees that it is important that the existing housing stock should be improved so that it provides the best quality housing conditions.

An especially encouraging feature of the Chell Heath project is that the council is firmly committed to the establishment of an estate management board, whereby tenants will have a major say in decisions on the way the estate is managed. Since the declaration of Chell Heath as a priority estates project, the benefits are already becoming clear with falling void rates, better control of repairs and a decrease in the number of abandoned properties.

Stoke has a comparatively high proportion of older housing in private ownership, much of which, although in need of improvement, remains substantially sound and where the occupants, both owners and tenants, wish to preserve their local communities. The provisions of the Local Government and Housing Act 1989 in respect of an area renewal approach and the new standard that will determine whether a dwelling is fit for occupation will be significant for Stoke-on-Trent.

A new system for renovation grants will be introduced on 1 July. It will provide financial help to those who can least afford to pay for essential works to their properties. For those who qualify, the grants will apply whether they are an owner-occupier, a landlord, a long-lease holder or a tenant. The underlying principle of the new system is to focus assistance on bringing properties up to a new standard of fitness. That will be of great value in tackling the remaining problems, especially of the older private housing in Stoke and similar areas. I shall explain in a moment how it is also of value to the occupants of defective precast reinforced concrete houses.

An important element of the new system is to enable local authorities to declare renewal areas, which will form an integral part of many authorities' strategic plans. Declaration of an area will not only provide a way of concentrating public resources to maximum effect, but will stimulate private investment by giving residents and others such as developers, housing associations and financial institutions confidence in the future of the area.

My Department has recently invited Stoke-on-Trent council to bid for a share of the substantial additional resources that have been set aside for that purpose, and no doubt the authority will be considering how it can best take advantage of the new measures to improve conditions in all its private housing estates, both old and not-so-old, traditional and non-traditional construction.

The first pilot scheme in the country leading up to the legislation was set up two years ago in the city in the Tunstall area. I had the opportunity to see the progress being made there during my visit in March. It has proved a very successful scheme and has led to partnerships with local businesses, financial institutions, housing associations, the neighbourhood revitalisation service, community architects, residents and others to tackle the problems of the area. The Government have put additional support into the Tunstall scheme totalling £250,000 in 1988-89, £800,000 in 1989-90 and £1·6 million in the current year.

The hon. Lady will know that the Government look to the housing associations for the provision of new subsidised housing for rent. We have substantially increased the amount of resources available nationally to the Housing Corporation for that purpose, and over the last three financial years a total of £15·6 million has been allocated by the corporation to housing associations for new housing for rent in Stoke. A further £3·5 million has been allocated for housing for sale. For 1990-91, the proposed programme for housing association funding for new housing for rent and sale is £6·8 million and £850,000 respectively, and I expect the level of investment to be maintained in future years. That is a further demonstration of the Government's commitment to fund new housing association developments in Stoke, and I know that is welcomed by the council.

Ms. Walley: In view of advice that I received this afternoon from officers of Newcastle council, can the Minister let me know, now or in due course, what opportunities there might be for housing associations to build family housing in the Kidsgrove area of Newcastle and whether any of the new money to which he has just referred can be used for that purpose?

Mr. Chope: I shall certainly write to the hon. Lady about that. As she will have gathered, my response is based on housing in Stoke-on-Trent, which is the subject of tonight's debate. I know that some parts of her constituency come under a Newcastle local authority, but I hope that the House will forgive me for concentrating particularly on the city of Stoke-on-Trent.

Turning to the problem of defective precast reinforced concrete houses which I saw on my recent visit to Stoke, as the hon. Lady knows, the properties were originally built by British Coal for its employees. I was encouraged to hear from the city council that it is involving residents, owner-occupiers and tenants in working up proposals to improve conditions. The hon. Member and the leader of the city council left me in no doubt about their concern for the future of the particular estate we visited at Weston Coyney, where there are both Cornish and Wates type houses.

I support the council in its declared intention to adopt a much more pro-active role in future. It has already served more than 200 statutory repair notices and more than 20 houses have had work carried out by default. In addition, the council has tried to ensure that houses are kept in a reasonable condition; that vacant properties are made secure; that the estate is visited regularly by council officials; and that privately owned common areas and gardens are cleared of rubbish regularly. The council has also intervened in disputes with landlords and is working to foster a community spirit where it has been instrumental in establishing and helping to run residents' and tenants' associations. My discussions during that visit showed that a variety of solutions appropriate to the estate were being considered. They fall into a number of categories, and the leader of the city council said that he would write to me with more details of the city council's proposals.

At the end of my visit to Stoke I had constructive discussions with the hon. Lady and with the leader of the council. As a result, there is a feeling of confidence that the Government are committed to improving housing conditions in Stoke in addition to the magnificent record of improvement over the past 10 years or so. However, it

remains for the city council to decide its own priorities on housing. That is what local democracy and accountability are all about, and no doubt there are arguments in Stoke as to what those priorities should be.

During my visit some concern was expressed about the number of houses that had been demolished by the city council, as that obviously reduces the housing stock. Some but not all those houses were obviously unfit. More recently, the council has adopted a different approach and has decided to refurbish more houses rather than demolish them. It is always easy to be wise after the event, but if there had not been so much demolition earlier on there would be more houses for people in Stoke-on-Trent. Those were policy decisions taken by the city council and the city council has to remain accountable to the local people for those decisions.

Question put and agreed to.

Adjourned accordingly at twelve minutes to Eleven o'clock.

House of Commons

Wednesday 2 May 1990

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

NEW WRIT

For Bootle, in the room of Allan Roberts Esquire, deceased.—*[Mr. Foster.]*

Oral Answers to Questions

SCOTLAND

Students

1. **Mr. Wray:** To ask the Secretary of State for Scotland if he will make a statement on the effects of the poll tax and the top-up loans scheme on Scottish students, especially nurse students, of low-income families on university courses.

The Minister of State, Scottish Office (Mr. Ian Lang): Most Scottish students in higher education will benefit from the additional resources to be provided by student loans. Loans will also reduce dependence on parents—a particular benefit for low-income families. Full-time higher education students, including those seeking academic qualifications in nursing, are required to pay only 20 per cent. of the personal community charge.

Mr. Wray: Does the Minister agree that there has been a drastic fall in the number of entrants to higher education, especially in the fifth and sixth year? Does he also agree that student nurses and pupil nurses have not only been subjected to the full poll tax but cannot get a job when their training is finished? Will the Minister approach the new supremo—the Minister of State, Department of Employment, the hon. Member for Enfield, North (Mr. Eggar)—and ask him to abolish all poll tax for students?

Mr. Lang: No, I would not agree with the hon. Gentleman. There has been a massive increase in entry to higher education, which is up by about a fifth since the last Labour Government were in power. Student nurses are now paid about £6,660 compared with £2,660 when the last Government were in power and are therefore much better off. Student nurses, like other nurses and members of the public, are assessed for community charge on the basis of their income.

Mr. John D. Taylor: Why has there been an increase in the number of Scottish students applying to come to the two universities in Northern Ireland this year? Is it because of the higher level of education in Northern Ireland, or is it because there will be no poll tax for Scottish students in Northern Ireland?

Mr. Lang: It certainly would not be the latter since about 25 per cent. of students in Scottish universities have come from outside Scotland. The massive expansion of higher education in Scotland is such that many students are probably beginning to look elsewhere as well.

Mr. Pawsey: Can my hon. Friend confirm that student support next year will increase by a massive 25 per cent., probably the largest ever single increase? Can he confirm that that includes an element of £420 interest-free student loan? Will he also confirm that such loans are not repayable until the student is earning 85 per cent. of the national average wage? Will he further confirm—*[Interruption.]*

Mr. Speaker: Order. I think that the hon. Gentleman has asked three questions and that is enough.

Mr. Lang: We have budgeted for substantial expansion in higher education next year. Student loans are a valuable top-up to student income and will be of great advantage to those on low incomes and, indeed, on other levels of income.

Mr. Dewar: Will the Minister accept that many students find it difficult to manage financially and could be left facing debts and the threat of warrant sales as a result of the poll tax and the falling value of student grants? Does he accept that since the introduction of the poll tax not one warrant sale for poll tax arrears has been authorised by a Labour council? The Labour-controlled Strathclyde council has not held a domestic warrant sale in 12 years, while in the 18 months during which the SNP was part of the administration in Grampian its finance convenor authorised 41 warrant sales. Would not it be sensible to consider whether we really need a method of debt collection that is expensive to operate and deeply resented?

Mr. Lang: Students are liable for only 20 per cent. of the community charge, which takes a proper account of the local services from which they benefit. Under the old rating system, students were not entitled to any kind of special relief. The hon. Gentleman should tell us whether students would be liable to pay 20 per cent. or the full amount of the Labour party's roof tax.

Rail Electrification

2. **Mr. Strang:** To ask the Secretary of State for Scotland when he last met ScotRail to discuss rail electrification in Scotland.

The Secretary of State for Scotland (Mr. Malcolm Rifkind): My hon. Friend and I discussed electrification and various other topics relating to rail transport when we met the former general manager of ScotRail, Mr. Ellis, and the former chairman of British Rail, Sir Robert Reid, on 31 October last year.

Mr. Strang: Will the Secretary of State acknowledge that, whatever claims are made for the new class 158 trains which are coming into service on the Edinburgh-Glasgow line, there is no escaping the fact that electrification is needed if we are to have the most modern inter-city service in Scotland? Is he aware that the position is becoming urgent because the electrification programme on the Carstairs line comes to an end later this year, so the Government must intervene to ensure that a start is made

on the Edinburgh-Glasgow and Edinburgh-Aberdeen electrification programmes before that scheme is disbanded?

Mr. Rifkind: As the hon. Gentleman will be aware, electrification is essentially a matter for British Rail to decide. He will share my pleasure that the east coast line is nearing completion and that British Rail has various other forms of major investment in the Edinburgh-Glasgow route, which will no doubt be of great value to his constituents as well as mine who use those commuter services. British Rail is in the best position to judge whether it should be express units or electrification, and whether the necessary investment would be appropriate.

Mr. Buchanan-Smith: Is my right hon. and learned Friend aware that British Rail is proposing to withdraw one of the two Aberdeen to London sleeper services? That decision has been taken without proper consultation, and the timing of it has been for convenience of handling at Euston and not for the needs of passengers in Aberdeen. That leads many of us to worry about British Rail's commitment to the east coast line, particularly when it is so reluctant to consider the electrification programme seriously.

Mr. Rifkind: I am naturally concerned at what my right hon. Friend has said. I understand that British Rail may be proposing to combine two overnight trains, putting sleeping and sitting passengers together on the one train. I know that my right hon. Friend will be pursuing this matter to protect the interests of his constituents. We shall ascertain from British Rail what it is proposing to do and why it feels that it is appropriate.

Mr. Wilson: We understand from ScotRail that it is prepared to consider electrification of the Glasgow-Edinburgh line. Will the Scottish Office for once enter with some constructive spirit into the subject of rail services in Scotland, and particularly electrification? Will the Secretary of State use whatever diminished influence he has to get rid of the absurd 8 per cent. per annum investment criteria which deter ScotRail from undertaking schemes which have a social and environmental justification even if they do not have that excessive financial justification? What is the Scottish Office doing about the advent of the channel tunnel and the now imminent prospect of Scotland being further isolated and disadvantaged because electrification and top-level high speed rail services will not extend into Scotland? Is there any Scottish Office strategy on the channel tunnel?

Mr. Rifkind: I share the hon. Gentleman's enthusiasm for rail travel, and I am looking forward next Wednesday to declaring open the new bridge over the River Ness, which shows British Rail's continuing commitment to the north of Scotland and to the real requirements of those who live there. I agree with the hon. Gentleman about the importance of ensuring that British Rail carries out the necessary investment to ensure that Scotland gets the full benefit of the channel tunnel. Not only the Scottish Office but the Government as a whole are anxious to ensure that all parts of the United Kingdom north of London share in the benefits that the channel tunnel will provide.

Green Belt

3. **Mr. Harry Greenway:** To ask the Secretary of State for Scotland how many acres of green belt exist at present; how many there were 11 years ago; and if he will make a statement.

The Parliamentary Under-Secretary of State for Scotland (Lord James Douglas-Hamilton): There are 502,225 acres of green belt in Scotland at present, and in 1979 there were 539,621. The reduction from 1979 is due almost solely to the abolition of the Dundee green belt in 1982.

Mr. Greenway: Will my hon. Friend say what he is doing to defend the green belt against Scottish Labour local authorities which cannot be trusted with it if they attack it as their English counterparts do? What is the position with playing fields, which are most important recreation facilities?

Lord James Douglas-Hamilton: I am aware of my hon. Friend's concern about playing fields. It may be that some unused playing fields can sensibly be released without detriment to the local authority, but each case must be considered on its merits. We must remain strongly committed to green belts and our policy remains that developments in green belts will be strictly controlled. The Labour-controlled Dundee district agreed with both Tayside regional council and the Angus district council that abandonment of the green belt would not result in any material change in attitude to development in the rural hinterland of Dundee. My right hon. and learned Friend the Secretary of State and I were not involved in that decision, but it was not contentious at the time.

Mr. Dalyell: Will the Minister reflect on the way in which certain distinguished multinational companies have held a proverbial pistol at our head, saying that if they do not get a green belt site they will not come to Scotland at all? Will the Minister call in papers from the West Lothian district council and the Lothian region about the history of the welcome Digital factory at Queensferry?

Lord James Douglas-Hamilton: With regard to the green belt, that strong presumption will remain and we shall not be pressured into abandoning it. We shall look carefully at the considerations that the hon. Gentleman has mentioned for incoming jobs for Scotland, and I will examine the case that he has mentioned.

Teaching Unions

4. **Mr. Ernie Ross:** To ask the Secretary of State for Scotland when he last met teaching unions in Scotland.

Mr. Lang: Since last July, I have had useful meetings with representatives of all the teacher unions in Scotland.

Mr. Ross: Is not it about time the Minister met the unions to advise them that he intends to withdraw the inane scheme to allow schools to opt out? As no school has put itself forward as a candidate to opt out, is it not about time that he consigned the scheme, along with all the other nonsense relating to schools, to the bin?

Mr. Lang: The hon. Gentleman's presumption is incorrect. The Self-Governing Schools Etc. (Scotland) Act 1989 enables schools to opt out if they wish to do so. That

is a right to which parents are entitled, and I have no doubt that it is a right which school boards and parents will be considering in increasing numbers. It is a welcome option.

Mr. Andy Stewart: Does my hon. Friend agree that it is sweetly ironic that the Labour-controlled Strathclyde regional council is campaigning for re-election on the Government's school boards policy when the Scottish Labour party opposes them? Does my hon. Friend agree that opportunists are at work?

Mr. Lang: My hon. Friend is right. The Opposition said that school boards were not wanted and not needed, but 80 per cent. of all schools in Scotland have boards, including 90 per cent. of all secondary schools. It is plain that the boards are widely welcomed by parents and that they have an important role to play in improving the quality of Scottish education.

Mrs. Margaret Ewing: Does the Minister have any intention of meeting the Educational Institute of Scotland to discuss, especially, class sizes in primary schools?

Mr. Lang: I have no plans at present to do so. I am happy to reassure the hon. Lady that class sizes have been falling steadily in recent years. Pupil-teacher ratios have also been improving steadily in recent years, and I hope that that will continue.

Mr. Worthington: Pupil-teacher ratios and class sizes have been improving because Labour local authorities have defied the Government's wishes. In 1989-90, regional councils spent £120 million more than they were told to spend by the Government. Will the Government tell local authorities what they should have cut? Should it have been nursery schools, one in nine teachers, further education, or making building standards even worse? Will the Minister be explicit about what Labour local authorities were overspending on?

Mr. Lang: The reason why class sizes and pupil-teacher ratios have improved in recent years is the substantially increased funding per pupil as a result of the Government's management of the economy and funding of local authorities. As for local authorities defying the Government, the hon. Gentleman and his party should ask themselves how much longer Strathclyde regional council intends to defy the Labour party.

Single European Market

5. **Mr. McFall:** To ask the Secretary of State for Scotland what studies have been commissioned by his Department into the economic consequences for Scotland of the introduction of single European market; and what action has been taken as a result of these findings.

Mr. Lang: The single market committee of the Scottish Economic Council, which I chair, has commissioned and published three booklets this year on aspects of the single European market as it affects Scotland. Further work is currently in hand.

Mr. McFall: Is the Minister aware of the potentially grave consequences of the single European market for Scotland, and not least for the Scotch whisky industry? Is he further aware that unless there is Community agreement on full fiscal harmonisation for alcoholic drinks, and unless intra-EEC duty trade-for-trade is safeguarded, the Scotch whisky industry will have far more to lose than to gain? Is this another example of the Secretary of State's interest being for the Prime Minister in Scotland rather than for the 16,000 whisky workers?

Mr. Lang: The hon. Gentleman should be aware of the substantial improvements in the whisky industry in recent years, which are to some extent the result of the 30 per cent. real terms reduction in duty payable by that industry. That is reflected in the fact that the industry now has exports of £1·5 billion a year, which is a dramatic improvement. Clearly, the industry is doing well.

Sir David Steel: Does the Minister accept that before the creation of a single market in 1992 it is absolutely essential that he reconsiders his refusal to create in Scotland rural development areas on a par with the rural development facilities in Wales and the facilities enjoyed by the development commission in northern England? If he does not do that will not Britain lose out on European funding as well as Government funding after 1992?

Mr. Lang: The right hon. Gentleman is aware of our substantial success in obtaining development funding from the European Community—some £800 million in the past decade. In addition, we have made bids under RENAVAL and RECHAR to enable certain parts of Scotland to be eligible for further funding. We are certainly representing the interests of all the relevant parts of Scotland.

Dr. Reid: Is the Minister aware that the Scottish steel industry will be even more vulnerable after 1992 unless it obtains the desperately needed investment in its plants? Is he further aware of the information from the steel union conference in Aberdeen this week that imported steel is already replacing what ought to be produced from Scottish plants? Why has the Minister or the Secretary of State still not met the chairman of British Steel? Why are they idle spectators when decisions are being made which will affect the long-term future of the industry?

Mr. Lang: My right hon. and learned Friend the Secretary of State will shortly be meeting the chairman of British Steel. We are all very keen to ensure that the Scottish steel industry continues to prosper. However, investment decisions must be a commercial matter for British Steel. They will be taken on the best competitive advice and information available to British Steel.

Mr. Buchanan-Smith: Is my hon. Friend aware of the deep concern in the supply side of the Scottish offshore industry—contractors and others—about the procurement directives of the European Commission? What is he doing to ensure that the interests of that very important section of Scottish industry are properly represented?

Mr. Lang: My right hon. Friend knows that we resisted the implementation of that directive, but it was decided by majority rule. We are keeping in close touch with developments. I well understand my right hon. Friend's concern.

Local Government Finance

6. **Mr. Douglas:** To ask the Secretary of State for Scotland if he will make a statement on the progress of discussions his Department is having with regard to the implementation of alterations in procedures relating to the poll tax in Scotland.

Mr. Rifkind: I keep all aspects of the community charge arrangements under review and I would be prepared to make changes if they were required.

Mr. Douglas: Will the Secretary of State have a little pity for the two dunderheads on the Opposition Benches who cannot give answers about the roof tax—*[Interruption.]* Let no Labour Member—*[Interruption.]*

Mr. Speaker: Order. Questions must be addressed through me.

Mr. Douglas: Will the Secretary of State tell us what role he is playing in the Cabinet committee? If he is not playing any role, will he get into the ministerial limousine, shut his colleagues in it, and go and tell the grocer's daughter that the tills are empty, the books are not balancing and the poll tax should be scrapped?

Mr. Rifkind: I can understand the hon. Gentleman's repugnance at the proposal of his former colleagues in the Labour party for a roof tax because the hon. Gentleman's views appear to be shared by 85 per cent. of Labour voters in Scotland who, according to the recent opinion poll in *The Scotsman*, reject the roof tax as a means of raising local government finance. The hon. Gentleman and other hon. Members should reflect on the fact that the debate in Scotland over the past few weeks has shown that while no system of local government taxation is popular, the roof tax proposed by the Labour party is the most unpopular system yet put forward by any party.

Sir Hector Monro: If my right hon. and learned Friend were contemplating any alteration, surely he would not change the position whereby a widow living in her own home pays only one community charge in contrast with Labour's roof tax, under which she might well be paying double. Would not that be intolerable and unfair on elderly folk, particularly pensioners?

Mr. Rifkind: My hon. Friend is right. As under the old rating system, so under Labour's roof tax, if an elderly pensioner is unfortunate enough to be bereaved the tax is not changed by one penny, whereas one of the advantages of the community charge or the poll tax is that a widow or widower immediately sees the tax burden reduced by half. How can the hon. Member for Glasgow, Garscadden (Mr. Dewar) claim that his roof tax is a fair system of taxation when it penalises pensioners in that way?

Mr. McAllion: At the last Scottish Question Time, the Under-Secretary of State, the hon. Member for Edinburgh, West (Lord James Douglas-Hamilton), told us that he believed that the poll tax was working well in Scotland, so why is it necessary for the Secretary of State to join a Cabinet committee set up to change the poll tax? Does more than a year of poll tax agony in Scotland count for so much less with the Government than under a month of poll tax agony in England and Wales?

Mr. Rifkind: On the contrary, our experience in Scotland has shown that local authorities are becoming increasingly accountable to their electorate. When I made that point at the Convention of Scottish Local Authorities conference I was interested to hear a senior Labour councillor inform me that community charge increases this year were only at the rate of inflation in Scotland because there were local elections this year—it had nothing to do with accountability. That is exactly the point, and that is why the community charge is fairer and more acceptable than the old rating system or the Labour party's roof tax.

Mr. Allan Stewart: Will my right hon. and learned Friend confirm that under present procedures Conservative-controlled Eastwood district council has reduced its poll tax by 30 per cent? He may also be aware that a recent opinion poll in Eastwood showed that more than 90 per cent. of Eastwood residents supported the Keep Eastwood out of Glasgow campaign, to which I am parliamentary adviser. Will he urgently consider a change of procedure in relation to those Scottish National party councillors who refuse to pay the poll tax but put in expenses claims? Is not it hypocrisy and an outrage that councillor Gordon Murray of Cumbernauld district council has put in an expenses claim for £20,000—a huge burden on poll tax payers—but refuses to pay his own poll tax?

Mr. Rifkind: It is typical of nationalist councillors to encourage the rest of the population to disobey the law while claiming expenses which have to be met by those paying the community charge.

Mr. Maxton: If the right hon. and learned Gentleman is interested in opinion polls in Eastwood, will he confirm that a recent opinion poll in Eastwood district showed that whereas last year 70 per cent. of the electorate there were in favour of the poll tax, now only 50 per cent. are in favour of it, and they are those who benefit mostly from the tax? Will the Secretary of State speak for the people of Scotland for a change and make it clear to the special committee that after one year's experience in Scotland it is clear that no tinkering with the poll tax will get rid of its basic unfairness or end the administrative nightmare and that only abolition will do? If he is so concerned about pensioners in Scotland, why does he not use any money that he gets from the committee to get rid of the minimum 20 per cent. payment which hits the poorest in our society, including many pensioners?

Mr. Rifkind: I, and I think most people, would be more impressed by the 50 per cent. of the people of Eastwood who support the poll tax than by the 10 per cent. of people in Scotland who support Labour's roof tax, which was rejected by the other 90 per cent. With regard to the position of pensioners, at least the Government, unlike the Labour party, do not put forward a system of taxation that we know to be so unfair that the Labour party has to say in advance that pensioners could defer the payment of their roof tax until they died. What better indictment could there be from Labour's own mouth of the iniquities of its proposals and their damaging effect on the elderly in Scotland?

Nuclear Waste Disposal, Dounreay

7. **Mr. Maclennan:** To ask the Secretary of State for Scotland what proposals he has received concerning the investigation of the suitability of an underground repository for nuclear waste at Dounreay; and if he will make a statement.

Lord James Douglas-Hamilton: The United Kingdom Atomic Energy Authority has lodged an appeal against

Highland regional council's decision to refuse planning permission for the drilling of two test boreholes at Dounreay nuclear power development establishment.

Mr. Maclennan: I recognise that any seismic or geological examination of the proposed site will add considerably to our scientific knowledge, but will the Under-Secretary give a categorical undertaking on behalf of the Government that no such proposal will find favour with the Government without the most searching public inquiry, at which any objectors may be properly and fully publicly financed, so that the case can be considered in depth?

Lord James Douglas-Hamilton: What the hon. Gentleman has said will be taken into account. The Secretary of State expects to announce his decision shortly. All appeal cases of this nature receive extremely careful consideration and the period taken to consider the appeal is no longer than in other comparable cases. My right hon. and learned Friend expects to announce his decision shortly and will take into account what the hon. Gentleman says.

Local Government Finance

8. **Mr. Salmond:** To ask the Secretary of State for Scotland if he proposes to bring forward any changes to the poll tax legislation in the present Session.

11. **Mr. Sillars:** To ask the Secretary of State for Scotland if he proposes to bring forward any changes to the poll tax legislation in the present Session.

Mr. Rifkind: I refer to the answer that I gave earlier to the hon. Member for Dunfermline, West (Mr. Douglas).

Mr. Salmond: As a non-payer of the poll tax and one who is proud to be part of the campaign that will sink it, I want the Secretary of State for Scotland to answer the following question clearly and unambiguously: will the coming changes to the legislation be backdated to cover the full year in which the people of Scotland had to face the full brunt of the unamended poll tax, or will the Secretary of State make a mess of it once again and fail to defend Scotland's interests as he did during the Budget fiasco?

Mr. Rifkind: If there were to be any changes to the community charge, of course we would ensure that they were applied in a way that was fair to Scotland. If the hon. Gentleman continues in his attempt to brand himself as a lawbreaker, he should contemplate the effect that the local income tax, which he supports, would have on his constituents. Does he realise that if a local income tax were introduced for the people of Peterhead and Fraserburgh in his constituency, a husband and wife on average earnings would have to pay £764 and a married couple on average earnings would have to pay more than £1,400? Does he think that his constituents welcome his belief in the local income tax when it would be so damaging to the economy of Fraserburgh, Peterhead and the rest of Banff and Buchan?

Mr. Sillars: Is the Secretary of State aware that he continues to give the impression that he has not yet grasped the fundamental objectionable aspect of the poll tax which is that it bears no relation to ability to pay? When he goes to the Cabinet committee that is reviewing the poll tax, will he explain to the woman in Downing street that ability to pay is based upon capacity to earn, that mentally and physically handicapped people, the unemployed, those on income support and single parents have no capacity to earn and that we shall judge his review on the basis of whether those people get the 100 per cent. rebate to which they are entitled under a just system?

Mr. Rifkind: The hon. Gentleman is right to say that ability to pay is an important consideration for those on low incomes. He knows very well that one in three people in Scotland, or indeed in Britain as a whole, do not pay the full community charge because of the rebate system. He knows that people on income support received an increase equivalent to their community charge contribution. The community charge with rebates is therefore a progressive taxation system for all those on low incomes. Any system of rebates that benefits one third of the population can be described in that way.

Mr. Bill Walker: Will my right hon. and learned Friend confirm that local income tax is not a part of the changes that he is contemplating? That would come as a relief to the provost of Perth and Kinross, who believes that a local income tax is not a part of the Scottish national party's policy and who is advising people to pay the community charge. The other SNP provost in Angus is not paying his community charge and is drawing his expenses as a councillor. Does not that clearly show that the SNP, even in a constituency such as mine, cannot speak with one voice? The SNP has different voices when speaking to different people in different places.

Mr. Rifkind: My hon. Friend is correct. Not only are members of the SNP speaking with different voices, but they have not done their homework. As we pointed out yesterday, a single nursing sister could pay more than £1,100 in local income tax, a junior doctor well over £1,000, a school principal over £1,600 and a social worker over £1,100. It is inevitable that any system of local government finance that excludes almost half the population from an obligation to pay puts a heavy burden on those who have to pay. That is why many people on average or modest earnings would find a local income tax crippling to their standard of living.

Mr. Robertson: What is the Tory alternative to the poll tax? When will the Government be able to give us the figures showing what people will have to pay under the new system?

Mr. Rifkind: I am hugely amused by the hon. Gentleman. We all know what the community charge costs and we have explained what local income taxes cost, but the Labour party has remained remarkably coy about what its proposals would cost. Why is the Labour party so reluctant to tell us? Why, in particular, will not the Labour party give the people of Scotland an assurance that, if the Leader of the Opposition would not touch the idea of a roof tax in England with a barge pole, it will not be introduced in Scotland either?

Mr. Nicholas Bennett: Does my right hon. and learned Friend agree that there is something fundamentally undemocratic about well-heeled, freeloading scroungers who are elected to public office in this House and elsewhere seeking to get support for a change in the law and not obeying the law——

Hon. Members: Order.

Mr. Speaker: Order. The hon. Member must withdraw the comment about freeloading scroungers in this House.

Mr. Bennett: May I replace it with the word "spongers", Mr. Speaker? Can you advise me what word I should use?

Mr. Speaker: I am asking the hon. Member to withdraw the phrase "freeloading scroungers".

Mr. Bennett: I withdraw the words "freeloading scroungers" and replace them by referring to those who do not pay their dues to society and who expect others to pay their dues for them.

Mr. Ron Brown: On a point of order, Mr. Speaker.

Mr. Rifkind: There is something disreputable about freeloading hon. Members who expect their constituents to pay their lawful taxes but who themselves refuse to do so, thereby imposing an even heavier burden on the rest of the community.

Mr. Dewar: Does the Secretary of State accept that he does not strengthen his case by descending to appalling misrepresentation?

Mr. Douglas: Oh, my God. The Labour party——

Mr. Dewar: As this famous committee has been set up to take the Government out of their present confusion over the poll tax, will the right hon. and learned Gentleman confirm that there will be relief for Scottish poll tax payers by this summer? Can he guarantee that, as Scotland was first——

Mr. Douglas: Dunderheids.

Mr. Speaker: Order. The hon. Member must contain himself.

Mr. Dewar: Does the right hon. and learned Gentleman agree that, as Scotland was first burdened by the poll tax, he has the ability to initiate reforms rather than follow lamely behind others, as has happened so far? Given the Prime Minister's admissions about the fatal flaws in the poll tax, does the right hon. and learned Gentleman hold to his unlikely boast earlier this month that this is a tax which works and is here to stay? Before the Secretary of State gets too carried away with the opinion poll to which he has referred several times, will he confirm that 50 per cent. of the sample made it clear that people rejected the poll tax and wanted a property-based assessment, which is the area in which the Labour party is operating? Does not the right hon. and learned Gentleman realise that if he continues to argue the popularity of the poll tax, he will look more and more like a latter-day King Canute?

Mr. Rifkind: The community charge is here to stay. If there are any improvements to the charge, of course they will apply throughout the United Kingdom. It does not surprise me that 30 to 40 per cent. would like to see the rates back. That is exactly the proportion who did not pay a penny of tax under the old rating system. Given his total refusal to give us any details of what the roof tax would cost, if the hon. Gentleman wishes to describe me as a latter-day King Canute, I have to describe him as a latter-day fiddler on the roof.

Roads

9. **Mr. Kirkwood:** To ask the Secretary of State for Scotland whether he has any plans to meet roads authorities involved in the areas covered by the routes south of Edinburgh road study to discuss the Government's recent announcement on the study's conclusions.

Lord James Douglas-Hamilton: Yes. Scottish Development Department officials will meet the local roads authorities to be involved in the A1 steering group and each relevant authority in respect of the route action plans for the A1 and the A7 south of Hawick, and for various accident remedial programmes.

Mr. Kirkwood: In meetings held in future to discuss routes south of Edinburgh, will the Government bear in mind the anger and frustration felt in the Borders about the inadequacy of the Government's plans for routes south of the Borders? In relation to the A7 south of Hawick, will the Minister confirm that the only schemes now in prospect are all cash limited to a cost of less than £1 million? If that is all that is in prospect, does the Minister accept that the road will never be brought up to a tolerable standard? Will he give an undertaking that there will be a single dual carriageway built to highway-link design standards along the entire length of the A7 between Hawick and Carlisle within the foreseeable future?

Lord James Douglas-Hamilton: I should not go as far as the hon. Gentleman in regard to a dual carriageway, because that depends on the amount of traffic usage. In the light of the importance of the A7 to the local economy south of Hawick, we intend to commission the regional councils to develop a programme of improvement. The hon. Gentleman's points will be examined. A bypass for Langholm is already in the trunk road programme. The necessary preparatory work and statutory procedures are planned to be complete by the mid-1990s. Indeed, my hon. Friend the Member for Dumries (Sir H. Monro) supports that. I should also mention that improvements to the A7 south of Hawick will continue to be made to achieve specific local objectives. They will include accident remedial programmes and smaller improvement schemes where appropriate. So action will be taken.

Mr. Ron Brown: If all roads lead to Westminster, is not it clear that along those routes, regarding the poll tax, we shall see slogans such as "don't pay, don't collect"? It is not the official leadership who turned the "stop it" campaign into a "pay it" campaign who matter; it is the anti-poll tax movement, Committee 100 and others, who rightly said that this is a civil law which should be resisted as a matter of right. Obviously——

Mr. Speaker: Order. The hon. Member's question is a bit wide of roads.

Mr. Brown: So people power is important; again it has forced the Prime Minister to think again on her hated tax.

Mr. Speaker: Order.

Lord James Douglas-Hamilton: I always knew that the hon. Gentleman had remarkable ingenuity, but I did not think that he would wish the road tax to be increased to pay the community charge.

Sir Hector Monro: May I thank my hon. Friend for his announcement about the road south of Hawick? May I impress upon him the fact that because of the amount of traffic, both from the Borders woollen trade into the north of England and from the tourist industry in the south of Scotland, it is very important that the road is upgraded and particularly that the accident black spots are removed as soon as possible?

Lord James Douglas-Hamilton: We shall certainly keep those points very much in mind, which is why we are commissioning the regional councils to develop a programme of improvements. I hope that that will help.

Medical Laboratory Services (Glasgow)

10. **Mr. Watson:** To ask the Secretary of State for Scotland what assessment he has made of the effect on patient care of the proposals by Greater Glasgow health board for the reorganisation of its laboratory services with a view to their privatisation.

The Parliamentary Under-Secretary of State for Scotland (Mr. Michael Forsyth): There are no plans to privatise laboratory services in Glasgow.

Mr. Watson: I noticed that the Minister avoided the part of the question relating to patient care, but is he aware that 23 midwives who will graduate from Glasgow's Eastern college of nursing next month have been told by Greater Glasgow health board that, despite demand for their skills, there is no money to employ them, so they face the dole? What advice can the Minister give to those midwives and to the women of Glasgow who want their services?

Mr. Forsyth: We have enormously expanded the number of places for midwives and nurses in the Health Service. As the training provided by health boards does not guarantee a job with that particular board, my advice to those midwives is to apply for the jobs that are advertised throughout the Health Service. I am sure that the hon. Gentleman will join me in congratulating health boards on having increased the number of midwives and nurses in our Health Service to record levels and on paying them more in real terms than they have ever been paid in the history of the Health Service.

Mr. Allan Stewart: May I congratulate my hon. Friend on wearing the blue rose of Eastwood following his highly successful visit to my constituency? On the point about laboratory services at the Victoria infirmary, can my hon. Friend comment on my alternative proposals, which involve retaining the laboratory services at the Victoria, concentrating National Health Service geriatric provision in the core of the hospital at Mearnskirk and involving the private sector in extending the facilities at Mearnskirk? Is my hon. Friend aware that so far those proposals have received what I would describe as a reasonably fair wind from many people involved?

Dr. Godman: On a point of order, Mr. Speaker. I seem to recollect your telling the House that it would be most welcome if questions were brief and if answers from Ministers were brief, too. You do not seem to be holding to that directive today, Mr. Speaker.

Mr. Speaker: I am keeping a careful watch on it, but interventions such as that do not help us to get on.

Mr. Forsyth: My hon. Friend the Member for Eastwood (Mr. Stewart) has made a constructive suggestion about Greater Glasgow health board's proposals for change to improve patient care within its area—that the Mearnskirk site should be used to improve geriatric provision in the city of Glasgow. That is a constructive proposal and I have asked the health board to consider it seriously. I know that its initial reaction is that it would like to study that proposal closely. I am sure that it will be taken into account along with all the other representations that have followed as part of the consultation process.

Mr. Speaker: Mr. Sam Galbraith.

Hon. Members: Hear, hear.

Mr. Galbraith: Is the Minister aware that the Leukaemia Research Fund had intended to site a new research unit at Glasgow royal infirmary but that, as a result of the proposed reorganisation of the laboratories in Glasgow, it is no longer planning to do so? Will the Minister therefore please look into the matter to ensure that that world-leading unit comes to Glasgow and to Scotland?

Mr. Forsyth: I begin by welcoming the hon. Gentleman back to the House. I was not aware of the proposal that he mentioned, about having a leukaemia unit at that hospital. I should be very surprised if, as a result of the proposals for the reorganisation of the laboratory services, it were not possible to develop services for patients in Glasgow, because those proposals will save more than £3 million, which will be available for additional patient care, including helping patients who are suffering from leukaemia. I am happy to give the hon. Gentleman the undertaking that he seeks and shall look into that matter and write to him, stating the position.

Local Government Finance

12. **Mr. Canavan:** To ask the Secretary of State for Scotland what steps he is taking to assess the popularity or otherwise of the poll tax.

Mr. Rifkind: Public opinion appears to be divided over support for the various forms of local taxation.

Mr. Canavan: Is the Secretary of State the only person in Scotland who fails to realise that the poll tax is as popular as the bubonic plague and that it is adding insult to injury for the Prime Minister and her lackeys to imply that the Scots are a nation of scroungers because—in, I believe, the right hon. Lady's own words—Scottish poll tax payers are being subsidised by the "marvellously tolerant English"? Now that even the Prime Minister is having second thoughts about the poll tax, will the Government accept the voters' verdict in tomorrow's elections, when the people of Scotland will have a wonderful opportunity to hammer another nail into the poll tax coffin?

Mr. Rifkind: I should be fascinated to know what the hon. Gentleman thinks of his own party's proposals, if he thinks that the poll tax is unpopular. He knows perfectly well that the roof tax commands less support in Scotland than any other system of local taxation. On the level of support for Scottish community charge payers, the hon. Gentleman knows that what my right hon. Friend the

Prime Minister said is factually correct, that Scottish local authorities raise on average 20 per cent. of the revenue that they require from Scottish community charge payers, whereas English local authorities raise an average of 30 per cent., which is one reason why English community charges are significantly higher than those in Scotland. I should have expected the hon. Gentleman to welcome that on behalf of his constituents who are having to pay that charge, which the hon. Gentleman is trying to avoid.

Mr. Malcolm Bruce: Will not the Secretary of State acknowlege that Scotland is witnessing the unedifying spectacle of the Government and the Labour party together offering the two most unpopular methods of raising taxation for local government? They are making up Mickey Mouse figures to try to discredit local income tax, which the right hon. and learned Gentleman knows to be fair. Its administrative costs are half those of collecting the poll tax, and it will release funds to be invested in local services. If income tax is a fine method of financing central Government, why not extend it to provide the same buoyancy and accountability in local councils?

Mr. Rifkind: On the central principle, government is financed by both income tax and value added tax, which ensures that all adults pay towards the costs of government. One of the fundamental deficiencies of local income tax is that almost half the electorate would not pay a penny towards the cost of local government. As part of his support for local income tax, has the hon. Gentleman pointed out to his constituents in Gordon that a person on only average earnings would pay a local income tax of £732, so a husband and wife on average earnings in his constituency would pay over £1,400? I suspect that the hon. Gentleman does not draw attention to those figures when campaigning for a local income tax in the Grampian region.

Mr. Gow: In the light of the popularity, real or imagined, of the community charge in Scotland, will the Secretary of State assure the House that the community charge will be introduced shortly into Northern Ireland?

Mr. Rifkind: That will be a matter for my right hon. Friend the Secretary of State for Northern Ireland.

Rev. Martin Smyth: You will be aware, Mr. Speaker, that I have fought the case of Northern Ireland students and the community charge for some time. May I assure the Secretary of State that, despite the news that the Parliamentary Under-Secretary of State for Northern Ireland, the hon. Member for Eltham (Mr. Bottomley) has brought from east Belfast, that the poll tax would be popular, it is not popular among the parents of students studying in Scotland who, under the seamless robe of government, are paying the full taxation in Northern Ireland for local government? Will he bear that in mind as he examines changes?

Mr. Rifkind: It is worth remembering that under the old rating system or under the Labour party's roof tax, a student renting a flat would pay the full rates and would not have any automatic deduction. Under the community charge, for the first time, all students have an automatic deduction of 80 per cent. from their bills. That is very much to the advantage of students as a whole.

NHS Trusts

13. **Mr. Foulkes:** To ask the Secretary of State for Scotland for which hospitals he has had expressions of interest regarding self-governing trusts; and from whom the request has come in each case.

Mr. Michael Forsyth: Expressions of interest have been obtained from four hospitals in Ayr, Forfar and Aberdeen.

Mr. Foulkes: Will the Minister confirm that, in spite of the fact that Ayrshire consultants have voted 9:1 against opting out, the minority could still put forward a scheme, his placemen on the health board could agree to that scheme and then, on their advice, he could transfer the ownership of the new south Ayrshire hospital, built at public expense, to a small clique of his own supporters in Ayrshire, against the wishes of the majority of the medical and other staff and against the wishes of the majority of the Ayrshire people? Is not that the biggest steal since the great train robbery?

Mr. Forsyth: The hon. Gentleman's description of self-governing status is a travesty. If the proposals for the hospitals in Ayr are taken forward, they will give consultants and staff an opportunity to take part in making decisions at local level. The most important point is that self-governing hospitals will remain part of the National Health Service. They will not be transferred out of it. The hon. Gentleman may believe that decisions are best taken above the heads of people in the Health Service. He is entitled to his opinion, but many people in the Health Service will not take that view when they consider the opportunity.

Mr. Bill Walker: Does my hon. Friend realise that those of us who are not hung up on the doctrine that we are given by the Opposition welcome the fact that at long last there is an interest in developing properly Health Service and hospital facilities in Forfar? Is he aware that general practitioners in Forfar are fully behind the programme?

Mr. Forsyth: My hon. Friend is perfectly right. The proposals for Forfar have come from not the health board or management but local doctors and general practitioners who see the opportunities that self-governing status will provide.

Mr. Ernie Ross: How many?

Mr. Forsyth: The hon. Gentleman asks how many. All the GPs in Forfar who are involved have put forward those proposals because they see the opportunity for improving patient care. Opposition Members who care more about dogma than about patient interests may care to reflect on that.

Mr. McKelvey: Does the Minister accept that I am more concerned with the dogma of democracy? Will he give an undertaking to the House, as he seemed to on the previous occasion when he was questioned on the matter, that many more people will be consulted about opting out than he first thought? If that consultation is widespread, will he stand by the majority verdict of consultants and others working in the Health Service who believe that health services should stay within the NHS and want nothing to do with opting out? Will he stick by the majority verdict?

Mr. Forsyth: The only advice that I can give to the hon. Gentleman is that he read the proposals. He uses the term opting out. No hospital will opt out of the NHS. If the hon. Gentleman reads our well-documented proposals on consultation, he will see that there are two stages. The first is expression of interest—the stage that has been reached in Ayr. After that there is the development of proposals or a business plan, if that term is preferred. At that stage there will be full consultation. The procedures that will be followed will ensure that everyone can take account of the proposals and form a judgment on the interests of patient care. That is the way in which the Health Service should be run. It is the appropriate way and I should have thought that the hon. Gentleman would endorse it.

Local Government Finance

14. **Mr. Ian Bruce:** To ask the Secretary of State for Scotland what proportion of local government expenditure will be raised from the community charge payer, the uniform business rate payer, and Government grant; and what were the Government's original estimates if councils had kept to Government spending guidelines.

Lord James Douglas-Hamilton: On the basis of local authorities' budget estimates, 22 per cent. of their expenditure in 1990-91 will be met by community charge payers compared to a Government assumption of 20 per cent., 23·4 per cent. by business rate payers compared to 24 per cent. and 54·6 per cent. from Government grant compared to 56 per cent. Local authority community charge payers should have to contribute on average only 20 per cent. They are contributing 22 per cent. on account of extra local authority spending.

Mr. Bruce: Does my hon. Friend agree that in the first year of the community charge in Scotland many local authorities made greater provision for bad debts and many other expenses that might have been incurred and increased the community charge accordingly? Is he aware that in the second year they have brought down their expenditure more in line with Government guidelines? Does he further agree that the non-payment campaign in Scotland is the one thing that ensures that community charge payers will have too pay to much this year?

Lord James Douglas-Hamilton: Obviously someone will have to pay the community charge eventually. The effect of non-payment campaigns will be almost certainly to increase the community charge substantially for other charge payers. My hon. Friend is correct that this year there has been considerably more economy. Some 21 local authorities have either reduced their charges or held them at the same level while another 13 have kept their increases below the rate of inflation. Accordingly, there is increasing evidence that in the second year of the new system in Scotland local accountability is taking effect. In contrast to that, the proportion of the budget of Edinburgh district council that is raised from the community charge is over 40 per cent.—probably the highest in Scotland.

Self-governing Schools

15. **Mr. Harry Ewing:** To ask the Secretary of State for Scotland how many schools in Scotland have taken steps towards opting out of local authority control.

Mr. Lang: Parents at one school have presented a formal written request calling for a ballot to be held on self-governing status.

Mr. Ewing: After all the parliamentary time spent on the opting-out legislation, all the civil servants' time spent on it and all the people's money spent on it, how does the Minister have the nerve to get up to say that one single school has asked to opt out of the system? Is not that ample evidence of an unrepresentative Government imposing unwanted legislation on an unwilling population? Why does not the Minister take his courage in his hands by joining the rest of the people in Scotland tomorrow and, through the ballot box, telling the Under-Secretary, the hon. Member for Stirling (Mr. Forsyth), to get lost and to take his dangerous and daft opting-out legislation with him?

Mr. Lang: The longest journey begins with a single step and I have no doubt that many other schools will be interested in following the example of the one school that has so far applied to be considered. South of the border, where the opting-out provisions have been in place longer, some 36 applications have now been approved and the number of applications for admission to those schools has risen in many cases by as much as 50 per cent.

Mr. Canavan: On a point of order, Mr. Speaker. It arises out of questions.

Mr. Speaker: It does not necessarily have to arise out of questions and I shall take it after the applications under Standing Order No. 20.

Export (Iraq)

3.30 pm

Sir John Stokes (Halesowen and Stourbridge): I beg to ask leave to move the Adjournment of the House, under Standing Order No. 20, for the purpose of discussing a specific and important matter that should have urgent consideration, namely,

"the action taken by officials of the Customs and Excise department against employees of Walter Somers Ltd., a firm in my constituency, over the export of steel pipes to Iraq."

The matter is specific, because three senior managers and seven employees have been interviewed despite the fact that the Government knew of the export order. I gather from the news tapes that three people have been arrested, but not charged.

The matter is urgent, because grave disquiet has been caused to the employees and their families. Great anxiety is also felt in the firm and throughout Halesowen.

The matter is important, because arbitrary action of this nature by a Government Department is unusual to say the least when the Government knew all along what was happening. Therefore, I hope that honourable and patriotic men are not pilloried to save the Government's face. For those reasons, I request, Mr. Speaker, that the matter be urgently debated.

Mr. Speaker: The hon. Member for Halesowen and Stourbridge (Sir J. Stokes) asks leave to move the Adjournment of the House for the purpose of discussing a specific and important matter that he believes should have urgent consideration, namely,

"the action taken by Customs and Excise against employes of Walter Somers Limited in his constituency over the alleged Iraqi gun affair."

The hon. Gentleman knows that the decision I must take with regard to Standing Order No. 20 applications is whether to give them precedence over the business set down for today or tomorrow. I have listened with care to what he had to say, but I regret that the matter he has raised does not meet the requirements of the Standing Order; I cannot, therefore, submit his application to the House.

Mr. Tam Dalyell (Linlithgow): On a point of order, Mr. Speaker, on that subject.

Mr. Speaker: No, I am just taking another application under Standing Order No. 20.

Carstairs Hospital

3.32 pm

Mr. Jimmy Hood (Clydesdale): I beg to ask leave to move the Adjournment of the House, under Standing Order No. 20, for the purpose of discussing a specific and important matter that should have urgent consideration, namely,

"the situation that exists within Carstairs state hospital in my constituency."

The matter is urgent because the breakdown in relations between the management and the staff at that hospital has resulted, following a ballot, in the staff giving seven days' notice of their intention to take strike action from Monday next week.

There are 250 or so seriously ill patients in Carstairs state hospital and more than half of them are there under the direction of the Secretary of State for Scotland. If those patients are allowed to go unsupervised and uncared for for any period as a result of strike action, the consequences could be catastrophic; they would make Manchester Strangeways look like a kindergarten.

Therefore, I ask for permission to discuss the matter in the House because the Secretary of State has repeatedly refused to intervene, I am assured. I wrote to him on Monday and have had no response to my request. If the Secretary of State does not intervene before Monday, there will be a serious and catastrophic situation in my constituency and in Scotland. I hope, Mr. Speaker, that you will agree to my application.

Mr. Speaker: The hon. Member for Clydesdale (Mr. Hood) asks leave to move the Adjournment of the House for the purpose of discussing a specific and important matter that he believes should have urgent consideration, namely,

"the threatened strike at Carstairs state hospital."

Again, I have listened with care to what the hon. Gentleman said, but I have to give him the same reply as I gave to the hon. Member for Halesowen and Stourbridge (Sir J. Stokes). I regret that his application does not meet the requirements of the Standing Order and, therefore, I cannot submit his application to the House.

Points of Order

3.35 pm

Several Hon. Members: On a point of order, Mr. Speaker.

Mr. Speaker: I will take the point of order from the hon. Member for Falkirk, West (Mr. Canavan) first.

Mr. Dennis Canavan (Falkirk, West): On a point of order arising from the Minister's reply to Question 13. I think that the House may have been misled on an important matter. The Minister decided not to use notes when answering the question and said that four expressions of interest in self-governing status hospitals had been received, but then named only three. He may have omitted to mention the Royal Scottish National hospital in my constituency, which caters for about 700 mentally handicapped patients. As I have previously said, 96 per cent. of the staff are against the management's proposals to opt out of existing arrangements in the National Health Service. It may be that the expression of interest has been withdrawn. If so, may I ask your guidance, Mr. Speaker, as to whether the Minister can be brought back to explain the position?

Mr. Speaker: I cannot bring the Minister back to do that. If the hon. Gentleman tables an emergency written question, he will get an answer tomorrow morning.

Mr. Tam Dalyell (Linlithgow): On a point of order, Mr. Speaker. I am glad to raise this point of order in the presence of the hon. Members for Bromsgrove (Sir H. Miller) and for Halesowen and Stourbridge (Sir J. Stokes). I believe that this is a House of Commons point and a genuine point of order. In written questions of 1 May, I asked the Chancellor

"what discussions the Customs and Excise has had with the Belgian police about the activities of the late Dr. Bull."

The reply is immaterial to the point of order other than that it ends:

"it would be inappropriate to give any further information on these matters."—[*Official Report*, 1 May 1990; Vol. 171, c. *479*.]

Should not the House of Commons be given some kind of time scale if the Treasury cannot give the information right away? A blanket statement of that sort raises questions for Parliament, and I wonder if you, Mr. Speaker, will consider the issues involved.

Mr. David Winnick (Walsall, North): On the same point of order, Mr. Speaker.

Mr. Speaker: Order. It is for the Government to answer such matters. I cannot find the *Hansard* reference given by the hon. Member for Linlithgow (Mr. Dalyell).

Mr. Dalyell: It is a written question, column 479. Perhaps the Leader of the House, who is a QC, could look at the issues.

Mr. Speaker: I am sure that what the hon. Gentleman has said will have been heard on the Front Bench.

Mr. Winnick: On a point of order, Mr. Speaker. As I said last night, there is widespread concern in the west midlands about matters rightly raised by the hon. Member for Halesowen and Stourbridge (Sir J. Stokes). There is deep concern at the way in which those involved in the firm in Halesowen are being treated.

Hon. Members—a number of whom have the honour and privilege of representing constituencies in the west midlands—have sought to find out from the Department of Trade and Industry the exact dates when the hon. Member for Bromsgrove (Sir H. Miller) inquired of the Department involved about the export order to Iraq. If the information were supplied, there would be no need for applications such as that made today or points of order.

People in the west midlands understandably ask the following question: if Parliament is a place in which to ventilate grievances and seek information, how is it that we are being refused the information that the hon. Member for Bromsgrove raised on the Floor of the House? All we want from the Secretary of State are the facts. When did the hon. Member for Bromsgrove seek information? If he did make the point perfectly clear on behalf of the firm, why are those people involved in the firm being treated as they are now?

Mr. Speaker: I cannot answer that because it is a matter for ministerial discretion. *[Interruption.]* Well, I cannot involve myself in the answers to questions at Question Time.

Mr. Alistair Darling (Edinburgh, Central): On a point of order, Mr. Speaker. I am not one readily to raise points of order, but a problem has arisen in Scottish Question Time over the past few months. As you know, the Scottish Office covers practically every major Department of State, which means that Scottish Members have one opportunity every five weeks to raise matters.

You have made it clear, Mr. Speaker, that you have to call Members on both sides of the House—I understand that—but the problem has arisen because of the lack of Conservative Members, who sometimes get called two or three times in any one Question Time, while other Members do not get in for months on end.

Today I have discovered that the Lothian health board has deliberately decided to postpone the announcement of a major cuts package until after the local elections tomorrow, to save the skin of the Conservative party. I wanted to raise this matter in Question Time, rather than using a point of order, but because of the problem that I have described, these matters cannot properly be raised as they should be during Question Time, with the result that information is being deliberately withheld from my constituents, and Ministers cannot be held to account for that.

Several Hon. Members *rose*——

Mr. Speaker: Order. It does not help if other hon. Members rise before I have answered the question.

It is peculiar to Scotland, Wales and Northern Ireland that they have their own Question Time. I always call a predominant number of members of the majority party in Scotland, which happens at the moment to be the Opposition, but equally I must have regard to balancing the other side of the argument.

As far as Scottish questions are concerned, Members who are not called one month always receive some priority in the following month——

Mr. Darling: No, they do not.

Mr. Speaker: They are carefully listed on my Order Paper. What is more, the hon. Member for Edinburgh,

[Mr. Speaker]

Central (Mr. Darling) has the great privilege of being a Front-Bench spokesman, so he has other opportunities as well.

Mr. Nicholas Bennett (Pembroke): Further to that point of order, Mr. Speaker. We should remember that this is the unitary Parliament of the whole of the United Kingdom, and that the hon. Member for Edinburgh, Central (Mr. Darling) is a Front-Bench spokesman on Home Office matters to do with England and Wales.

Mr. Speaker: I have just said that.

Mr. Bill Walker (Tayside, North): Further to that point of order, Mr. Speaker. You will be aware that those of us who attend questions regularly realise the difficult position in which you regularly find yourself because you cannot possibly call everyone who is standing.

Let me make it clear that I speak as a Scot who regularly attends but is frequently not called. I understand why that is, and I make no objection to it, yet Scottish Opposition Members are regularly called more than once —sometimes as often as three times—*[Interruption.]* I can name the Members concerned, if necessary—

Mr. Speaker: Order. I am not certain whether this is helping the hon. Gentleman: he is one of those who was called twice today. I try to ensure that, except in exceptional cases such as Scottish Question Time, Members are not called more than once. I endeavour to be as even handed as I possibly can be.

Mr. Walker *rose*——

Mr. Speaker: I am not certain that this will be helpful to the hon. Gentleman, who is not exactly a deprived citizen.

Mr. Bill Walker: The point that I am trying to get over —[HON. MEMBERS: "What is the point of order?"] My point of order is that hon. Members who have objected —this is not the first time that we have heard such objections about Scottish questions—find that in other situations, because of the massive Conservative majority, Conservative Members often do not get called. I have studied questions over a long period, Mr. Speaker, and I think that you do a remarkable job.

Mr. Speaker: I am absolutely lost for words.

Dr. Norman A. Godman (Greenock and Port Glasgow): Further to that point of order, Mr. Speaker. Despite the fact that three Conservative Members were called twice today, and that I was not called at all, that is not my complaint. You were decent enough to call me twice at the last Scottish Question Time, but may I ask you to tell the House once more that Back Benchers and those who leap up to the Back Benches should ask brief and concise questions? Ministers, especially at Scottish Question Time, which goes out live on both BBC and STV, should offer concise answers.

Mr. Speaker: Let us finish on this note. I readily agree with what the hon. Gentleman has said. I am constantly saying that Members should ask not only brief but single questions, and that Ministers should give brief answers. I remind the House what the Leader of the Opposition said on the day in 1987 when I was re-elected to the Chair. He said that, sadly, no Member of the House can expect to be called on the day he wants at the time he wants and on the subject that he wants.

Mr. Tony Favell (Stockport): On a point of order, Mr. Speaker. I realise that I am not at all deprived. I regularly attend for Scottish questions. I was not called today, but when I am called occasionally I deem it a privilege. I noted that today four hon. Members who were called were undemocratic enough to say that they would not pay the community charge. Two of them were from the Labour party and the other two were from the Scottish National party. Is there power to dock the parliamentary pay of those hon. Members? Is your consent required for that and, if so, will you give it?

Mr. Speaker: That has absolutely nothing to do with me. Every hon. Member must take responsibility for his own words and actions outside the House.

Mr. Harry Barnes (Derbyshire, North-East): On a point of order, Mr. Speaker. You will remember that yesterday I raised a point of order about an answer to a parliamentary question that was submitted on 30 March to the Department of the Environment. The answer to the question has been on the desk of the Secretary of State for the Environment since the 19th of last month. However, it is still not available, because it is politically embarrassing for the Government to produce it before election day. The question seeks to find out the proportion of poll tax money, business grant and Government grants relative to local government expenditure. When I asked you, Mr. Speaker, how I could get the answer to that question, you said that by raising it, I had achieved what I wanted. I have not achieved that. Yesterday has gone and there is no sign from the Department of the Environment that an answer will be made available today.

Mr. Speaker: The day is early, and I hope than an answer is on the way.

BALLOT FOR NOTICES OF MOTIONS FOR FRIDAY 18 MAY

Members successful in the ballot were:

Mr. Gerald Bowden
Mr. Graham Allen
Mr. Robert G. Hughes

STATUTORY INSTRUMENTS, &c.

Ordered,

That the London Docklands Development Corporation (Vesting of Land) (London Borough of Southwark) Order 1989 be referred to a Standing Committee on Statutory Instruments, &c.—*[Mr. Fallon.]*

London Government

3.47 pm

Mr. Tony Banks (Newham, North-West): I beg to move,

That leave be given to bring in a Bill to provide for the people of London the legal right and duty to elect a London Council and Mayor so that the needs of London may be met and its administration secured on a basis that is fully accountable to the people through the ballot box; and for purposes connected therewith.

The Bill would restore to the people of London the legal right and duty to elect a Londonwide council and for the first time directly to elect someone to the office of mayor of London.

Tomorrow, the people of London will vote for their new borough councils and, of course, the Labour party confidently expects to do well. All the poll tax fiddling in the world to try to keep Wandsworth and Westminster in Tory clutches will not prevent the Labour party from making sweeping gains throughout the capital. Hon. Members and people outside know that the main reason for Tory defeats will undoubtedly be the poll tax. I remember when my right hon. Friend the Member for Bethnal Green and Stepney (Mr. Shore) described the Labour party's 1983 general election manifesto as the longest suicide note in history. I am sure that my right hon. Friend the Member for Blaenau Gwent (Mr. Foot) will disagree with that, as I did.

All of us think it accurate to describe the poll tax as the political equivalent of the cyanide capsule. After all, why be annihilated on a shopping list of policies when one will do the trick? The poll tax will undoubtedly be the Tory killer in the local government elections. However, in London, a climate of general dissatisfaction about the state of our city will also be in the minds of numerous voters when they cast their votes.

London is the only capital city in the world that does not have citywide local government. Deep in her bunker, behind those preposterous iron gates at the end of Downing street, the Prime Minister might be able to deceive herself that the abolition of the GLC was a good idea, but to the rest of us, who do not have the benefit of travelling around London in an armoured police convoy, reality tells a different story. From the near-chaos on our congested, rubble-strewn, crime-ravaged streets, to the overcrowded, overpriced and inefficient transport system, London shows all the signs of a city that is unplanned, unco-ordinated and unpleasant.

The abolition of the GLC in 1986 was an act of political vandalism by the Prime Minister. The folly of that politically malevolent decision becomes more evident by the day. In an editorial last month, the *Financial Times* spoke of the degeneration of many London streets and the absence of a strategic plan for Britain's capital city. It said that such factors were

"surely not unconnected with the disappearance of the GLC."

Similarly, in a recent report, the Henley centre for forecasting warned about London's "dirty and dangerous" reputation.

What the *Financial Times* and the forecasters observe, so do Members of Parliament, commuters, visitors, residents and anyone who knows and cares about London. No Londonwide service previously run by the GLC is now more efficiently organised. The consequences of the transfer of former GLC services to quangos and Government Departments have been inefficiency, expense and remoteness. Nowhere is that more disastrously evident than in strategic planning, or in the absence of strategic planning. Put starkly, strategic planning for London has ceased to exist. In its place, we now have the Department of the Environment's so-called strategic guidance for London. I should love to know what Ministers intend to do about it, because it is nothing more than a string of clichés joined together with wishful thinking.

Draft guidance is predicated on the fallacy that fewer and less effective planned controls and the free operation of the market will lead to greater prosperity, a better environment, and easier movement, and will correct the imbalances in labour supply and availability of housing in London. As the man said, only an idiot in a hurry would believe such absurdities to be an adequate replacement for the Greater London council's strategic plan for London. Unfortunately, there seems to be no shortage of idiots in a hurry, and many of them end up as Ministers in the Department of the Environment.

My Bill would reintroduce citywide local government for London for those services where the strategic overview is essential, such as land use planning and transport, and for those services where economies of scale can be achieved, such as waste disposal, sewerage and emergency services. For those who wish to know the Labour party's official line, the document "London Pride"—printed in sparkling Kinnock colour—launched by my right hon. Friend last month, spells out the Labour Government's intentions for the capital city.

Although I fully expect Labour policies eventually to catch up, my Bill goes a step further than "London Pride". I envisage that the new London council will be run from county hall, which will be taken back into public ownership by compulsory purchase. I should not expect compensation terms to be generous. No one—I direct this at my right hon. and hon. Friends on the Front Bench—involved in the outrageous and insulting proposal to turn county hall into a hotel should be under any illusions concerning the utter determination of myself and my London Labour colleagues—I have the honour to be the chair of the group—to recapture county hall for the people of London. The developers and their backers have been warned. They will have only themselves to blame if they choose to disregard these warnings.

My Bill proposes the introduction of a directly elected mayor of London.

Mr. Brian Sedgemore (Hackney, South and Shoreditch): My hon. Friend?

Mr. Banks: I would be honoured to serve in that capacity—it would be dishonest of me to pretend otherwise—but that is not the purpose of my Bill. When London votes for the new London council based on single-member constituencies, it will be able to vote also on the basis of proportional representation, with a run-off ballot if necessary, for a new mayor to speak on behalf of all London. That person will have wide-ranging executive powers and authority, and will become the London equivalent of Jacques Chirac of Paris or Mayor Dinkins of New York. I envisage the London mayor residing in the Mansion house and maintaining the lord mayor's show. The existing City corporation would, of course, be abolished.

[Mr. Banks]

London needs a powerful voice, and one that can speak on behalf of London. Perhaps my voice would be powerful enough, but I would not have the temerity to put myself forward for such early candidature before knowing whether any hon. Member will vote against the Bill. As I have said, we need a powerful voice. We need someone who is able to speak on behalf of the capital and all Londoners. Only the ballot box can provide that level of authority and accountability.

I reject the idea of a Minister for London, as such a person would owe his or her loyalty to the Prime Minister, who appoints, or to collective responsibility in the Cabinet. We want someone whose first loyalty would be to London and its citizens, someone who can stand up to central Government and make the case for the capital. A directly elected mayor would be able to fulfil all such functions. I accept that such an office is new to local government in this country, but it would bring us into line with practice on the continent and in north America. I believe that it is a proposal whose time has come and that it will find great support throughout London.

In common with many Londoners, I have much for which to thank the London county council and the Greater London council. Those of us who love this great city are deeply saddened by its decline in recent years. We are determined, however, to restore London to its pre-eminent position. My Bill would be one step in that renaissance.

Question put and agreed to.

Bill ordered to be brought in by Mr. Tony Banks, Mr. Michael Foot, Mr. Tony Benn, Mr. Jeremy Corbyn, Ms. Dawn Primarolo, Miss Kate Hoey, Mrs. Alice Mahon, Ms. Diane Abbott, Mr. Brian Sedgemore and Mr. Harry Cohen.

LONDON GOVERNMENT

Mr. Tony Banks accordingly presented a Bill to provide for the people of London the legal right and duty to elect a London Council and Mayor so that the needs of London may be met and its administration secured on a basis that is fully accountable to the people through the ballot box; and for purposes connected therewith: And the same was read the First time; and ordered to be read a Second time on 6 July and to be printed. [Bill 137.]

Orders of the Day

Environmental Protection Bill

As amended (in the Standing Committee), further considered.

New Clause 6

JOINT COMMITTEE ON COUNTRYSIDE FUNCTIONS

'( )—(1) The Committee established under section 103(2) below shall exercise the functions specified below in liaison with the Councils established under section 98.

(2) The functions of the Committee shall include—

(a) the collection of data and information for the purposes of monitoring nature conservation;

(b) the undertaking of research at a national level relevant to its functions;

(c) the establishment of common standards and criteria relating to natural and wildlife conservation;

(d) the establishment of common standards and criteria relating to access to and enjoyment of the countryside.

(3) For the purposes of the exercise of its functions, the Committee may appoint such staff as it considers appropriate, and may require the councils to carry out decisions on matters falling within its functions.'.—*[Mr. Gould.]*

Brought up, and read the First time.

3.58 pm

Mr. Bryan Gould (Dagenham): I beg to move, That the clause be read a Second time.

Mr. Speaker: With this, it will be convenient to take the following:

New clause 10—*Countryside Council in Wales*—

'( ) (1) If the Chairman or any member of the Countryside Council for Wales is found to have a substantial interest in any land in Wales over which a public right of way runs and which is ploughed up and not reinstated contrary to section 134 Highways Act 1980 and section 61 Wildlife and Countryside Act 1981 or is otherwise unlawfully obstructed or unlawfully interfered with, the Secretary of State shall have regard to the desirability of inviting him to resign his position on the Council

(2) In addition to section 106(1) above and to the generality of the contents of schedule 6 and in accordance with section 106(2), the Countryside Council for Wales shall have the following duties, namely—

(a) to secure and promote public access on foot to the countryside by way of public rights of way and public access to open country;

(b) to form a specific recreation branch whose primary objective shall be to institute a programme of work to be implemented in conjunction with local authorities with the goal of having all public rights of way in Wales unobstructed and adequately maintained and signposted by the year 2000 and maintained in such a state thereafter;

(c) to produce an annual report detailing the Council's footpath and access work and progress towards achieving the goal in (b) above;

(d) to establish and maintain an access advisory committee, consisting of persons who are not members of the council, but who have a particular interest in promoting the recreational use on foot of rights of way and open country and the reopening of unlawfully obstructed rights of way;

(e) to consult the advisory committee as to any proposals of the Council relating generally or specifically to rights of way and public access to the countryside;

(f) to consider any representations made to it by the advisory committee (whether in response to consultation under paragraph (e) above or otherwise) as to the manner in which the Council carries out its functions regarding rights of way and public access to the countryside.

(3) The Countryside Council for Wales and the Countryside Commission shall be empowered to advise the Ministry of Agriculture, Fisheries and Food of any farmer or landowner who unlawfully obstructs or otherwise unlawfully interferes with any public right of way and the Ministry shall suspend any payments, grants or subsidies to such a farmer or landowner and shall not resume suspended payments until such unlawful obstructions or unlawful interferences have been removed or ceased as the case may be.'.

New clause 42—*New Authorities for England, Scotland and Wales*—

'( ).—(1) There shall be five new statutory Authorities, to be called the Nature Conservancy Council for England, the Nature Conservancy Council for Scotland, the Nature Conservancy Council for Wales (in this Part referred to as "the Councils"), the Countryside Commission for England and the Countryside Commission for Wales (in this Part referred to as "the Commissions").

(2) The Authorities shall have the following membership, that is to say:

(a) the Nature Conservancy Council for England shall have not less than 10 nor more than 14 members;

(b) the Nature Conservancy Council for Scotland shall have not less than 8 nor more than 12 members;

(c) the Nature Conservancy Council for Wales shall have not less than 8 nor more than 12 members;

(d) the Countryside Commission for England shall have not less than 10 nor more than 14 members;

(e) the Countryside Commission for Wales shall have not less than 8 nor more than 12 members;

and those members shall be appointed by the Secretaty of State.

(3) The Secretary of State may by order amend paragraph (a), (b), (c), (d) or (e) of subsection (2) above so as to substitute for the number for the time being specified as the maximum membership of an Authority such other number as he thinks appropriate.

(4) Schedule 5 to this Act shall have effect with respect to the constitution and proceedings of the Authorities and other matters relating to the discharge of their functions.'.

New clause 43—*Grants to Authorities*—

'( ).—(1) The Secretary of State may with the approval of the Treasury make to the Authorities grants of such amounts as the Secretary of State thinks fit.

(2) A grant under this section may be made subject to such considerations as the Secretary of State may with the approval of the Treasury think fit.'.

New clause 44—*Landscape conservation and informal countryside recreation in England and Wales*—

'( ).—(1) For the purposes of landscape conservation or the promotion of informal countryside recreation, and fostering the understanding thereof, the Commissions shall, in place of the Countryside Commission established under the Countryside Act 1968, have (so far as pertains to the countries to which they relate) the functions conferred by sections ( ), ( ) and ( ) below.

(2) It shall be the duty of the Commissions in discharging their functions to take appropriate account of actual or possible landscape or recreational changes.

[Mr. Speaker]

(3) The Commissions shall discharge their respective functions under those enactments (as amended by Schedule 5) on and after a day to be appointed by an order made by the Secretary of State.

(4) The Secretary of State may give the Commissions, or any of them, directions of a general or specific character with regard to the discharge of any of their functions other than those conferred on them by section ( )(a) below.

(5) In this part the definition "landscape conservation" includes the conservation of flora, fauna or geological or physiographical features.'.

New clause 45—*Further functions of Commissions*—

'( ).—(1) The Commissions shall have the following functions in addition to those specified in section ( ) above, namely:

(a) such of the functions previously discharged by the Countryside Commission under enactments specified in Schedule 5 to this Act as are assigned to them in accordance with the amendments to those enactments effected by that Schedule.

(b) the provision of advice for the Secretary of State or any other Minister on the development and implementation of policies for or affecting landscape conservation or informal countryside recreation;

(c) the provision of advice and the dissemination of knowledge to any other person about landscape conservation or informal countryside recreation in their area or about matters arising from the discharge of their functions under this section or section ( ) below;

(d) the commissioning or support (whether by financial means or otherwise) of research which in their opinion is relevant to any of their functions under this section or section ( ) below.

(2) Nothing in this section shall be taken as preventing either of the Commissions, if consulted by the other about a matter relating to the functions of that other Commission, from giving that other Commission any advice or information which they are able to give.'.

New clause 46—*Nature conservation in Great Britain*—

'( ).—(1) For the purposes of nature conservation, and fostering the understanding thereof the Councils shall, in place of the Nature Conservancy Council established under the Nature Conservancy Act 1973, have (so far as pertains to the countries to which they relate) the functions conferred by sections ( ) to ( ) below.

(2) It shall be the duty of the Councils in discharging their nature conservation functions to take appropriate account of actual or possible ecological changes.

(3) The Councils shall discharge their nature conservation functions on and after a day to be appointed by an order made by the Secretary of State.

(4) The Secretary of State may give the Councils, or any of them, directions of a general or specific character with regard to the discharge of any of their nature conservation functions other than those conferred on them by section (109) below.

(5) In this part "nature conservation" means the conservation of flora, fauna or geological or physiographical features.'.

New clause 47—*Nature Conservancy Councils' functions*—

'( ).—(1) The Councils shall each have the following functions, namely—

(a) such of the functions previously discharged by the Nature Conservancy under the enactments specified in Schedule 6 to this Act as are assigned to them in accordance with the amendments to those enactments effected by that Schedule;

(b) the provision of advice for the Secretary of State or any other Minister on the development and implementation for policies for or affecting nature conservation in their area;

(c) the provision of advice and the dissemination of knowledge to any other person about nature conservation in their area or about matters arising from the discharge of their functions under this section or section ( ) below;

(d) the commissioning or support (whether by financial means or otherwise) of research which in their opinion is relevant to any of their functions under this section or section ( ) below.

(2) The Councils shall each have power—

(a) to accept any gift or contribution made to them for the purposes of any of the functions conferred on them by subsection (1) above or section ( ) below and, subject to the terms of the gift or contribution, to apply it to those purposes;

(b) to initiate and carry out such research directly related to those functions as it is appropriate that they should carry out instead of commissioning or supporting other persons under paragraph (d) of that subsection;

and they may do all such other things as are incidental or conducive to those functions including (without prejudice to the generality of this provision) making charges and holding land or any interest in or right over land.

(3) Nothing in this section shall be taken as preventing any of the Councils, if consulted by another of the Councils about a matter relating to the functions of that other Council, from giving that other Council any advice or information which they are able to give.'.

New clause 48—*Joint Committee for Great Britain*—

'( ) (1) Subject to subsection (3) below, the Councils shall each have the following functions, in addition to those specified in section 109 above, namely—

(a) the provision of advice for the Secretary of State or any other Minister on the development and implementation of policies for or affecting nature conservation in Great Britain or elsewhere;

(b) the provision of advice and the dissemination of knowledge about nature conservation in Great Britain or elsewhere;

(c) the establishment of common standards for the monitoring of, and research into, nature conservation and for the analysis of the resulting information;

(d) the commissioning or support (whether by financial means or otherwise) of research which in their opinion is relevant to any matter mentioned in paragraphs (a) to (c) above;

and section 103(2) and (3) above shall apply to the functions conferred by this subsection as they apply to the functions conferred by subsection (1) of that section.

(2) Subject to subsection (3) below, and in addition to the functions specified in section ( ) above, the Commissions (including here the Countryside Commission for Scotland) shall have the following functions, namely—

(a) the provision of advice for the Secretary of State or any other Minister on the development and implementation of policies for or affecting landscape conservation or informal countryside recreation in Great Britain and elsewhere;

(b) the provision of advice and the dissemination of knowledge about landscape conservation or informal countryside recreation in Great Britain and elsewhere;

(c) the establishment of common standards for the monitoring of, and research into, landscape conservation or informal countryside recreation, and for the analysis of the resulting information;

(d) the commissioning or support (whether by financial means or otherwise) of research which in their opinion is relevant to any matter mentioned in paragraphs (a) to (c) above;

and subsection 101(2) above shall apply to the functions conferred by this subsection as they apply to the functions conferred by subsection (1) of that section.

(3) No function falling within subsection (1) or (2) above shall be exercisable except—

(a) through the discharge of that function by a committee (known as the Joint Committee) of all the Authorities (both the Councils and the Commissions, including the Countryside Commission for Scotland) consisting of the Chairmen of each Authority, and an independent Chairman and three independent members appointed by the Secretary of State; or

(b) in pursuance of a direction of the Secretary of State given to one of the Authorities requiring that Authority to exercise that function;

(4) The Chairman of the Northern Ireland Environment Department Countryside and Wildlife Advisory Committee shall be a non-voting member of the Joint Committee.

(5) The expenses of the Joint Committee shall be defrayed by all the Authorities (including the Countryside Commission for Scotland) in such proportions as the Authorities may agree or in default of agreement in such proportions as the Secretary of State may determine.'.

New clause 49—*Power to make grants or loans*—

'( ).—(1) The Authorities may each, with the consent of or in accordance with a general authorisation given by the Secretary of State, give financial assistance by way of a grant or loan (or partly in one way and partly in the other) to any person in respect of expenditure incurred or to be incurred by him in doing anything which—

(a) in the opinion of the Councils is conducive to or fosters the understanding of nature conservation;

(b) in the opinion of the Commissions is conducive to or fosters the understanding of landscape conservation or informal countryside recreation.

(2) No consent or general authorisation shall be given by the Secretary of State under subsection (1) above without the approval of the Treasury.

(3) On making a grant or loan an Authority may impose such conditions as they think fit, including (in the case of a grant) conditions for repayment in specified circumstances.

(4) The Authorities shall exercise their powers under subsection (3) above so as to ensure that any person receiving a grant or loan under this section in respect of premises to which the public are to be admitted (on payment or otherwise) shall, in the means of access both to and within the premises, and in the parking facilities and sanitary conveniences to be available (if any), make provision, so far as it is in the circumstances both practicable and reasonable, for the needs of members of the public visiting the premises who are disabled.'

New clause 50—*Transfer of property, rights and liabilities to new councils*—

'( ).—(1) The Nature Conservancy Council shall make one or more schemes ("transfer schemes") for the division of all their property, rights and liabilities (other than rights and liabilities under contracts of employment for their staff) between the Councils.

(2) On the date appointed by a transfer scheme, the property, rights and liabilities of the Nature Conservancy Council which are the subject of the scheme shall, by virtue of this subsection, become property, rights and liabilities of the Councils to which they are allocated by the scheme.

(3) Part I of Schedule 7 to this Act shall have effect in relation to transfer schemes under this section.'.

New clause 51—*Transfer of property, rights and liabilities to new commissions*—

'( ).—(1) The Countryside Commission shall make one or more schemes ("transfer schemes") for the division of all their property, rights and liabilities (other rights and liabilities under the contracts of employment of their staff) between the Commissions (as defined in section 98(1) above.

(2) On the date appointed by a transfer scheme, the property, rights and liabilities of the Contryside Commission which are the subject of the scheme shall, by virtue of this subsection, become property, rights and liabilities of the Commissions to which they are allocated by the scheme).

(3) Part II of Schedule 8 to this Act shall have effect in relation to transfer schemes under this section.'.

New clause 52—*Employment by new Authorities of staff of existing bodies*—

'( ).—(1) Any person who immediately before the date appointed under section 108(3) above is employed by the Nature Conservancy Council shall be entitled to receive an offer of employment from one of the Council (to be determined in accordance with proposals made by the Nature Conservancy Council).

(2) Any person who immediately before the date appointed under section 106(3) above is employed by the Countryside Commission shall be entitled to receive an offer of employment from one of the Commissions (to be determined in accordance with proposals made by the Countryside Commissions).

(3) Part III of Schedule 7 of this Act shall have effect with respect to the making of offers under subsection (1) and (2) above.'

New clause 53—*Dissolution of Nature Conservancy Council*—

'( ).—(1) On the date appointed under section ( ) above the chairman and other members of the Nature Conservancy Council shall cease to hold office and after that date—

(a) the Council shall consist only of a chairman appointed by the Secretary of State and such one or more other persons as may be so appointed; and

(b) the Council shall have only the following functions, namely—

(i) anything which falls to be done by the Council under any transfer scheme under section ( ) above;

(ii) the preparation of such accounts and reports as the Secretary of State may direct;

and such other functions as are necessary for winding their affairs.

(2) The Secretary of State may by order, after consultation with the Nature Conservancy Council and the Councils, dissolve the Nature Conservancy Council on a day specified in the order as soon as he is satisfied that nothing remains to be done by that Council.

(3) The Secretary of State may pay to persons who cease to hold office by virtue of subsection (1) above such sums by way of compensation for loss of office, loss or diminution of pension rights, as the Secretary of State may, with the approval of the Treasury, determine.'

New clause 54—*Dissolution of Countryside Commission*—

'( ).—(1) On the date appointed under section ( ) above the chairman and other members of the Countryside Commission shall cease to hold office and after that date—

(a) the Commission shall consist only of a chairman appointed by the Secretary of State and such one or more other persons as may be so appointed; and

(b) the Commission shall have only the following functions, namely—

(i) anything which falls to be done by the Commission under any transfer scheme under section ( ) above;

(ii) the preparation of such accounts and reports as the Secretary of State may direct;

and such other functions as are necessary for winding their affairs.

[Mr. Speaker]

(2) The Secretary of State may by order, after consultation with the Countryside Commission and the Commissions, dissolve the Countryside Commission on a day specified in the order as soon as he is satisfied that nothing remains to be done by that Commission.

(3) The Secretary of State may pay to persons who cease to hold office by virtue of subsection (1) above such sums by way of compensation for loss of office, loss or diminution of pension rights, as the Secretary of State may, with the approval of the Treasury, determine.'.

Amendment No. 137, in clause 109, page 110, line 32, at end insert

'and

(f) the development with relevant local authorities of opportunities for public access to the countryside for the purposes of recreation and education, and of joint cooperation for the conservation and enhancement of the countryside, wildlife, and flora and fauna.'.

No. 150, in page 111, line 21, after 'of', insert

'a chairman (not being the chairman or a member of the Councils) appointed by the Secretary of State together with'.

No. 107, in line 23, after 'non-voting members' insert 'including two representing nature conservation interests in Northern Ireland'.

No. 108, in line 26, at end insert—

'( ) Without prejudice to subsection (2) above the joint committee shall have the following functions, namely-

(a) the provision of advice for or making of recommendations to the Secretary of State for the purposes of adding any bird to, or removing any bird form, any of or any part of Schedules 1 to 4 to the Wildlife and Countryside Act 1981;

(b) the provision of advice for or making of recommendations to the Secretary of State for the purposes of adding to Schedule 5 or Schedule 8 to the Wildlife and Countryside Act 1981 any animal or plant which is in danger of extinction in Great Britain or is likely to become so endangered unless conservation measures are taken, or for the purposes of removing from Schedule 5 and Schedule 8 to the said Act of 1981 any animal or plant which is no longer endangered or likely to become so endangered;

(c) the provision of advice for the Secretary of State for the purposes of identifying any rare or vulnerable habitats in Great Britain and for indicating gains or losses of any such habitats;

(d) the provision of advice for or making recommendations to the Secretary of State for the purposes of designating any area of land or sea in order to comply with an international obligation; and

(e) the making of an annual report to the Secretary of State as soon as possible after 31st March 1992 and every 12 months thereafter on the exercise of the functions contained in this section which shall include any advice so given.'.

Mr. Gould: In March 1989, the Government exploded a bombshell on the conservation world. It announced that the Nature Conservancy Council was to be dissolved—some would say dismembered—and that its functions would be shared out between a number of new country councils. The announcement was made without consultation and without any visible preparation, although it must be said that preparations had, apparently, been made behind the scenes, given the rather unusual number and nature of appointments to the NCC that preceded the announcement.

The announcement aroused great anxiety. First, it raised a suspicion about the genesis of the proposal. Many saw it as having emanated from a deal struck between the Scottish Office and the powerful commercial interests that wanted to pursue their forestry proposals, especially in the flow country. Secondly, it aroused great anxiety because there were well-founded fears among the voluntary conservation movement that the consequences of such a dismemberment would be a serious body blow to the conservation movement in Britain. Since then there has been a great deal of discussion and debate; indeed, literally thousands of words have been spoken and written on the subject.

I pay tribute to the Secretary of State for his intervention and influence in these matters. It is only fair to say that, in many respects, he has recognised the weight of the case against the Government's proposals. He did what he could to meet the legitimate demands of the conservation movement. The Carver committee reported on the nature of the joint committee that would be required to preserve the science base that the NCC had so carefully built up. There have been expressions of opinion from virtually every body and every person involved in conservation. What has been remarkable, however, about the whole debate—which has now been taking place for the best part of a year—is how little of the essentials have actually changed. They remain constant, and they are the suspicions and the fears that remain unallayed and the concern for the future of nature conservation in this country which remains at the heart of the anxiety that people continue to feel.

The Opposition claim no particular originality in their stance on these issues. We have deliberately sought to align ourselves with the overwhelming expression of opinion from the conservation movement. We have consciously embraced its arguments because we believe that they are at the heart of the matter. They are essentially to do with the preservation of the excellent conservation effort that the NCC has laboured so long to produce, and for which it can claim—as I am sure that the Secretary of State would agree—a great deal of the credit.

The concerns of the NCC, the voluntary conservation movement and the Labour party are about the gap that will be left by the dismemberment of the NCC and about the inadequacy of the Government's proposals to fill that gap. Our concerns are essentially about conservation, and especially the need to preserve the science base; to provide a United Kingdom dimension to the advice tendered to the Government; to establish, maintain and monitor common standards throughout the United Kingdom, irrespective of the artificiality of politically drawn boundaries; to ensure that the representation of the United Kingdom in international bodies should be properly undertaken; and to gain recognition of the growing extent to which environmental issues are recognised as having to be dealt with on a transnational rather than a local, regional or national basis. Those concerns continue to be expressed by the bulk of those who have consistently commented on these issues.

In case there remained any doubt on the subject, I recounted at some length in Committee—I shall not do so again—the width and extent of opinion expressed by so many bodies in Scotland, England and Wales which had, in varying ways and on varying grounds, expressed their concern and opposition to the Government's proposals. It is no exaggeration to say that the whole of the conservation world has expressed its concern.

Despite the many hours that we spent on the subject in Committee and the efforts that Ministers have made to allay concerns, it is remarkable that, as far as I am aware,

not a single voluntary body has changed its essential opposition to part VII of the Bill. The voluntary conservation movement has listened to what the Government have had to say, it has looked at the arguments and considered the counter proposals, but it remains unshaken in its concern about what is proposed and its view that part VII would be better abandoned altogether.

As evidence for that continuing view, I cite not a comprehensive list but, for example, the document recently issued by the Royal Society for Nature Conservation which, in its introduction, says

"The Royal Society for Nature Conservation, in common with the voluntary nature conservation sector, remains convinced that the Government's proposals for the reorganisation of the Nature Conservancy Council are flawed; they will weaken a United Kingdom approach to nature conservation and in particular the arrangements proposed for the co-ordination, development and enforcement of a United Kingdom policy for nature conservation are at best unworkable and at worst non-existent."

That is pretty strong stuff and it is supported by many comments that I have seen from other voluntary bodies. I cite at random the Council for the Protection of Rural England which has been prominent on the matter. In its recently produced document it highlights what it believes is

"the illogical and ill-conceived proposals for the reorganisation of the Nature Conservancy Council and the Countryside Commissions".

In Committee, the Minister for the Environment and Countryside and I crossed swords on the view of the NCC and, in particular, its chairman, Sir William Wilkinson. It was common ground that the chairman's position in such circumstances is naturally difficult. He must continue to operate his organisation within the framework laid down by the Government and he cannot easily simply contradict what he is told by the Government, but if he is unhappy he must find ways of expressing that.

Therefore, it is relevant at this stage of our considerations to draw attention to a letter written by Sir William Wilkinson to many Members of both Houses of Parliament dated 27 April which lays to rest any continuing doubt that there may be about Sir William's position and that of his council. I hope that I shall be forgiven for quoting two or three paragraphs from it.

After an introductory paragraph, Sir William says:

"My Council welcomed the positive opportunities for conservation which could be afforded by country agencies, but questioned the logic of the proposal. It pointed out that NCC was already moving towards a federal structure, giving greater autonomy to the countries within a GB framework. Since then, NCC has made several representations to the current Secretary of State, and to his Department.

While recognising the contribution strong Country Councils could make I remain concerned that a new set of conservation bodies answering to different Government Departments might not be able properly to maintain a sufficient 'GB overview' of science and policy issues in Britain so essential to the continued conservation of our natural heritage. It is important too that the UK should put forward a coherent view on international issues affecting nature conservation and the environment.

The Environmental Protection Bill has now been considered by the House of Commons in Committee. However, many of the concerns about the Bill as it affects NCC, which we set out in our commentary distributed earlier this year, remain unresolved, especially over questions of resources, clarity of legislation, and the work of the proposed Joint Committee."

That is the testimony of someone who is closely involved in the issue and who has an excellent record of service to the Nature Conservancy Council and the conservation movement. It is also fair to say—I imagine that this will not be contested—that within the Nature Conservancy Council in its various forms a substantial majority of the work force remains hostile to what is proposed and is worried about the implications.

I was fortunate enough to spend part of yesterday at a nature reserve at Thursley just over the border in Hampshire. I was able to see the excellent work done by nature conservancy staff there and to talk to some of those involved. While they exercised proper constraint and caution about what they said about a highly contentious issue, nevertheless they made it clear that they remain concerned. I did not ask them, but they said, as I expected them to, that they would welcome some decentralisation and devolution in nature conservancy. They were prepared to say that in the past the Nature Conservancy Council was too centralised and that they were prepared for and wanted the proposed amount of decentralisation. Almost all the people who have commented on the issue have made a similar point.

Whenever the issue has been debated, we have made it clear that we would welcome decentralisation and devolution of certain functions, but when people make that concession they also say that it is not necessary to establish more decentralisation and devolution and to do damage and violence to the conservation effort made throughout Great Britain by the Nature Conservancy Council.

We want a conservation effort that is effective at national, international, local and regional levels. However, nothing that we have heard in the debate leads us to conclude that the Government, having made an unwise arrangement in the first place—on the basis of which this proposal is now brought forward—have yet resolved the problem of how to meet the demands for devolution in Scotland and Wales and preserve a Great Britain dimension to the science base, the setting of standards and the other important matters for which the NCC has been responsible.

Our concerns about that central issue remain, but we also have other anxieties. One of the remarkable things about the proposal is the extent to which it is now apparent that, on the best evidence that we can find, it will be an expensive exercise to dismember and reallocate those functions. It is remarkable because the Government have made something of a fetish of reining back public spending and yet the best estimate we have, from the NCC, is that the reorganisation could well add £20 million to its current budget. Other estimates show that that is a substantial underestimate of the true cost. For example, the study undertaken by the World Wide Fund for Nature in Scotland, which produced a convincing piece of work, concludes that in Scotland an increase in funds of £19 million—from £9 million to £28 million—will be required, as will an increase in the number of permanent staff from 184 to 557. On the same basis, it concludes that the figure for Great Britain could be around £80 million compared with the current budget of £45 million. Those are substantial amounts and I hope that the Secretary of State will comment on those estimates and tell us how much he thinks that his proposals will cost.

Another range of anxieties takes us back to the genesis of the issue—the nature of the deal and the motivation of the people who unwisely agreed to this ill-considered measure. We stated in Committee and on other occasions

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our well-founded suspicion that commercial forestry interests in Scotland were irked by the NCC's intervention which inhibited them from proceeding with forestry projects, especially in the flow country. A leading article published by *Forestry and British Timber* virtually—to use admittedly colourful language—danced on the grave of conservation and celebrated the victory, as the magazine saw it, of commercial and forestry interests.

4.15 pm

In recent weeks, Lord Sanderson addressed the National Farmers Union of Scotland and, perhaps unwisely, gave the game away. Discussing the issue before his audience, he said:

"You will also know that a Bill is going through Parliament as I've said to give us control, and the Secretary of State control, over conservation matters in Scotland."

There is little evidence in those comments of any real concern for conservation in Scotland. Lord Sanderson was clearly admitting to an attempt to wrest control over conservation matters from those whose true concern they were in order to place it in the hands of politicians who wished to meet the needs of commercial interests. I should be glad to pass the transcript of Lord Sanderson's remarks to the Secretary of State if he would like to see them. Lord Sanderson has honestly and frankly conceded that that is exactly what he said, although he has, of course, argued the toss about the meaning of "control".

The Secretary of State for the Environment (Mr. Chris Patten): I am a little confused at this point in the hon. Gentleman's otherwise pellucid speech. Is he making the point that nature conservancy, however it is organised, should not be responsible to Secretaries of State in England, Scotland and Wales? I do not understand the hon. Gentleman's point.

Mr. Gould: I am grateful to the Secretary of State for his kind remarks about my speech so far, but he is introducing an unnecessary difficulty. Most people understand perfectly well that there is a great distinction between the current position, where a body such as the Nature Conservancy Council is responsible to a Secretary of State, and a situation where control is to be exercised as the objective of the Bill. In explaining the purpose of part VII, Lord Sanderson made that point explicit. He was not merely continuing the current arrangements whereby the NCC in its new guise was to be responsible to the Secretary of State. He said:

"You will . . . know that a Bill is going through Parliament . . . to give us control".

That was the change announced by Lord Sanderson and that is why it is so difficult for him to own up to it.

It is interesting to see that the Secretary of State for Scotland has joined the Secretary of State for the Environment on the Front Bench. I suspect that the Secretary of State for the Environment was nearly as alarmed and unhappy about this deal as many of us and many of those in the conservation world were when we discovered it. I pay the right hon. Gentleman full tribute. He has done his best. I get the feeling that the right hon. Gentleman and the Minister of State have well understood the need to move to meet the justified concerns of conservation bodies.

The Secretary of State for the Environment found himself lumbered with a deal that was unwisely concluded by the Secretary of State for Scotland. He has been unable to shake his right hon. and learned Friend and his Cabinet colleagues and to move from that deal. I regret that the evidence so far—I hope that the Secretary of State can set me right—is that, as on other issues, the Secretary of State appears to have lost out. Well-intentioned though he is, he has not carried the day in political terms. The Government, the country and the conservation movement are therefore lumbered with this deal, and I am sorry that that has happened.

Mr. Malcolm Bruce (Gordon): Can the hon. Gentleman explain to the House how the Labour party, which claims to believe in home rule for Scotland and the devolution of conservation issues to Scotland, would organise a conservation agency based in Scotland which was not accountable to the Secretary of State for Scotland?

Mr. Gould: The hon. Gentleman has been, perhaps uncharacteristically, obtuse. We are not talking about accountability or responsibility. We are not even choosing the language: I am talking about Lord Sanderson's language. It was he who chose to use the word "control". It was he who pushed that to the forefront of his remarks when he tried to explain the central purpose of the Bill. He does not dispute the use of the word. I am surprised to see the hon. Member for Gordon (Mr. Bruce) coming to his aid. In correspondence with the Ramblers Association and others, Lord Sanderson has tried to reinterpret the meaning of what he said. The words are clear. I see that the Secretary of State for Scotland wants to make yet a further attempt to redefine the word "control".

The Secretary of State for Scotland (Mr. Malcolm Rifkind): The hon. Gentleman owes it to the House to respond to the point made by the hon. Member for Gordon (Mr. Bruce) about Opposition policy. Is he aware that the hon. Member for Glasgow, Garscadden (Mr. Dewar), the shadow Scottish spokesman, has said that the Labour party is committed, in the context of its support for devolution, to the creation of a Scottish natural heritage agency, including the present functions of the NCC in Scotland, which would be answerable in Scotland and not to the Department of the Environment? If the hon. Gentleman is aware of that how does he reconcile it with his criticism of the proposals before the House?

Mr. Gould: The Secretary of State did not take the opportunity which I thought he was claiming to comment upon the remarks of his noble Friend, so that issue at least remains firmly established.

On the second issue, I intend to move immediately to the effect of the proposals, because that issue was unnecessarily left in great doubt for a very long time in Committee. I intend to invite the hon. Member for Gordon, the Liberal Democrats' representative in Committee, to comment on it. We are very clear on the matter. *[Laughter.]* I can see that it is a relief to right hon. and hon. Members on the Government Benches to be able to laugh about something; they cannot comment seriously upon it. Let us be clear that no one in the Opposition or in the conservation movement has ever argued against the devolution that would be required to meet Scottish interests. I cannot believe that the Secretary of State for Scotland does not grasp that what is at issue is whether, in providing that greater devolution, it is necessary to

dismantle, dismember, dissolve or destroy the Nature Conservancy Council which operates on a Great Britain basis.

Mr. Andrew F. Bennett (Denton and Reddish): Will my hon. Friend spend a few minutes emphasising the difference between "accountable to" and "control"? The conservation bodies are worried that "accountable to" should be the approach on which the NCC puts forward the best scientific advice on the basis of the scientific evidence. What is worrying about "control" is that the controlling body would selectively put forward the advice which the Secretary of State wants to hear. That is where the difference is between the approaches.

Mr. Gould: My hon. Friend could hardly have put it better. For the purposes of the debate it is significant that the Secretary of State for Scotland and, perhaps more surprisingly, the hon. Member for Gordon do not want to talk about control; they would much prefer to talk about accountability. Yet, on the admission of Lord Sanderson, control is at the heart of the issue and is put forward by him as the major purpose of the Bill.

Mr. Keith Mans (Wyre): Earlier the hon. Gentleman quoted some grossly inflated figures about the cost of the Government's proposals for reorganisation. As he has told the House that he is clear about his party's proposals, perhaps he would also tell the House what those proposals would cost.

Mr. Gould: I am interested to hear not so much from the hon. Gentleman as from the Secretary of State, because it is his proposals which we are debating. As they are enshrined in legislation which is about to leave the House and go to another place, we are entitled to know what the Government say the proposals will cost and whether the Nature Conservancy Council is right or wrong in its estimate of an additional £20 million.

The issue of what would take the place of the Nature Conservancy Council and of what would meet its Great Britain-wide functions was clouded by the three or four hours that we were constrained to spend on that matter in Committee because of the obfuscations of the Under-Secretary, the hon. Member for Wells (Mr. Heathcoat-Amory) of which we were the victims. The hon. Gentleman was unable to answer a simple question relating to the replacement of the Nature Conservancy Council and the establishment of the country councils and the joint committee. We asked whose view would prevail in the event of a dispute between the joint committee and the conservancy councils. I do not think that the Minister will dispute the fact that we spent three or four hours constructively trying to get an answer and some elucidation on that point.

In the end, it became clear why it was so difficult for the Minister to answer that question. It was not because he did not know the answer or was unable to understand it. It was simply because he was unwilling to give that answer because it was embarrassing not only to himself and to the Government's case, but a good deal more embarrassing for the hon. Members for Gordon and for Angus, East (Mr. Welsh).

The answer that we received was that the joint committee would have no power to resolve such a dispute. In other words, despite all the claims and posturing, there would not be a Great Britain or United Kingdom body that could decide an issue that was of nationwide importance rather than of Scottish, English or Welsh importance. In the event of a difficult dispute that could not be resolved because there is no provision for its resolution, the matter would be resolved by the intervention not, as I understand it, of the Secretary of State for Scotland, but of the Secretary of State for the Environment. Is that right or wrong? Is the resolution of such disputes to rest with the Secretary of State for Scotland or not? *[Interruption.]* I notice that the Secretary of State for Scotland is intervening from a sedentary position, but he seems unwilling to come to the Dispatch Box to give us the reassurance that we need.

If this is to be regarded as a genuine issue of devolution, what on earth are the Government doing in setting up a framework that provides that a dispute that might involve Scottish, English and Welsh interests will be resolved by the Secretary of State for the Environment? It was exactly on that point that the hon. Members for Gordon and for Angus, East revealed themselves as having been taken for an embarrassing ride. They supported the provision on the grounds that at least something could be salvaged from the conservation wreckage and that that would be made more acceptable by the fact that they would gain something on devolution grounds. However, we can now see that there is nothing to be gained on either devolution or conservation grounds and that the sole purpose of the provision remains, as Lord Sanderson pointed out, the "control" of conservation in Scotland because the intervention of the Nature Conservancy Council had frustrated commercial interests in Scotland.

Mr. Chris Patten: I am anxious to assist the hon. Gentleman on this point. One of the main purposes of the structure that we have suggested is to avoid and prevent such disputes. That is why we have made it perfectly clear that the councils will be discharging a number of their functions through the joint committee. As the hon. Gentleman knows, it is very much our view that to establish a new quango, which is the hon. Gentleman's position, is more, rather than less, likely to lead to disputes. Although we believe that our proposals would avoid disputes, in the event of a dispute, it would have to be resolved by the Government, which includes both my right hon. and learned Friend the Secretary of State for Scotland and myself.

Mr. Gould: I do not mean to be unfair to the Secretary of State and I hope that he will take this comment in the spirit in which it is meant, but he was not present for the bulk of our debates in Committee and perhaps does not fully understand the weight of the argument that caused his hon. Friend the Member for Wells such a great deal of difficulty.

The Secretary of State has taken a very optimistic view of the way these arrangements might work, but what he has perhaps not fully understood is the very real question, which was raised continuously by my hon. Friends, about what would happen if a country council had decided that a particular research project, let us say, was entirely a matter for it and was one that it did not wish to support, whereas the joint committee, looking at the matter from a United Kingdom or Great Britain viewpoint, had decided that, on the assumption that it covered the whole of the North sea, for example, it was a matter of legitimate nationwide concern and that it wished to pursue that

[Mr. Gould]

research. That is not a wholly unlikely eventuality, and there is nothing in the arrangements which offers us any clue—certainly nothing in what the Under-Secretary could tell the Committee, so no clue was offered there either—about how that problem will be resolved.

4.30 pm

It is not unreasonable to ask why—after months of preparation, we are told, have gone into this—the Government have not foreseen that sort of problem and why they have been unable to solve it. The only answer that they can give is that, for the time being, not only is conservation off the agenda, because no conservation body will be able to take a United Kingdom or Great Britain wide view of the matter, but so is devolution, because, despite the bobbing and weaving of the Secretaries of State, the matter will be resolved by the Secretary of State for the Environment.

The arrangements so far put forward are rudimentary and fail to answer many of the questions that arise on the staffing, financing and powers of the joint committee. We do not believe that that is a good enough situation for the House to commend and to endorse. That is why we put forward our new clause, not because we think it the last or the best word on the subject but because it gives at least some indication of the minimum requirements necessary for the joint committee to go even part of the way towards fulfilling its true role and filling the gap left by the unnecessary dissolution of the Nature Conservancy Council.

I hope that during the debate the Secretary of State will be able to tell us a little more about his plans for the joint committee. We were told in Committee that the Government could not enlighten us on these matters because they were busy contemplating the Carver report; we were unhappy about that and hoped that by the time we got to Report the House as a whole would have before it some proper proposals from Government on which we could take a view.

That, again, is not the case. I think it regrettable. I assume, and I hope that the Secretary of State will assure us, that the other place will be rather better treated and will know more precisely what is in the Government's mind. In the meantime, we regard the current position as wholly unsatisfactory. We doubt whether any proposals made by the Government in line with the disreputable deal that was originally struck could be either acceptable or satisfactory, but in the absence of any detail on the matter we believe that are entitled to make the strongest possible protest, because a destructive act has been undertaken with no attempt to describe what remedial action will be put in its place.

It is on the ground of our concern for conservation in these British isles, which has always been the central ground, that I commend the new clause to the House.

Mr. Chris Patten: This is a more decorous occasion than some in which the hon. Member for Dagenham (Mr. Gould) and I are obliged to take part. I shall attempt to avoid provoking any great excitement and to avoid traversing some ground with which both the hon. Gentleman and I, and indeed the whole House, are perhaps excessively familiar. I shall not go on a bus tour of a number of controversies, some real, some imaginary, which have provoked so much interest and debate in Committee, on other occasions in the House and outside the House.

I shall begin by restating the central objectives of part VII of the Bill. As the House will know, they are to achieve a more effective delivery of nature conservation in each country, and in Wales and subsequently Scotland to create integrated agencies, embracing both wildlife and countryside functions. We have made it crystal clear in the past few months that we fully recognise that we shall need special arrangements to deal with nature conservation issues that have a Great Britain, United Kingdom or international dimension. Such issues will include the effects of climate change on wildlife or of acid rain on wildlife. We believe that that should be achieved by appointing a joint committee of the three country agencies under an independent chairman appointed by me.

As I said on Second Reading, the first chairman will be Professor Holliday, who is respected by hon. Members on both sides of the House for his experience, independence and scientific distinction. He began work in a shadow capacity on the first of last month. He is already playing a vital role in helping to plan the programme, staffing and resources of the joint committee. He is also advising me on the composition of the committee. The Government expect to announce several further appointments this month.

Work is also proceeding steadily on planning the organisation of each of the new country agencies and announcements will be made next week about the recruitment of their shadow chief executives. The hyperbole of the Opposition cannot disguise—let me be euphemistic; I do not wish to provoke excitement—the fact that they are in some confusion on the issue. The appearance of Lord Carver's report has added somewhat to their discomfort. That report does not find our proposals unworkable as the Opposition had hoped, nor does it seek to transform the joint committee into a fourth quango, as some Opposition Members propose. Instead, it makes a series of helpful recommendations designed to clarify the relationship between the country agencies and the joint committee.

Mr. Elliot Morley (Glanford and Scunthorpe): Will the Secretary of State accept them?

Mr. Patten: The hon. Gentleman will not be kept in suspense for more than a moment or two.

I had orginally hoped that we might be able to respond to the Carver report in detail during this debate. However, I am keen, particularly in view of past criticisms that we have not always consulted or discussed matters sufficiently widely, to ensure that we give some of the more detailed recommendations of the Carver report, including on the composition and staffing of the joint committee, the most extensive consideration possible. Therefore, I cannot set out our definitive position today. However, without reservation I can say that my colleagues and I have been most impressed by the balanced approach taken by the Carver committee and the practical thrust of its recommendations. It is an admirable report, which will be of considerable help to us.

I assure the House that the Government will respond positively and comprehensively, certainly in time for the Second Reading debate in another place to which the hon. Member for Dagenham referred tangentially in his

remarks. I also hope to assure the House that we shall bring forward an amendment in Committee in another place to carry that response into law. Naturally there will be an opportunity for the House to consider the Government's response when the Bill returns here for consideration of any amendments made in another place.

Mr. Andrew F. Bennett: Will the Secretary of State tell the House the truth? He is praying for a defeat in another place. With that in mind he is trying to do as little preparation as possible, which will be counter productive, so that he can wait until he is defeated in the other place and then sort the whole mess out.

Mr. Patten: The hon. Gentleman may have guessed that there are many things for which I pray in life, but among their number I do not include defeats anywhere, including in the other place. It is not one of my ambitions to stimulate constitutional arguments. I believe that our legislative proposals will earn the enthusiastic support of their Lordships, particularly after we have responded in terms to the useful recommendations in the Carver report. In the meantime, before we are able to respond in detail to that admirable report, I do not regard the amendments tabled by the Opposition as acceptable. I do not believe that that will come as an overwhelming surprise to the hon. Member for Dagenham.

New clause 6 would extend the joint commitee's remit to cover countryside matters. That echoes one of the recommendations of the Carver report, which we are currently considering. Otherwise the new clause largely repeats what is already in clause 109, which gives the joint committee powers to undertake research and establish common standards relating to its nature conservation functions. Much of the data and information that the joint committee will need to carry out its functions will be supplied by the country councils. Some data and information may need to be obtained directly from other bodies, for example, the Natural Environment Research Council. There is no need for the legislation to be specific on that point as the powers in clause 109(1), paragraphs (a) to (d), are sufficient. They echo the country councils' powers for their own areas and those of the existing Nature Conservancy Council. No one has questioned the power of the NCC to assemble the data that it needs to carry out its functions and there is no reason to believe that matters will be any different after the reorganisation.

I assure the House that the joint committee will be provided with the resources, including manpower, required for its statutory purposes. The hon. Member for Dagenham will be aware that, this year, we have increased conservation spending through the NCC by almost 10 per cent. in real terms, and, in addition, an extra £1·4 million was earmarked for reorganisation costs in the coming year.

We made it clear in our evidence to Lord Carver's committee that a small secretarial and technical unit would be required to support the joint commitee. In turn, the Select Committee has recommended that the joint committee should have up to 20 professional staff, with some supporting staff. The Select Committee also made it clear that the joint committee should not be an independent quango, but should derive its funds through the country councils. The ability to employ staff directly is one of the hallmarks of full quango status, so we shall not want to do that. We had accepted, however, even before the Carver report, that some clarification should be given in the legislation to cover the country councils' ability to provide staff on secondment to support the joint committee. We intend to provide that clarification through an amendment in the other place.

Mr. Robert B. Jones (Hertfordshire, West): Does my right hon. Friend agree that issues change from time to time, so it is extremely important that the joint committee should be able to draw on different members of staff of the various country councils rather than have a permanent staff who may be unable to respond to such different issues?

4.45 pm

Mr. Patten: That is correct and my hon. Friend has put his finger on the nub of the argument. At the moment Professor Holliday is discussing with those concerned what sort of staff and expertise he will need straight away to discharge the initial responsibilities of the joint committee. My hon. Friend has perceptively pointed out that those needs will change from time to time.

As I said in my second intervention in the interesting speech of the hon. Member for Dagenham, with regard to directions from the joint committee to the country councils, I confess to some puzzlement. The councils each provide members of the joint committee—and, indeed, it is the councils acting collectively through the committee that are charged with carrying out the Great Britain, United Kingdom, international and scientific functions set out in clause 109. The need for "directions" does not, in my view, arise. The committee will provide advice under clause 109(1)(a) and (b) and not the individual councils. The committee and not the individual councils will establish common standards under clause 109(1)(c). The committee and not the individual councils will commission, support or if necessary undertake research under clause 109(1)(d). The councils would be acting ultra vires if they tried to carry out the functions in clause 109 individually, except in circumstances which would, I guess, be wholly exceptional —where a Minister had invoked the reserve powers in clause 109(2)(b) to require that a clause 109 function be carried out by an individual council. It would therefore undermine the purpose of the Bill to accept the Opposition's new clause. There is the separate issue—to which the new clause may be addressed, although, if so, it does not really fulfil its purpose—of possible overlap between activities undertaken by the individual councils under clause 108. Lord Carver has suggested that we need to take action on that point, and we are considering that question seriously.

Amendment No. 108 contains further suggestions for expanding the joint committee's remit. One of them, paragraph (e), is that the joint committee should submit its own annual report, which is similar to a recommendation in the Carver report. We shall address that in our response to the report. The other proposal, in paragraph (b), is already accepted in principle by the Government. The Bill already states that the quinquennial review of nationally endangered species, and advice about those species, will be undertaken jointly by the country councils. We intend to bring forward an amendment elsewhere to make it clear that that will be a function to be carried out through the joint committee. In general, however, I must emphasise that it is not our intention that the joint committee should usurp the country agencies' role in designating sites, or in

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making site-specific recommendations to Ministers. The committee is to have a much broader role than that, and we shall not accept amendments that blur the distinction between its advisory role and the executive responsibilities of the country agencies.

The Government's proposals have certainly aroused strong emotions—the hon. Member for Dagenham was perfectly reasonable in making that point. However, we do not believe that they have been matched by equally strong arguments for maintaining the status quo. Certainly no one, least of all the Opposition, has been able to convince me that it is inherently wrong to have separate public sector agencies for nature conservation in each country, provided that there are satisfactory arrangements to deal with the wider dimensions of wildlife, as we are providing through the statutory joint committee under Professor Holliday.

I said at the outset that I was anxious to avoid too much argument, but I believe that there is almost as much confusion about the Opposition's policy on this issue as there is perhaps about their policy on local government finance—that was borne out by some of the interventions on the speech of the hon. Member for Dagenham. The Opposition appear to have one policy in Scotland and another in Wales, which has the enthusiastic endorsement of the Leader of the Opposition, whose views on such issues we must presume are of some account. The Opposition have another policy, which, from time to time, is advocated in the House, and which is reflected in much of their dialogue with outside nature conservation bodies. Whatever the Opposition's policy—however, it changes from time to time—I hope that they will come to see the benefits and good sense of our proposals and appreciate the intellectual inadequacy, confusion and lack of logic in their being in favour of a Parliament in Scotland, but against a nature conservancy agency for Scotland. There is a deal of constitutional confusion in their position; perhaps it will be cleared up when the Opposition spokesman replies to the debate on new clause 6.

A new beginning is needed and that is what the Bill will achieve. The conservation credentials of the new agencies cannot be doubted seriously in view of the appointments of shadow chairmen that my colleagues and I have already announced: Lord Cranbrook, Magnus Magnusson, Michael Griffith, as well as Professor Holliday. Each of those appointees has links with the voluntary movement, and I am sure that they will want to build on them in the coming months as they prepare for the changeover next year.

Many hon. Members may have seen the article in *The Scotsman* last month about Magnus Magnusson. I commend it to the House and quote with considerable approval his final words:

"We are at the start of something hugely exhilarating and constructive."

I look forward to the new agencies living up to the high hopes and expectations that we all have of them. Whatever debates there may have been in the House over the past few months, I trust that the new agencies can carry with them the good wishes of the House.

Mr. Andrew F. Bennett: I have some sympathy for the Secretary of State for the Environment. He took up his new role and was immediately asked to perform a series of Houdini tricks to escape from all sorts of situations. He has two major shows going on at the same time—the problem of escaping from the poll tax and escaping from the proposals we are talking about today. No doubt, in relation to the poll tax, he is a bit like Captain Webb heading for the top of Niagara falls in a barrel. His only problem is whether he will be in the barrel when it goes over, or whether it will be one of his predecessors or the Prime Minister.

It is a much simpler task to get out of the straitjacket of this measure. His strategy is quite clearly designed; he will be defeated on the Bill. He cannot be defeated in the Commons, because the Government have too large a payroll. Although he will not admit it, he is looking forward to being defeated in the House of Lords. That is why the Government have done so little work to flesh in the details. They do not want to do work that will be counter-productive. The Secretary of State is looking forward to the Second Reading debate in the House of Lords and the following Committee stage in the hope that they will get him off the hook of the difficulties related to the Nature Conservancy Council.

There is a further little advantage for the Secretary of State. He is well aware that, from time to time, the House of Lords has turned over various bits of the Government's legislative programme. There is a feeling in the House of Lords that it can upset the Government once, or possibly twice, on a Bill, but it must not cause too much upset. Therefore, the big advantage for the Secretary of State is that, if he is upset over this little bit of the Bill in the House of Lords and it provides a solution that he would privately welcome, it probably means that, in the way in which things work, the House of Lords will spend less time causing the Government difficulty on one or two of the other crucial parts of this large Bill. Therefore, that has attractions for the Government.

I wish to stress, particularly to those in the House of Lords, that in the amendment that they finally persuade the Government to accept, we must clearly set out the importance of conservation in this country. What is sad and worrying is that, in Scotland, the Nature Conservancy Council started to give awkward advice to the Secretary of State and is now being punished for that.

Mr. Malcolm Bruce: It did not know what it was talking about.

Mr. Bennett: The worrying fact is not that the Government did not accept the advice, but that they blamed the Nature Conservancy Council for bringing the awkward advice. The political role must be examined. I accept that Ministers must take decisions, but the decision should be to listen to the advice. The hon. Member for Gordon (Mr. Bruce) said that the council did not know what it was talking about. That is a decision for the Minister to make, having weighed the evidence. However, sadly, the Government turned on the messenger and attacked him. The Government now say that, because the Nature Conservancy Council brought advice that Ministers did not like, they want to hamstring and stop the council from bringing forward that advice, which was based on perfectly good scientific evidence.

I want to stress that it is important that we equip the Nature Conservancy Council with the resources to carry out the scientific examination and bring forward the scientific evidence, and then Ministers must make the

political decisions. Sometimes they will come down on the side of conservation, and sometimes on the side of development. They have to carry the responsibility for that political decision. It is wrong to try to influence and bias the evidence put forward to them to make it easy for them to make a soft political decision because they can say that all the evidence points in that direction. It worries me that in future the Natural Conservancy Council will be worried about giving its advice.

I understand all the arguments about devolution to Scotland and Wales, but we must firmly have in mind on what basis the Nature Conservancy Council should be considered. I am talking in terms not of small bits of the United Kingdom, but of the whole of our planet. Within those terms, we must look at what sort of ecosystem we have in the United Kingdom that unites it. It is largely our maritime climate that gives much of the United Kingdom a unique ecology that is not found in most of western Europe.

When allocating resources, we must take that into account and look right across the whole of the United Kingdom. The scientific effort—the effort to conserve—should take into account Britain's role in the world in terms of what we are trying to protect and conserve, rather than considering it merely in terms of what is suitable in a small area of the United Kingdom.

It is important that we get that right. The amendment moves us towards a federal structure, which is clearly the way for the Government to proceed. I hope that that decision will be put forward in the House of Lords.

When will the Government make their announcement about commons? There have been two parliamentary answers stating that the Government are carefully considering making a statement about their proposals. I hope that we can be told exactly when that statement will come, and hear why, sadly, the Government did not put that into this legislation. I should have thought that we could have sorted out that commons legislation and the access problems. I commend the Minister of State's statements about footpaths and the need for all our public footpaths to be open to access by the year 2000. The Government have not given us much evidence that they will put in the resources.

I am concerned about, and want some clear statements from the Government on, new clause 10 and the Countryside Council for Wales. I do not want to push new clause 10 to a vote, but I hope that the Government will say exactly what will happen in Wales. Due to the lack of resources proposed in Wales, it was impossible to set up the Nature Conservancy Council committee for Wales as a separate body, and it had to be rolled into the countryside organisation in Wales. Therefore, there is merely the Countryside Council for Wales, one organisation with three separate functions. It is difficult for it to perform those three functions with sufficient balance.

First, the council has a conservation role, in putting to Ministers and other people in Wales the need for conservation. Secondly, there is the question of use and the difficulty of balancing the different competing elements for the use of the countryside between the farming community, the people who live in the area, those who want industrial development and the jobs that go with it, and those who want to go out and enjoy some of the most beautiful country in the United Kingdom. It will be hard for one organisation to hold the ring and to be seen to hold it fairly between those elements.

It was a little unfortunate that the Government announced the appointment of Michael Griffith as the chairman of the new organisation without taking more care to check up on his background. I do not want to criticise Mr. Griffith, but I firmly criticise the Government in Wales. If one is going to appoint someone chairman, it is only reasonable to check on his background. As far as I can tell, all the Government did was to check that he was sympathetic to the Government and was a member of the Conservative party. They did not check how good a landowner he was or whether all the footpaths on his estate were well looked after.

The Ramblers Association did some checking as soon as the appointment was announced and found that many of the footpaths on Mr. Griffith's property were blocked. To be fair to the man, he has immediately set out to remove the obstructions on his footpaths, but I am worried that it will not be particularly easy for the new body vigorously to pursue prosecutions to do with footpath matters in Wales when everyone in Wales will be able to say that, until he was appointed, Mr. Griffith's own record was not especially good.

5 pm

The Minister of State, Welsh Office (Mr. Wyn Roberts): I am surprised to hear the hon. Gentleman attacking Mr. Michael Griffith, because he is a friend of the ramblers. His estate in Wales is more open than any other that I know. I could reel off to the hon. Gentleman the extent to which it is accessible. It is true that one footpath had been blocked by one of his tenants, but he immediately restored it. He has also invited the Ramblers Association to discuss its problems with him with a view to resolving any further difficulties. He has been pressing the local county council to erect signposts where rights of way on his land are joined by a metalled road. His credentials in terms of access are first rate.

Mr. Bennett: I am glad to hear that, but I am a little surprised. I tabled a parliamentary question to the Minister asking for that information, and he told me that he could not give it. I then wrote to the county council, and received a prompt reply telling me that it was making inquiries into the obstructions on the footpaths that I had listed. But I have not had a definitive reply from the county council. It appears that tabling this new clause has suddenly persuaded the Secretary of State to make some inquiries, but we could have avoided this whole procedure if he had answered my orignial question.

I found it amazing that the Minister said that he did not have the information I sought. Presumably he made some inquiries to discover whether Michael Griffith had a good record on footpaths, but when we discussed the matter in Committee, and when I tabled parliamentary questions before Easter, the Minister could give us no answer. I am glad that he has started to sort out this problem and that Mr. Griffith is now saying that he will attempt to improve on what was not a very good record—[HON. MEMBERS: "Get on with it."] It is all very well people telling me to get on with it, but the law of the land says that one should not obstruct footpaths on one's land. The Minister said that Mr. Griffith had committed only one crime—that only one path was obstructed—but when the Ramblers Association went down to the estate to have a look, more than one path

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was obstructed. Since then, Mr. Griffith has removed the obstructions, but we all have a duty to ensure that footpaths crossing people's land are free from obstruction.

I find Conservative Members' attitude deplorable. The Minister also found it deplorable, because he has said that it was unsatisfactory that the Countryside Commission's survey found that 75 per cent. of footpaths were obstructed somewhere in a two-mile stretch, and he said that he was determined to have those obstructions cleared by the year 2000.

Mr. Wyn Roberts: I know that the hon. Gentleman does not want to do an injustice to Mr. Michael Griffith, who was conscious that some of the footpaths on his land were of little value for recreational walking, so he has established a new footpath that he considers would be of more use to walkers.

I can let the hon. Gentleman have a complete list of the many bodies that use Mr. Griffith's estate: they include Riding for the Disabled, the Pony Club, Denbigh angling club, Colwyn Bay pigeon club, the British Horse Society, and the North Wales Harness Association; and many charitable events, including the Denbigh and Flint agricultural show, take place there.

Mr. Bennett: That is all very commendable, but let us take up one of those points. Mr. Griffith decided that one of the footpaths was not much used and that he could provide a more valuable one. I seem to remember that the previous Secretary of State for the Environment took the same view once. There happened to be a little footpath in the Lake district that came down past one of his properties. Perhaps the path took away some of the privacy of the property, and he just assumed that he could get rid of it.

Certainly it is not very nice if a footpath brings people down past someone's property so that they can look through the window and see what he is having for breakfast, but the footpaths are an historical record of the ways in which people used to move about this country, and we should protect that record, using the procedures laid down for diversion orders. I am fairly certain that Mr. Griffith did not use that procedure on his land.

I do not want to continue the argument any further; I accept the Minister's promise that Mr. Griffith will campaign in Wales to ensure that footpaths are free from obstructions—that is the important thing. My impression is that large numbers of footpaths in Wales are still difficult to go along because of barbed wire, fallen trees and undergrowth—and the other obstructions found by the Countryside Commission's survey.

I want a guarantee that the new body in Wales will pursue just as vigorously the aim of ensuring that all footpaths in Wales are clear of obstruction by the year 2000 as we hope the Countryside Commission will in England.

I also want an assurance from the Minister that more vigour will be deployed in securing access agreements in Wales. The Peak district national park has a good record of granting such agreements and we now have access to most of the high ground in the Peak district, but that is not so in Wales. I do not want to go into all the detail of the evidence that I put forward about the Arans, but there is a sorry history there: for most of this century people had free access to them on what they thought were public footpaths, but a small group of farmers, the Aran society, began to object—I understand why—and there is now a limited number of access routes on to the Arans.

I hope that the Minister will assure us that that will not happen in other parts of Snowdonia. Sad to say, large numbers of routes over the mountains of Snowdonia are not recorded as public rights of way on the definitive map, but they are such in custom and practice. In recent years, one farmer has started to press to be paid money for an access agreement, and I would not object to that. Many hill farmers should be receiving money from the Department of the Environment for encouraging access, instead of receiving it from the Ministry of Agriculture, Fisheries and Food to produce surpluses——

Mr. Ieuan Wyn Jones (Ynys Môn): Or rather, from the Welsh Office.

Mr. Bennett: I accept that; the money should come from the environmental body in the Welsh Office, not from MAFF.

I press the Government for a clear statement on what will happen to access in Wales. We must ensure that there is some justice for the different groups of farmers. Some farmers have been able to use their land for caravan and camping sites, thereby earning a good deal of income, but often the next-door farmers suffer the disadvantage of having people spill over on to their land from these sites, without deriving any income from them.

I hope we can be told that the Government are looking with some enthusiasm at establishing access agreements so that farmers will receive some income in that way. I hope that the Government will urge that agriculture grants should not be paid to people who block footpaths. They should say that a condition of grants is that farmers ensure that all public footpaths are open to the public.

It is important for farmers and others living in the countryside to see that people are encouraged to go into the countryside, to enjoy it and to appreciate how carefully farmers look after it. They should be willing to support the farmer's efforts. The Government should declare that they have a policy for encouraging access in Wales which will ensure that footpaths are not obstructed. They should look more and more at giving free access to high moorland, especially in Wales, without the necessity to follow footpaths, many of which are not useful to either the farmer or the walker because they suffer from erosion.

Sir Hector Monro (Dumfries): I should like to redress the balance following the speech by the hon. Member for Dagenham (Mr. Gould). He founded his comments on the letter from the chairman of the Nature Conservancy Council, Sir William Wilkinson. Sir William has been a fine chairman and we have all appreciated his exceptional work and are pleased that he is to continue for another year. He was writing in his personal capacity because in the extract read by the hon. Gentleman, Sir William said, "I am concerned", and not that the council was concerned. Since July Sir William has taken up his position with some council members who are on his side, but the majority of the members have been in favour of the proposals. The present Scots members on the council are unanimous about that.

Mr. Morley: Does the hon. Gentleman think that Sir William's view expressed the opinion of the majority of the NCC staff? Has the NCC ever voted on the matter?

Sir Hector Monro: The hon. Gentleman should not jump in so quickly. I have just started my speech and I shall shortly deal with the matter of staff. Of course Sir William is speaking on behalf of the staff.

Mr. Morley: On whose behalf does the hon. Gentleman speak?

Sir Hector Monro: I am speaking on behalf of nobody but myself as the longest serving member of the Nature Conservancy Council. I have not been asked to speak on behalf of anybody and am merely stating the facts as I see them. Of course the staff have been concerned from the beginning, as any staff would be when they realise that there may be reallocations of jobs. However, the Minister has said from the start that their jobs are assured.

Mr. Morley: It is not just jobs that the staff are concerned about. They are concerned about the principle and quality of nature conservancy in Britain.

5.15 pm

Sir Hector Monro: I can hardly utter a word without the hon. Gentleman intervening. I am coming to that matter. Some staff may also have the personal problems of moving house. I agree that they are worried about the future attitude of the council towards nature conservation. However, I do not think that all the members of staff are worried about that.

We work in great harmony in the NCC. We do not operate under contention and in all the years that I have served on the council I do not recall having to vote on any issue. It is plain that the majority of the appointed members of the NCC are in favour of the legislation. It is right that that should be made clear.

It is important to bring home to the House and especially to the Opposition that all members of the NCC were anxious from the start about the overall scientific view. However, that was in July and subsequent meetings, changes in attitudes and pronouncements from the Government meant that by Second Reading it was clear that the Government had made a firm decision about how the scientific council would operate. Everyone was pleased to see that Professor Fred Holliday, a man of exceptional ability, was prepared to take on the work.

It is wrong for the hon. Member for Dagenham to try to find difficulties in every solution. Under the legislation, I do not foresee any difficulty about coming to a satisfactory working arrangement between the councils and the scientific council about how advice is to be given to the Government, who may have to take that advice to Europe or to international forums.

The hon. Member for Dagenham should try to extend his vision and look separately at Scotland, England and Wales. I do not have the slightest doubt that when the natural heritage agency is in place in Scotland its immense power will enable it to look after scenic beauty, nature reserves, sites of special scientific interest, footpaths such as the Border way and other splendid new routes that the Countryside Commission has developed. When all those powers are controlled by one body, we can look forward to seeing conservation and heritage in Scotland in firm hands. That control will be coupled with the effective voluntary bodies such as the National Trust for Scotland, organisations with an interest in flora and fauna, the Royal Society for the Protection of Birds and other distinguished Scottish organisations.

The hon. Member for Dagenham does not seem to realise that many people in Scotland were worried that when contentious matters were raised they were not raised from our headquarters in Edinburgh or from the Countryside Commission headquarters at Battleby but from Peterborough. There was a feeling that we Scots who are much nearer the ground in Scotland should have an opportunity to look after nature conservation in the highlands and islands and the west and, indeed, all over Scotland. We wanted a stronger regional set-up and a stronger Scottish headquarters which would run its own scientific operation.

Throughout the discussions since July, my right hon. and learned Friend the Secretary of State for Scotland has made it clear that resources would be available. I am confident that that is so and that we will have a strong scientific base in Scotland, which is what we have wanted for many years. The appointment of Magnus Magnusson, then president of the RSPB, as chairman of the Scottish NCC was an exceptional choice. He is a man of immense capability and, as the Secretary of State for the Environment has said, he has great talent and knowledge. He will lead the Scottish NCC with tremendous skill. He would not have taken on the job if he had not been clear in his mind that this was the right way forward.

The appointment of Lord Cranbrook to look after the NCC in England was an indication by the Government of how strongly they felt about having a man of great experience as chairman of that body. I may be out on a limb, but I would not be in the least surprised if, within a decade, we see the NCC amalgamate with the Countryside Commission, as will happen in Scotland in the coming year.

The figures for staff given by the hon. Member for Dagenham were inaccurate. It is difficult to imagine that Scotland would need about two thirds of the present staffing complement in England. That is an exaggeration. Of course the staffing levels will be substantially higher than they are now and there will also be scientists. I accept that this will cost money, but it is worth spending money to develop in Scotland nature conservation, the scenic beauty, the heritage and all that that stands for. If that is not worth spending money on, I do not know what is. I am prepared to accept that extra millions will have to be spent to do this.

The hon. Member for Denton and Reddish (Mr. Bennett) was wrong to say that all this has taken place because the Government were annoyed by the attitude taken by the NCC to forestry in the flow country. There were discussions, and the NCC was right to put forward its view, but many matters have to be talked about around tables, and compromises have to be made. We were satisfied with the conclusions that were reached about the areas that could and could not be planted in the flow country and the highlands generally.

We are setting out on a course that offers tremendous possibilities. It has shown that the Government are keen to have the highest possible standards of conservation throughout the United Kingdom and to devolve them into the three countries of Scotland, Wales and England, separately. Each will have councillors who are closely

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concerned with their country and with conservation in it. That is the best way to keep a close check on what is happening at the ground level.

I want to see more regional offices, so that the general public can be closer to the Nature Conservancy Council for Scotland. At the moment, offices are widely spread. One sees a regional officer from the NCC only rarely, and that is purely for geographical reasons. We want the country more involved in what we have been trying to do for a long time. This is a splendid opportunity to do that and it is wrong for the Opposition to throw cold water on an exciting and exhilarating idea. I hope that the House will reject the new clause.

Mr. Malcolm Bruce: I do not agree with the new clause, for a number of reasons that are consistent with the position I took in Committee and which my party has supported. My party has a relatively small percentage of the membership of the House, but our Members of Parliament represent large constituencies. We represent about 20 per cent. of the land area of Great Britain, and nearly half the land area of Scotland and Wales. *[Interruption.]* Labour Members may laugh, but we represent areas in which nature conservation is extremely important and we are very aware of the interaction between the local community and conservationists—certainly more so than the hon. Member for Dagenham (Mr. Gould), as he has shown.

Given the implications of the debate for Scotland, it is interesting that no Labour Member representing a Scottish constituency is present, despite the fact that such Members constitute about 20 per cent. of the Labour party. I do not blame them for being absent, because the new clause is somewhat embarrassing for them. In its enthusiasm for its policy review to seduce and woo the yuppie vote in the south of England, the Labour party has put forward an argument that has betrayed its heartland in Wales and Scotland and the real interest of people there.

Mr. Gould: Although we had the pleasure of the hon. Gentleman's company in Committee, he was replaced as the environment spokesman for his party. However, his successor is not present. Is that because his successor might be unhappy with the position taken by the Liberal Democrats of backing major land-owning interests in Scotland against nature conservation throughout the country?

Mr. Bruce: That intervention demonstrates the hon. Gentleman's lack of knowledge.

Mr. Alex Carlile (Montgomery): Cheap.

Mr. Bruce: It is not just a cheap point but shows a complete lack of understanding of what goes in in rural areas in Scotland and Wales and of the interaction between parts of the community. If the hon. Member were a little more knowledgeable, he would understand why we have taken a vigorous line on this matter and why nature conservation is about the recognition that all land, throughout Great Britain, is managed and has to be conserved. The argument is about how it is managed. *[Interruption.]* The hon. Gentleman is wrong, and if he listens, he will hear my case.

The new clause is an attempt to subvert and frustrate the whole thrust of the Bill, which is to devolve conservation to Scotland and Wales. As I said in an intervention, the Labour party claims to be in favour of a Scottish conservation agency but is opposing a Bill that would provide such a framework.

Secondly, the new clause would ensure that the joint committee could commission and organise its own research and employ as many people as it wanted. Therefore, it would be a phoenix arising from the ashes of re-establishment of the NCC, but that body has failed to serve the interests of the Scottish people and is being changed. That is why I do not support the new clause.

Many people involved in conservation activities and research in Scotland are looking forward to the opportunity that the new body will present to enable them to take a larger share of the research programme that will be commissioned in Scotland than they have been able to secure from the English-based NCC. They are people with commitment, knowledge and expertise in Scotland, in our universities and well-established research institutions, who have not been given the opportunities that they deserve. They will play a constructive role in the future when the new agency has been established.

One or two questions still arise, and I hope that the Government will be able to give us answers to them. One is how the new body will be funded and structured. That will be the critical test of how the new proposals meet the needs of Scotland. As the hon. Member for Dagenham said—most members of the Committee received a report of this—the World Wide Fund for Nature has made its own calculations of what it thinks would be necessary. It suggested that Scotland would need a budget of £28 million and that the total for the United Kingdom would be about £80 million compared to the current £45 million that is spent through the NCC.

Nobody expects the Minister to agree to those figures or to accept that they are anything other than the judgment of one body. However, before the Bill leaves the House—certainly before it leaves Parliament—we should have some idea of what funding the Government have in mind. The level of funding will be a criterion on which conservationists can judge whether the Government's language about commitment to conservation is based in truth. The sooner that the Government put a figure on funding, the sooner they will be able to demonstrate whether they are serious about the commitment to long-term conservation that they claim lies behind this reorganisation.

The Labour party says that the change will be a landowners' charter and simply hands control over to them. We have to resist that possibility. I know that Ministers in the Scottish Office are at least mindful of the danger and recognise that Scottish-based conservationists will want to be part of the organisation. It would be difficult even for this Government to set up a body that excluded a representative group of Scottish-based conservationists.

The Labour party has to explain why it wishes to deny us the chance to have a Scottish-based body with Scottish conservationists determining our main priorities for how conservation in Scotland should be managed. The same applies for Wales. I resent the patronising implication that somehow the people based in England have a greater knowledge and understanding of how conservation in Scotland should be managed. That completely negates the

idea of allowing not only devolution of administration but local communities to be involved in the discussions affecting their livelihoods and communities.

Mr. Morley: Is the hon. Gentleman aware that Scottish Wildlife and Countryside Link, which represents Scottish nature conservation bodies, is entirely opposed to the Bill in its present form? Is he saying that its position is patronising?

5.30 pm

Mr. Bruce: I am aware that it is opposed to the Bill in its present form. I am aware, however, that it will accept at the end of the day—*[Interruption.]* I ask hon. Members to let me finish my sentence. It will accept that there are gaps in conservation and research within the NCC that will now be able to be put right. We are talking of bodies that have complained about the NCC's insensitivity in areas such as marine research and issues related to the marine environment. They have complained that the NCC has not given the priority that is so important to Scotland in its research commissioning. It is a matter of judgment whether the devolved body will take that into account.

It seems that it is the united view of conservationists that, because the proposal that we are discussing came from the previous Secretary of State for the Environment, the right hon. Member for Cirencester and Tewkesbury (Mr. Ridley), whose motives were suspicious, they are not prepared to support it. When the present Secretary of State spoke after the hon. Member for Dagenham he said that he felt that the argument that had been advanced behind the emotion was unconvincing. I believe that as the debate progresses the argument becomes less and less convincing. As I said in Committee, it will be welcome when the conservation agencies recognise that change will take place and that they should play a constructive role in making the new system work in the best interests of the people of Scotland and Wales.

Mr. Robert B. Jones: A moment ago the hon. Gentleman was citing some of the conservation bodies that are worried about the level of marine research that is being carried out. Is it not an ideal opportunity, with the university of St. Andrews having one of the finest departments specialising in marine research, to place some research contracts in Scotland that are connected with some of the problems that are of concern to the people of Scotland?

Mr. Bruce: The hon. Gentleman advances an argument that is relevant to his connection with the university of St. Andrews. The department to which he refers is not the only department in Scotland that could benefit by being more involved in research in conservation throughout Scotland. Indeed, many people who are involved in conservation feel that in the existing regime their expertise has been undervalued or ignored, and not built into the process.

There is no virtue in rehearsing the arguments that we had in Committee and the examples that were used then. One of the reasons why the change is necessary and generally popular within Scotland—given the Labour party's strength in Scotland, this is compromising and embarrassing for it—is that people in our communities are fed up with being told by people with no knowledge and understanding how their affairs should be managed. I have quoted the examples of the Islay mosses and the flow country, where even now agreements are not being honoured. Also, the NCC agreed areas that could be accepted for forestry and areas that should be conserved, but then lodged objections when proposals were put forward involving areas that it had previously agreed should be planted. That obviously creates a great deal of frustration. People feel that they are not being involved in a proper decision-making process. A great deal of anguish and hardship could have been avoided if there had been more consultation and involvement with the local community.

It is interesting that the hon. Member for Denton and Reddish (Mr. Bennett) commented favourably about the way that farmers manage the landscape. Opposition Front-Bench spokesmen seem to imply that farmers are landowners who are the enemies of conservation. By definition, it is farmers who are most involved in the management of the landscape. Farmers need to be involved in the entire process of designating sites of special scientific interest, which affects their day-to-day activity and livelihood. There is no doubt that the NCC has, on occasions, been insensitive about the way that SSSIs have been designated. As I said in Committee, it has taken the Scottish National Farmers Union to take up the argument with the NCC and to persuade farmers of the merits of what the NCC has tried to do. That has been necessary because of the NCC's insensitivity.

If we have a Scottish agency that involves the Scottish wildlife agencies, conservation agencies, farmers and local communities, we shall have a far better chance of achieving a balanced programme of conservation which meets the needs of conservation generally and proper land management, as well as the needs of local communities, which are often operating in extremely fragile economic circumstances. It is absurd to suggest that the individuals concerned do not appreciate the quality of their environment. The quality of our food products is a major component of their market attraction, and tourism in Scotland is popular because of the scenic beauty of the countryside and the way in which it is managed and conserved.

The Labour party may have reasonable grounds for criticising certain aspects of what the Government are proposing and for the lack of information about funding and staffing, and the Government should be more forthcoming on those grounds. However, the Labour party is not convincing when it tries to demolish the devolved process and expects to believe that its commitment to devolving nature conservation matters to a Scottish Parliament must be accepted as sincere. After all, the framework that the Government will set up could easily be taken over by a Labour Government. The Labour party is so confident that it will win the next general election; it could ensure that the structure is converted to meet that Labour Government's requirements. There will be a ready-made structure which will be much closer to the needs of the Scottish people than the existing mechanism that the Opposition want to keep. In those circumstances, it seems that the Opposition have taken a cowardly and unambitious position and have failed to recognise what can be achieved.

Effectively, the new clause is a Trojan horse. It has been designed deliberately to ensure that the devolved country bodies do not have the source of power that is the intention behind the Bill. It is unacceptable that the joint commission should become big brother and tell the

[Mr. Bruce]

national groups what to do. The people of Scotland will not put up with that, and nor will the people of Wales. I do not think the people of England will either.

Mr. Robert B. Jones: First, I wish to refer briefly to the comments that have been made about the character and references of Mr. Michael Griffith. It is deplorable that, both in Committee and on the Floor of the House, there have been constant personal attacks on the chairman designate. This reached an absurd level when it was claimed in Committee that Mr. Griffith's background was in the National Trust. The hon. Member for Carmarthen (Mr. Williams) had the temerity to say that the National Trust knew virtually nothing of, or had virtually no experience in, landscape.

That so hurt and upset the National Trust that it had cause to write to every member of the Committee to draw attention to its distinguished record in the preservation of the landscape and natural heritage of the United Kingdom. I hope that we can start to talk about the issues and not ad hominem politics. It was regrettable that ad hominem politics reared its ugly head again during the speech of the hon. Member for Gordon (Mr. Bruce), when it was suggested that he was a spokesman for landowning interests because he took a different view of the issue. That was preposterous.

There are hon. Members on both side of the House who are genuine and sincere in their commitment to conservation. I know of Opposition Members who have that commitment, and there are those on the Government Benches, among whom I count myself, who share it. The debate is not about goodies and baddies—people being for or against conservation—but about how conservation is best delivered. The record of the NCC suggests that it is better to have conservation in the community that goes with the grain rather than to have it imposed from on high.

Once conservationists have the image of an elite group who force their views on others, the battle is lost. It would not be possible then, no matter how well staffed the NCC or any other body was, to ensure that conservation was carried out in practice. It must be the consideration of each and every person in the country that we must ensure that we preserve our natural environment. That is best done in a devolved framework.

I confess that when the proposals first surfaced, I was rather worried. Indeed, I went to the trouble of letting my right hon. Friend the Patronage Secretary know that I was not prepared to support them. But a great deal has changed since then. The three issues about which I was most concerned were, first, the preservation of the science base; secondly, the avoidance of parochialism by the councils; and, thirdly, the prevention of the formation of a bureaucracy that would lead to an inferior delivery of conservation at the grass roots.

Since that time, a joint committee has been established and three distinguished people have been appointed to head the councils for England, Scotland and Wales. The Opposition are trying to pretend, as they did in Committee, that none of that has happened, and that we are where we were 12 months ago. The truth is that the whole framework has shifted dramatically. I am sure that, under the distinguished leadership of Professor Holliday and others, the science base will be enhanced. As the hon. Member for Gordon rightly said, there are a number of distinguished academics in England, Scotland and Wales who can help in that work.

Knowing the generosity of my right hon. and hon. Friends in the Scottish and Welsh Offices compared with what happens in England, I do not doubt that more money will be spent on conservation and that there will be more staff——

Sir Hector Monro: That is fully justified.

Mr. Jones: My hon. Friend is right. I no longer have any worry about the science base and I am sure that access to it will be maintained in the Scottish and Welsh councils and that they will supplement it with their own science bases. It flies in the face of all experience to pretend that scientists are best utilised in central headquarters rather than out in the field. What happens at grass-roots level is much more effective than what happens at the centre.

I was also concerned about the possible emergence of bureaucracy. I make that point in particular because of my interest in the British Trust for Ornithology, which is located in my constituency. Indeed, I raised the matter several times in Committee. I wish to take this opportunity publicly to thank my hon. Friend the Minister for having set in train a solution to the problem that I raised with him, which is quite acceptable to the trust. I have raised one or two additional technical points with him through correspondence, but rather than delay the House today I simply ask him to treat them equally seriously and sympathetically when the Bill is debated in another place.

It is right and proper to consider the recommendations of the Carver committee. Select Committees, both of this House and of another place, do a great deal of valuable work. They have the time to sift the evidence and to reach practical conclusions. It would be unfair if their serious recommendations were to be accepted or dismissed at the drop of a hat, rather than considered over a reasonable period and subject to consultation. I very much welcome what my right hon. Friend the Secretary of State said today about responding to the recommendations in another place once there has been time to go through the processes.

Mr. Gould *rose*——

Mr. Jones: I shall certainly give way, which is rather more than the hon. Gentleman did for me in Committee.

Mr. Gould: I do not think that the record will bear out that uncharitable remark.

I agree with the hon. Gentleman that the Carver committee's report deserves considerable consideration. Does he support the view of so many that the obvious place to give that consideration and to provide the time necessary is in the forthcoming White Paper, rather than in the Bill?

Mr. Jones: I do not agree. There has already been too much delay in trying to improve conservation. It would be far better to take this opportunity to legislate because there will be further opportunities, both in another place and when the Bill returns to this House, to decide whether the Government have it right in respect of the Carver committee's recommendations.

One of the difficulties with conservation during the past few years, since environmental issues became so important, has been the tendency to go against the grain

and to impose actions on people that they then resent, but which they might have agreed to work with had there been proper consultation. That is true in the farming community and in many other areas. The hon. Member for Western Isles (Mr. Macdonald)—who, sadly, is not here today—gave a good example of that in Committee, as did the hon. Member for Gordon when he referred to Islay.

The Bill is a framework. My right hon. Friend has responded sympathetically to the concerns expressed. I do not want the new clause to be carried, and I recommend the House to reject it.

5.45 pm

Mr. Paul Murphy (Torfaen): The hon. Member for Hertfordshire, West (Mr. Jones) expressed his concern about comments made about the chairman designate of the Countryside Council for Wales. I assure him that no personal slight was intended. It is important that he and other hon. Members realise that there is a deep resentment in many parts of the Principality about landowners, usually wealthy landowners, heading non-elected quangos, whether in England, Scotland or Wales.

I am sure that the Minister of State, Welsh Office is aware of the resentment in the Principality that a number of people hold down one or more jobs—bringing themselves a great deal of money—including the gentleman to whom the hon. Member for Hertfordshire, West referred, and who is also the chairman of Clwyd health authority. It is not right that all those jobs should be concentrated in the hands of certain individuals. They should be spread out. However, I do not intend to concentrate on that issue because my hon. Friend the Member for Denton and Reddish (Mr. Bennett) at least managed to bring the Minister to the Chamber to deal with it. We expressed our concern in Committee, when many Welsh matters were discussed, including the NCC and its break-up.

I must tell the hon. Member for Gordon (Mr. Bruce) that the Opposition do not believe that the break-up of the NCC is necessarily devolution. In any event, it had intended to sort itself out in a federal structure only days before the Government publicly issued their order to break up that organisation. We believe in devolution but not in the break-up of the NCC. Of course, the last people to whom we should look for devolution are the Government. They refused our request to devolve the National Rivers Authority to Wales and create a separate authority.

I wish to speak to the new clauses that have been tabled in my name, although I do not intend to press any of them to a Division. They are intended to probe. There is considerable concern in the Principality about the lack of consultation in the setting up of the new Countryside Council for Wales. People compare the Welsh position with that of Scotland where, whatever the rights and wrongs, there has been a two-state approach with proper consultation. The Secretary of State for Scotland said:

"The two-stage approach we have adopted gives us time to collect ideas, consult informed opinion and to develop a practical and effective agency."

Hon. Members have referred to the Carver committee. Its report said:

"To move in one step to the appointment of a Countryside Council for Wales is a major change, when Wales has neither an NCC nor a Countryside Commission of its own at present. Great care should be taken to agree the mandate of the new Council in consultation with interested parties, including voluntary bodies."

There has been no consultation with voluntary bodies in Wales. The Welsh Minister is aware that many of the voluntary bodies concerned with the environment and with conservation are deeply opposed to the proposals. They include the Council for the Protection of Rural Wales, the Association of Welsh Wildlife Trusts, the Welsh National Federation of Women's Institutes, the Friends of the Earth (Cymru), the Open Spaces Society, the Welsh Ramblers Association, the Royal Society for Nature Conservation, the Royal Society for the Protection of Birds (Wales), and many others. They are all deeply concerned about what is happening, yet they have not been consulted.

I sincerely hope that when the Minister returns to the Welsh Office he will be able to find a means of proper and meaningful consultation before the new organisation is set up. We are to have a White Paper on the environment. If it were left to many hon. Members, we would abandon part VII until we had that White Paper. Since that is unlikely, let there be more consultation. The Government should listen to those who know, not necessarily to those whom they want to hear.

Mr. Ieuan Wyn Jones: I find myelf in the remarkable and perhaps unreal position of failing to understand why the Labour party is taking the position that it is on this issue. I was not privileged to be a member of the Committee that considered the Bill, but I have carefully read the debate on Second Reading and the Committee's deliberations on the setting up of the new Countryside Council for Wales, and I still do not understand why the Labour party has adopted its current position.

I would have been able to take the Labour party's arguments a little more seriously if it had tabled a constructive new clause that sought a better council and better consultation. However, I am not convinced, since all that we have is a wrecking new clause.

I am worried to find myself agreeing with many of the sentiments expressed by Conservative Members. I have always been led to believe that in Wales the Conservative party was the unionist party and the Labour party was the party of devolution.

I was persuaded by the convincing arguments of the hon. Member for Dumfries (Sir H. Monro). He said that the people of Scotland should have the opportunity, through their own body and their own organisations, to make decisions that affect conservation matters in Scotland. That is an argument that I should like to advance on behalf of the people of Wales.

I accept that there are dangers in the breaking up of any body involved in conservation. Conservation cannot be considered in simple geographical terms because nature conservation transcends boundaries. But nobody here is seriously suggesting that we should have a European conservancy council despite the fact that many of the problems affecting conservation in England, Scotland and Wales have a European dimension.

It is necessary to discuss some matters across boundaries because there are common interests in conservation matters but, ultimately, decisions affecting the lives of people within the countryside must be made at the closest possible point to the place where those people live. That is a fundamental principle. I would subscribe to

[Mr. Ieuan Wyn Jones]

the belief set out in the Bill that decisions affecting conservation matters in Wales should be decided by an all-Wales body.

I accept that there are difficulties, that we are not entirely satisfied about the structure and whether the body will be properly and decently funded, but those are matters of detail. The real argument of principle is about the setting up of a body that would be responsible for conservation matters in Wales.

Mr. Andrew F. Bennett: Will the hon. Gentleman give way?

Mr. Jones: I shall be brief. I understand that other matters have to be discussed.

I have great respect for the hon. Member for Torfaen (Mr. Murphy), who argues his points well. He has said that some bodies in Wales are unhappy about the Government's proposals. But at the end of the day what convinces me is that those who will be responsible for conservation in Wales are in favour of the plans. The Welsh committee of the Nature Conservancy Council and the Welsh committee of the Countryside Commission in Wales support the plans wholeheartedly and it is important that that should be placed on the record.

The Labour party is generally in support of devolution and greater transfer of control to the historic nations of Britain. Therefore, it is with no pleasure that I say that on this occasion it has got it wrong in a massive way. The Labour party has also got it wrong in the drafting of new clause 6. It is a small but revealing point that it refers to "the undertaking of research at a national level".

I assume from the way in which the new clause is drawn that that refers to a British or a United Kingdom level. I hope that, as a result of the debate, the Labour party will acknowledge that there is more than one historic nation in the counties of Britain.

Mr. William Ross (Londonderry, East): This is the second time that I have intervened in debates on the Bill which, unfortunately, does not cover the whole of the United Kingdom, only Great Britain. I make a plea that I made only the other evening in the House, not for the first time and this will not be the last time, that the House should do away with limited jurisdiction on matters of national importance and produce Bills which cover the whole of the United Kingdom. The sooner that that is done, the better for us all.

Amendment No. 107, to which I and the hon. Member for Western Isles (Mr. Macdonald) have put our names, was debated in Committee on 13 March, when the hon. Member for Glanford and Scunthorpe (Mr. Morley) addressed the Committee. It asks for clarification of the representation that is to come from Northern Ireland.

In Committee, the Minister said that the amendment was unnecessary. That may be so, but I should like him to tell me why. Is it that, whenever the term Secretary of State is mentioned, it includes all Secretaries of State, so that the Secretary of State for Northern Ireland can appoint Members to the Committee?

The amendment asks for two representatives of nature conservation interests in Northern Ireland. I believe that I have read somewhere that those peopole would attend as assessors. I would have been much happier if those who advise me had asked for voting Members from Northern Ireland, which does not appear to be the case.

Northern Ireland has a number of extremely important winter sites for wildfowl. Strangford Lough is internationally famous and important, as is Lough Foyle. There are also a number of other smaller sites of interest. I take but little interest in birds, but I like to see them around and I took pleasure in hearing the first cuckoo for the first time in several years only the other morning. I hope that that is a sign of better things to come. Cuckoos and corncrakes used to be common in my part of the world. I hope that I hear one again before the year is done.

I hope that the Minister will give us more detail than he did in Committee in March. He said that his right hon. Friend the Secretary of State for Northern Ireland would nominate two members to the co-ordinating committee. Perhaps the Minister will tell the House how they will be chosen and what groups of people and bodies in Northern Ireland they will represent. In Committee, he also said:

"I hope that the amendment will not be pressed to a Division, because it is completely unnecessary."—[*Official Report, Standing Committee H*, 13 March 1990; c. 1190.]

I hope that he will explain why it is unnecessary, because people in Northern Ireland would like to know.

I could say much more, but I assume that the legislation will be carried forward to Northern Ireland within the next year or two through the Order-in-Council procedure. I hope that it will be among the last Orders in Council to proceed because it would involve what we in the Unionist party describe as a theft clause, simply asking to extend the Bill to Northern Ireland, and the House could have been spared another late night and perhaps one or two sittings in Committee. Sadly, this is the last time I shall speak on the matter during debates on the Bill.

6 pm

Mr. Roberts: I welcome this opportunity to inject a Welsh element into the Government's winding-up speech for this evening's important and interesting debate, particularly as Wales is to be the first country in the United Kingdom to have a unitary body combining the functions of the Nature Conservancy Council and the Countryside Commission. Whatever else may be said about the issue, I can assure the House that the decision had nothing to do with the flow country. I am ashamed to confess that I am still not sure where the flow country is.

My right hon. Friend the Secretary of State for Wales, when he announced the proposed changes last July, summed up the significance of the proposed new council for Wales when he said:

"It also means that decisions affecting Wales will in future be taken in Wales. A single body attuned to the needs of the Principality will be of undoubted benefit to Wales."—[*Official Report*, 11 July 1989; Vol. 156, c. 435.]

A Welsh body answerable to the Welsh Office must be in the best position to reflect Welsh needs. Judging by the debate this evening, that feeling is reciprocated by Scottish Members such as my hon. Friend the Member for Dumfries (Sir H. Monro) and the hon. Member for Gordon (Mr. Bruce). I understand that the Labour Scottish environment spokesman, the hon. Member for Cunninghame, North (Mr. Wilson), has described it as "a sensible rationalisation" in *The Scotsman*. Therefore, the stance of the Opposition spokesman is inexplicable.

Mr. Gould: Since the Minister believes that our policy is inexplicable, perhaps I may make a further attempt to explain it to him. As we have said many times, there is a fundamental distinction between devolution and what is proposed in the Bill—the destruction of a Great Britain or United Kingdom basis for conservation efforts. I agree with the hon. Member for Londonderry, East (Mr. Ross) on that subject. Why does the former necessarily involve the latter?

Mr. Roberts: Whenever the hon. Gentleman speaks, he seems to use the word "dismemberment" to describe Government proposals and "devolution" to hint at his own. During the debate it has become absolutely clear to hon. Members on both sides of the House what the Government have in mind and why.

As the hon. Members for Dagenham (Mr. Gould) and for Torfaen (Mr. Murphy) implied, there has been much play on the fact that there was no public consultation before the announcement was made. It seems strange that the Government should be criticised for first announcing their decisions to Parliament. Consultation on the broad principles involved was not necessary because the Government already had sufficient information to come to a conclusion about the structural reorganisation proposed.

The hon. Member for Torfaen repeated the comparison made with the consultations undertaken in Scotland. As I understand it, Scotland has not consulted on the proposals in the Bill any more than England and Wales. It has consulted on a second stage—on whether to amalgamate the present Countryside Commission for Scotland with the new Nature Conservancy Council for Scotland, since both bodies are large enough to be separate. In Wales that was not an option, since the Countryside Council employs only some 14 staff in Wales and even allowing for some strengthening on independence it would not be large enough to be a viable proposition. A joint body was desirable and inevitable for Wales.

Conservation and the wider countryside issues are essentially complementary. The NCC and the Countryside Commission already work very closely together in Wales and did so before the present proposals were ever suggested. As there was no viable alternative to amalgamation in Wales, consultation on the point of principle was unnecessary. Of course, we have invited comments on the implementation of our proposals.

Last October, I delivered a speech on the occasion of the launch of the annual review of the Countryside Commission's committee for Wales. Representatives of most of the relevant voluntary organisations in Wales were present, and I devoted a substantial part of my speech to the reorganisation and invited comments on the proposals.

I have also seen every organisation that has asked to see me. Those have included the chairman and chief officers of the national parks, the Ramblers Association and the Open Spaces Society, the Sports Council for Wales, the Royal Society for the Protection of Birds, the Countryside Commission and the Council for the Protection of Rural Wales. I mention the latter organisation in particular as it has been somewhat vociferous in its comments. In fact, the differences between us are not all that great. As the CPRW has clearly shown, it supports the proposed changes in principle, but is concerned about the timing and method of implementation.

I accept that, while some of the voluntary bodies are not in favour of the changes, we have had—as has been pointed out—strong support from the chairmen and members of the committees for Wales of the NCC and the Countryside Commission. All the political parties in Wales have generally welcomed the proposals, not excluding the Leader of the Opposition.

I am sure that all those who have reservations will see the advantages of the new arrangements once the Countryside Council for Wales is up and running and has had a chance to make its mark on the Welsh scene.

Mr. Morley: I have two questions for the Minister. First, if we agree with the thrust of his arguments, why did he argue against a Welsh National Rivers Authority being set up for the people of Wales? Secondly, he will recognise that Welsh bodies will have international obligations. As a member of the Government, will he give an assurance to the House that international obligations will be applied consistently throughout the countryside bodies in the three countries?

Mr. Roberts: The hon. Member for Torfaen, who raised that question in Committee, also answered it. He said that the remit of the National Rivers Authority was different, and, as it is a regulatory body, it is clearly different. I shall not explain what my right hon. Friend has said about the role of the joint committee but it is clear that the Countryside Council for Wales will contribute to any international obligations that we might have.

The Welsh dimension has clearly been exercising the mind of the hon. Member for Torfaen, who has tabled 13 new clauses—amounting to his version of this part of the Bill. He said that they were probing new clauses, so I assume that this is not really the Opposition's version of our part VII. If it is, the policy seems to be to increase the number of quangos all round, so we would end up with two separate bodies in each country—one for nature conservation and one for landscape and recreation. That is to be preceded by a wholly unnecessary abolition of the existing Countryside Commission, which means of course that there has to be an extra residuary body. On top of that, we would have a much enhanced joint committee. That looks like seven quangos in all, compared with the four proposed by the Government. I need hardly say that I do not think that that proposition is acceptable.

The hon. Member for Denton and Reddish (Mr. Bennett) spoke to his new clause 10. The Government and I share his desire that all obstructions should be removed from public rights of way. The Countryside Commission's campaign to clear all rights of way by the year 2000 is, of course, to be applauded. I appreciate the hon. Gentleman's concern for walking in the countryside and the ingenious devices that he has suggested in new clause 10 to bring the subject within the ambit of the Bill. However, the Bill is not an appropriate vehicle for tackling what the hon. Gentleman sees as the deficiencies of present legislation. I am confident that the Countryside Council for Wales will give due weight to all access matters without the need for the organisational straitjacket proposed in the new clause.

The composition of the joint committee is addressed by amendments Nos. 107 and 150. On the latter, the Government have given an assurance that we shall introduce an amendment to achieve this purpose—so that the chairman of the joint committee will be appointed directly by the Secretary of State. The representation of Northern Ireland on the joint committee, to which the

[Mr. Roberts]

hon. Member for Londonderry, East (Mr. Ross) referred again, is yet another issue covered by Lord Carver's report. That point is covered by amendment No. 107. I cannot give a formal assurance that we shall amend the Bill as the hon. Gentleman suggests, but we are sympathetic to Lord Carver's views on the subject and I very much hope that there will be a Government amendment in another place to meet that objective.

Amendment No. 137 would make co-operation and joint working with local authorities a principal function of the new agencies. There is no doubt that that will be highly desirable and, indeed, much is done at present with the local authorities by the NCC and the Countryside Commission, particularly the latter, whose programmes are frequently entirely reliant on the efforts of local councils in the countryside. As there is no difficulty in working in that fashion, I see no need to supplement the law as suggested by the amendment; nor would it be right to make that a principal objective when there are other partnerships—such as those with voluntary bodies, farmers, landowners and industry—which are equally important.

In Standing Committee, my hon. Friends gave several undertakings to consider items raised by hon. Members, and I should like to deal with them now. My hon. Friend the Member for Hertfordshire, West (Mr. Jones), who made an excellent supportive speech today, referred to licences for the ringing and nest recording scheme operated by the British Trust for Ornithology. The hon. Member for Glanford and Scunthorpe (Mr. Morley) expressed similar concern about possible administrative problems if the licences were to be issued separately by the three new councils.

This is an important point. The BTO's work provides essential data and, although we are not willing to compromise on the basic principle that territorial matters should fall to the council concerned, we are keen to keep the bureaucracy to a minimum. BTO ringers operate mainly under a general licence, but some individual licences are necessary. At present, applications for both types of licence are made by the BTO and it is difficult to imagine that the new councils will not continue with that arrangement. However, we believe that it would be sensible for them to co-ordinate their action on that work. We are therefore writing to the shadow chairmen asking, first, that they agree to continue using the good offices of the BTO and, secondly, that they nominate one of the councils to act as a co-ordinator for both the general and individual licences. Decisions on the licences would be taken by the appropriate council—that is an important point of principle—but they would liaise closely and applications would have to be made to only one body. We shall also ask that the Royal Society for the Protection of Birds, which has a similar arrangement with the NCC to that of the BTO, should also have the benefit of this one-stop shopping facility.

6.15 pm

The hon. Member for Denton and Reddish raised a number of points. He suggested that community service orders should be used to enhance and conserve the countryside. I confirm that that matter has been raised with my right hon. and learned Friend the Home Secretary. I confirm that the resource implications of access agreements for national parks will be considered at the appropriate point in their budgetary process.

The hon. Member for Gordon raised the important matter of marine conservation. I accept that this is a difficult subject, not because, as the hon. Gentleman suggests, there is a hiatus in the legislation but because of the inherent difficulties in protecting marine areas. To cut a long story short, I accept that the designation process is rather laborious, but it reflects not only the voluntary principle enshrined in the Wildlife and Countryside Act 1981 but the different uses of, and rights that are held over, marine areas. One cannot simply put a fence around a marine nature reserve to protect it, so one has to negotiate with users and so on to come to a solution that will be respected by all. That inevitably takes time, but at the end of the day will ensure that the site is properly protected.

I echo the sentiments expressed earlier by my right hon. Friend the Secretary of State and I ask the House to reject the new clause.

Mr. Gould: We have had a useful and interesting debate, but I do not think that we can claim to have covered much, if any, new territory. The Opposition had hoped that the presence and interventions of, first, the Secretary of State for the Environment and, then, the Minister of State, Welsh Office and the remarks of other hon. Members who were not on the Standing Committee would have carried us a little further forward by disclosing some of the Government's plans for the joint committee. I am afraid that our expectations have been dashed, because we are still very much where we were when the Committee concluded its deliberations. That is unfortunate, and it is a sad way to treat the House of Commons.

I very much take the point made by the hon. Member for Hertfordshire, West (Mr. Jones) when he made the case for giving proper consideration to some of these matters, especially to giving proper weight to the Carver committee's recommendations. I have no quarrel with that argument, but I ask the hon. Gentleman to accept that it points firmly in the direction of not rushing forward, as the Government did, to dismember the NCC without consultation.

I suspect that the Secretary of State would have preferred, in his heart of hearts, to deal with the question of how best to organise nature conservancy throughout the country within the context of the White Paper which he is preparing. The fact that that is not now his preferred option is further evidence of the low expectations of the White Paper.

The disappointing aspect of the debate was that we did not hear anything more about the joint committee and the response to the Carver committee. We heard no comment about the increased costs that the new arrangements would necessarily produce. We heard no constructive comment on the central question which bedevilled the committee's deliberations—the real question of who would prevail in the event of a dispute. Those who were not members of the committee professed to think that that was of no importance, but I suspect that, if they were to consult the Under-Secretary, he would give them a different answer, with good reason. A lack of understanding of that crucial point marked the contribution of the hon. Member for Dumfries (Sir H. Monro).

I was astonished at the cavalier way in which the hon. Member for Gordon (Mr. Bruce) appeared to dismiss the

virtually unanimous view of Scottish voluntary conservation bodies who were worried about what was proposed. He accused some of us of being patronising, but I have not heard anything as patronising as that.

The hon. Member for Ynys Môn (Mr. Jones) was equally confused. He raised his long-term assumption, which he felt had somehow been displaced by the debate, that the Conservative party was the party of unionism. He may or may not be right, although I have my own view on it, but he overlooked the fact that the Conservative party is the party of major landowners and commercial interests; certainly it is not the party of nature conservation. The authority we have for that is no less than the Prime Minister herself, who dismissed all the people who were concerned about such issues as airy-fairy environmentalists.

Mr. Chris Patten: I just want to comment on that not entirely well informed prejudice. Perhaps the hon. Gentleman would like to tell the House about how the Labour Government expressed their concern for nature conservancy by referring us to the amount of money which they put into nature conservancy and how it compares with the record of this Administration.

Mr. Gould: I note that the Secretary of State did not dispute the remarks which I attributed to the Prime Minister, nor did he take the opportunity of commenting —[HON. MEMBERS: "Answer."]—on the far more important point, which is the actual cost of his proposals. [HON. MEMBERS: "Answer."] We have yet to hear from him, or from those who are yelling and barracking in their traditional fashion, whether the estimate of a £20 million increase in the budget is accurate. We have heard not a word on that.

Our purpose is to offer the Secretary of State yet one more chance. We are a forgiving and optimistic party, and we still hope that the Secretary of State will live to fight the battle. We have no great expectation, I am sorry to say, that he will win. I judge by the glimmer of appreciation on his face that he may still harbour some hope. We think tht he is still engaged in the battle. We hope that he is engaged in it on behalf of conservation to ensure that the Carver recommendations are brought forward in legislative form.

So far, he has lost, because his Cabinet colleagues have insisted that the grubby deal between the Scottish Office and Scottish landowners should be maintained; but, because we hope that he will fight the battle on behalf of nature conservation, we want to give him the chance to bring forward proposals in another place. For that reason alone, I seek the leave of the House to withdraw the motion.

Motion and clause, by leave, withdrawn.

New Clause 9

INCREASED PROTECTION OF THE NORTH SEA

'(1) The Secretary of State shall draw up a plan to reduce the entry of harmful substances into the North Sea.

(2) The plan established under subsection (1) above shall include—

(a) measures to prohibit the dumping of sewage sludge from January 1st 1993;

(b) measures to achieve zero discharges of inputs harmful to the marine environment by January 1st 2000;

(c) measures to prohibit the dumping of flyash from January 1st 1991;

(d) measures to prohibit the dumping of industrial wastes from January 1st 1991;

(e) measures to limit discharges from shipping;

(f) measures to limit discharges from oil and gas platforms; and

(g) measures to regulate further the transport of hazardous substances and to introduce a register of accidents at sea which result in the entry of harmful substances into the marine environment.'.—*[Mr. Simon Hughes.]*

Brought up, and read the First time.

Mr. Simon Hughes (Southwark and Bermondsey): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Sir Paul Dean): With this it will be convenient to discuss the following: New clause 17—*Marine conservation zones—*

'(1) A Council shall, where it is of the opinion that any area of sea, or land adjacent to such area including land which is continuously or intermittntly covered by water, is in need of protection by reason of its flora, fauna or geological or physiographical features, prepare and monitor management plans for such area, and such area is to be designated as a Marine Conservation Zone.

(2) For the purposes of subsection (1) above, a Council shall identify and delineate such a Marine Conservation Zone by reference to a plan and each plan shall have attached a short statement of the reasons why the Council considers the area to be in need of protection.

(3) The bodies listed in Schedule (Marine Conservation Zones advertising and relevant bodies) to this Act shall provide the relevant Council for their area any details of activities carried on by them or on their behalf as are required by the Council and shall after consultation with the Council agree a management plan.

(4) Where there is any proposed change in or intensification of such activities the bodies shall inform the Council and agree a new management plan if the Council considers that such a plan is necessary or desirable.

(5) If any body listed in Schedule (Marine Conservation Zones advertising and relevant bodies) fails to agree a management plan before the designation of a Marine Conservation Zone that body shall comply with an interim management plan drawn up by the Council for the period from the date of the designation until agreement is reached and in the absence of such agreement the interim management plan shall continue to have effect.

(6) In the event of an interim management plan not being superseded by a management plan within six months of the interim management plan coming into effect the Secretary of State shall, on application by either the Council or the Body to which the interim management plan applies, decide the contents of the management plan and the date from which it is to come into effect.

(7) Where the areas referred to in subsection (1) above fall within the area of more than one Council the Councils may act jointly in carrying out the duties conferred by this section.

(8) The provisions of Schedule (Marine Conservation Zones advertising and relevant bodies) shall have effect with regard to the publication of the plan and statement prepared under subsection (2) above.

(9) For the purposes of this section the areas of each Council shall extend to the territorial waters adjacent to Great Britain and any part of Great Britain which is bounded by territorial waters shall be taken to include the territorial waters adjacent to that part.

(10) In this section "Council" means the Nature Conservancy Council for England, the Nature Conservancy Council for Scotland or the Countryside Council for Wales as the case may be and "Councils" shall be construed accordingly.'.

[Mr. Deputy Speaker]

New clause 55—*Retrieval of harmful substances from the marine environment*—

'(1) Where it appears to the Secretary of State that it is necessary or expedient for the purpose of protecting the marine environment, the living resources which it supports, or human health or activities, he shall carry out or cause to have carried out operations to retrieve any harmful substances from the sea in United Kingdom controlled waters, or from any land adjoining the sea in United Kingdom controlled waters.

(2) Where operations are carried out under subsection (1) above the Secretary of State may recover from the owner or master of the ship or ship's boat from which the harmful substances entered the sea any expenses reasonably incurred by him in carrying out such operations.'.

Amendment No. 105—a new schedule—*'Marine Conservation Zones Advertising and Relevant Bodies*

1. On designating a Marine Conservation Zone the Council or Councils if acting jointly shall publish details of the location of the zone by advertising the designation of the zone in the Gazette and also in at least one local newspaper circulating in the area in which the zone is situated, such advertisement to contain a short description of the extent and boundaries of the zone and the address at which a plan of the zone may be inspected and the hours during which it may be inspected.

2. In this Schedule "the Gazette" means

(a) If the zone is situated in whole or in part in England and Wales, the London Gazette;

(b) If the zone is situated in whole or in part in Scotland, the Edinburgh Gazette;

3. (1) The bodies to which section (Marine Conservation Zones) applies are:

Crown Estate Commissioners
Department of Transport
Department of Trade and Industry
Department of The Environment
Department of Energy
Department of Defence
Ministry of Agriculture, Fisheries and Food
Department of Agriculture and Fisheries of Scotland
National Rivers Authority
Water Purification Boards
Sea Fisheries Committee
Trinity House
Local Authorities
Port and Harbour Authorities

and any other body which the Secretary of State may from time to time consider appropriate.

(2) In this Schedule, "Trinity House" means the Trinity House as defined in section 742 of the Merchant Shipping Act 1894.'.

Mr. Hughes: The purpose of new clause 9 is to increase the protection of the North sea—a most important issue. The purpose of new clause 17 is to establish marine conservation. New clause 55 is a linked clause, which would give the Secretary of State power to retrieve harmful substances from the marine environment. Marine conservation, the protection of the marine environment and, in particular, the protection of the North sea are rightly being given an important place in the debate. If we want evidence of how the Government are the environmental back sliders of Europe, we see that what they do does not live up to what they say. The way in which we, as a maritime country surrounded by the sea, protect our marine environment evidences the weakness of the Government's position.

New clause 9 contains a seven-part plan. If I were back in the law courts, as opposed to this court, I would frame an indictment in which there were seven counts. At the end of the evidence there is no doubt that on a charge of failing to protect the North sea, the Government would be found guilty on each of the seven counts, which are that they have not adequately agreed to prohibit the dumping of sewage sludge, that they are not committed in any way to achieving zero discharge of inputs harmful to the marine environment in any reasonable or immediate period, that they have not committed themselves to ban the dumping of fly ash as they should have done and as it is necessary to do, that they are not committed adequately and urgently to prohibit the dumping of industrial waste in the North sea, that they are not committed to limit discharges from shipping into the North sea, that they are not committed to proper measures to limit discharges from oil and gas platforms into the North sea, and that they are not committed sufficiently to regulate the transport of hazardous substances and to maintain a register of accidents at sea as a result of which harmful substances enter the marine environment.

One tragedy of Britain is that we regularly put at risk not just the land, which is our responsibility, but the large expanses of water around us over which we have significant influence. Over the years the North sea and the Irish sea—although the debate is not about the Irish sea—have become dumping grounds for much of the country's waste. The worst evidence against us as a nation is that on many of the seven charges in the indictment we are the only country which is committing the offences. Other countries have long since stopped doing so.

Taking the seven counts in turn, on sewage sludge the new clause has been tabled because we believe that until the Government stop embarrassing the country at international conferences and become committed to urgent deadlines that make it clear that the environment comes first and not second to other interests, it is necessary for us to establish the deadlines. The presumption is that that should be done sooner rather than later. The Government have never adequately rebutted that presumption.

We are the only country in the world to continue to dump sewage sludge in the North sea. The amount is not small; last year it was 3·5 million tonnes, much of it contaminated by heavy metals. That sewage sludge probably contains viruses because, unlike other countries, we do not pasteurise our sewage. I understand that there is one small pasteurisation plant in north Yorkshire, and only last month in an answer to my hon. Friend the Member for Gordon (Mr. Bruce), the Minister said that this country has no plans to require more extensive use of such facilities.

There is some confusion about the urgency of the problem. On the one hand, Ministers from the Department of the Environment have said in answer to a letter from one of my colleagues:

"We do not permit the dumping of harmful industrial waste at sea".

Yet in an answer to me the following month, the Ministry of Agriculture, Fisheries and Food made the clear admission that shellfish were being examined for viruses, which have no doubt developed because of the dumping of sludge, not in a single isolated site, but in many sites off our coasts.

6.30 pm

This is a serious problem, of enormous scale. Perhaps the best people to judge its seriousness are the fishermen who fish in the North sea and who have to work in a foul environment. The Ministry of Agriculture, Fisheries and Food accepts that those fishermen have complained regularly that they become ill as a result of fishing near sludge disposal sites. Although the Ministry has taken those complaints seriously, it has not yet done anything about the problem. It is a tragedy that fishing is now dangerous in much of the North sea because of the amount of sludge that we have dumped there, which directly affects the people who use the sea.

It is no good saying that we are beginning to deal with the problem adequately by sifting out the plastic and sewage sludge because, although it is true that there is some screening, it is not comprehensive. Another recent written answer from MAFF made it clear that there is now screening at one of the treatment plants, but not at the other.

It is a sordid business and a sordid sea. Fishermen regularly discover that they are fishing through floating layers of unlimited faeces. On 24 February this year, an article described the sea off Tyneside, which is not far from the constituency of my hon. Friend the Member for Berwick-upon-Tweed (Mr. Beith):

"When fishermen's nets are hauled in off the Tyne, they are dense with treated faeces and thousands of condoms and sanitary towels. 'It can turn the stomach of the most experienced seaman', said Ray Morse, skipper of the Conduan, based in North Shields."

Next comes the important evidence:

"Thirty years ago, fishermen had bumper catches—but these have all gone. Last week, one trawler netted two boxes in five hours.

Trawlermen are now considering fishing up to 100 miles out at sea, compared with a few miles five years ago."

That harms the fishing industry because many vessels are not equipped to travel as far as is now necessary to fish for the catches upon which the fishermen depend for their living.

The Government have said that it is all right to deal with the problem by 1998, but that is not sufficient. They should show greater seriousness and adopt a much earlier deadline. We have proposed a deadline of the beginning of 1993.

I hope that the Government realise that this matter is now of significant interest, not only to the fishing and farming industries, but to the whole community. Just before the North sea conference earlier this year, I received not only the clearly prompted, standard-form letters from people who are members of environmental organisations, but letters that had been personally written. I received one such letter from a constituent who I remember as a troublesome youth a few years ago. He is now in prison and wrote to me, having been persuaded of the importance of international environmental issues. This is the first letter that I have received from him since he has been in prison and it is worth noting that, although prisoners write to their Members of Parliament about many things, they do not normally write about international environmental issues. It is interesting that having had a chance to reflect on his life and condition, the way in which we treat our environment was the issue on which that prisoner chose to write to me.

We should attack the problem urgently. It is no good saying that we can put it off for nearly another decade.

Mr. Hugo Summerson (Walthamstow): We have heard the hon. Gentleman speak at some length about the problems caused by the dumping of sewage sludge in the North sea. The essence of politics is that one not only criticises, but comes up with a solution to the problem. The hon. Gentleman has said that 3·5 million tonnes of sewage sludge are dumped in the North sea—that is an awful lot of sewage sludge—so what would he do about it right now? Would he spread it on the land? Would he build incinerator plants? What would he do about the problem between now and January 1993?

Mr. Hughes: It is generally accepted that we should dispose of what there is where we can control it. I hope that the hon. Gentleman accepts that one criticism of what we are doing to spoil our marine environment is that we have adopted what is basically an "out of sight, out of mind" disposal solution. It is believed that if things are removed from visibility, they do not matter and that the problem flows away when it is invisible.

Sewage sludge should be treated and screened properly and we should have the necessary processes for that. We should ensure that we have alternative land sites rather than sea sites. That point has been argued consistently. I am sure that the hon. Gentleman is aware that the problem is not confined to sewage sludge, but relates to everything that we export off the coasts of our country. It is no good simply saying that we should send our waste or burn our toxic materials offshore; that can do just as much, if not more, harm at sea as on the land.

Since I have been a Member of the House, it has been the general view of the Government—and everybody else—that disposals should take place where one can see what one is doing and where one can control and monitor the effects of the disposal of anything that is toxic or harmful.

Our second proposal relates to achieving by the end of the decade zero discharges of inputs that are harmful to the marine environment. Although that is not a short time scale, it is important that we have such a target, because at the moment we have only an inadequate list of materials for which we have targets.

Our third proposal relates to the dumping of fly ash, which causes a particular problem because some people claim—and the Government argue this case—that such dumping does not cause any harm to the marine environment because it is inert. In addition, it is argued that there are no land-based alternatives. However, there is also a serious dispute about whether we are in breach of the international requirements on fly ash. There is no doubt that fly ash will continue to be created, but the problem is what we do with it. Another dispute relates to the implications of such dumping both now and in the future.

We believe that the commitment that Britain made in the agreement that was signed at the 1987 international conference was to phase out the dumping of industrial waste in the North sea by 31 December 1989. We further believe that fly ash dumping breaks the terms of that agreement because it harms the marine environment by killing the sea bed. Alternative disposal methods are available, such as using landfill sites or using energy conservation measures to reduce the amount that needs to be dumped. Furthermore, such dumping cannot be justified by the arguments that the Prime Minister and other Ministers regularly use, such as the prior justification

[Mr. Hughes]

procedure argument—that there is no practical alternative on the one hand and, on the other hand, that harm is not caused.

The tragedy is that the north-east coast of Britain is the only place in Europe where fly ash is dumped at sea. Furthermore, the amount that is dumped at sea is small and is therefore capable of elimination. In simple scientific terms, it effectively renders the sea bed inert. It is not as solid as, but it is like putting down, a concrete particle substance, and certainly much life is killed by being smothered with fly ash. There is a great problem in monitoring the effects of what we do and the extent of fly ash dumping. I hope, therefore, that the Government realise that it is not that we pretend that there is no problem—there is an issue, because we create fly ash as a result of burning coal—but there are alternative disposal solutions which we have advocated and which are perfectly feasible and proper.

We also propose measures to prohibit the dumping of industrial wastes from the beginning of next year. This is where the Government are at their most vulnerable. The Government said that they would phase out the dumping of industrial wastes by the end of 1989, but they have granted licences which take us beyond the end of 1989 to the end of 1992 and potentially into 1993. What they did was made worse by the way in which they argued their case. They said that they were ending dumping—there were great press releases and great declarations of intent—but then they talked about exceptions. In answer to my hon. Friend the Member for Gordon (Mr. Bruce), they admitted the extent of the exceptions. My hon. Friend's question was:

"To ask the Minister of Agriculture, Fisheries and Food (1) how many licences to dump chemical industrial wastes in the North sea will be terminated by 31 December 1992; and how many will continue to be in force;

(2) what percentage of chemical industrial wastes dumped in the North sea will be terminated by 31 December 1992; and what percentage will continue."

The answer given by the Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food, the hon. Member for Penrith and The Border (Mr. Maclean), was:

"It is my intention that all licences to dispose of industrial wastes in the North sea covered by the 1987 North sea declaration will be terminated by 31 December 1992. For two of the wastes, however, involving 77 per cent. of the current total annual licensed tonnage, it might not be technically feasible to meet this deadline. I will extend the licences for these last two wastes into 1993 only if absolutely necessary on technical grounds and for the shortest possible part of that year."—[*Official Report*, 8 March 1990; Vol. 168, c. *853*.]

It is not acceptable for the Government to say that they are willing to sign up to get rid of wastes by 1989 only for us to discover that they have exceptions which not just prove the rule but break it.

Mr. Summerson: I am most grateful to the hon. Member for Southwark and Bermondsey (Mr. Hughes) for giving way to me a second time. One of the exceptions that he talks about is ICI, which employs thousands of people. Under the hon. Gentleman's proposals, ICI would have to close down its works and sack thousands of its employees. What answer would the hon. Gentleman give them?

Mr. Hughes: The hon. Member for Walthamstow (Mr. Summerson) is being very naive. That is the same argument as is used about Sellafield: that closing down Sellafield would cause wholesale unemployment among its large work force in Cumbria. The hon. Gentleman knows that it is quite within the capacity of ICI's research and development to deal with these issues and to solve the problems. If firms such as ICI are required to do so, they have the capacity. ICI is one of the most eminent private sector enterprises in the world and would be able and willing to solve the problems; it is a matter of Government will and requirement. Second, many people currently employed in ICI plants in the north-east could use their skills to bring about more environmentally acceptable processes of chemical production such as we discussed only on Monday of this week.

This is a very important point to make about environmental issues generally: there need be no unemployment as a result of environmental improvement. One obvious example is that all the energy that we use and waste and all the potential for conservation that we possess could be turned to reducing much harmful energy consumption and employing people to make sure that we conserve energy rather than waste it.

Mr. Tim Devlin (Stockton, South): My constituents will be extremely pleased to hear what the hon. Member for Southwark and Bermondsey (Mr. Hughes) has to say, because it is their jobs that will be at stake. Will the hon. Gentleman address his mind, before making immediate demands for a complete clean-up of chemical and other industries, which are already making a significant effort to this end, to the time scale? He is right to say that research will yield technically feasible options for cleaning up waste streams and so forth; it is a question of how long one has in which to do it. My hon. Friend the Member for Walthamstow (Mr. Summerson) is absolutely right: if all these waste streams had to be stopped tomorrow morning, ICI, Monsanto and a number of other companies would be stopped tomorrow morning.

6.45 pm

Mr. Hughes: My hon. Friends and I do not propose that the deadline for implementation of these policies should be today or tomorrow. If hon. Members will look at the list, they will see that there are different deadlines for different requirements. What is more, it is not as if the Government have just come into office—they have been in office for over 10 years—and we do not find it acceptable that late in the day they are prepared to have the latest deadline of any of our European neighbours and then to grant exemptions and assent that that is sufficient. It is no good always postponing making the environment an immediate priority. That is unacceptable. While we must accept what is technically feasible, there are ways, technically and politically, of ensuring that imminent deadlines, as they are set out in our proposals—and we are quite willing to have them debated—are met. But in default of a Government commitment to honour obligations that they have entered into and to uphold deadlines that others find acceptable, we propose these as realistic and technically attainable.

I would like to deal more briefly with the last three categories, discharges from shipping, from oil and gas platforms and from the transport of hazardous substances. All these are matters which are capable of immediate resolution. Sometimes there is intentional discharge into the North sea. Some vessels deliberately leak fuel. There is

a regular practice of throwing rubbish overboard. Such practices are more easily controlled at sea than on land, and people in charge of vessels are far more likely to be able to enforce controls.

Inasmuch as we use the North sea, as we properly should, for commerce, industry, travel, energy exploration and the rest, we have a responsibility to make sure that we use it properly and wisely. Looking back over the quotations of the Government's good faith and the practical implications of the Government's policy, we have seen a tragedy writ very large indeed over the past 10 years.

The right hon. Member for Suffolk, Coastal (Mr. Gummer), who is the present Minister of Agriculture, Fisheries and Food, was brazen enough at the end of last year to say that the United Kingdom was fully meeting international agreements reached unanimously by North sea countries. The hon. Member for Surrey, South-West (Mrs. Bottomley), then the Parliamentary Under-Secretary of State at the Department of the Environment and now the Minister for Health, said in the autumn of last year that the United Kingdom

"places a high priority on implementing the decisions adopted by the two North sea conferences".

Perhaps the most amazingly brazen statement of all—no prizes for guessing its author—was back in the spring of 1988:

"The Government has moved more quickly than any other North sea country in following up the declaration"—

that is the declaration of the North sea conference in 1987—

"with proposals for action."

No prizes for guessing that the words were said by the present Secretary of State for Trade and Industry, the right hon. Member for Cirencester and Tewkesbury (Mr. Ridley), then Secretary of State for the Environment.

We say that the Government have been complacent for long enough and it is about time that the North sea had the benefit of protection from the people who use it most.

I turn briefly to our proposal for marine conservation zones around our shores. Parliament legislated for marine nature reserves in the Wildlife and Countryside Act 1981. It has not been a great success. Only one area has been designated, the island of Lundy. It is very beautiful and it is proper that it should be designated, but this initiative has hardly been followed round our coasts. The reason why we have had only one area designated is that the bureaucracy involved in getting everyone to agree to declare a marine nature reserve has proved in practice to be relatively, if not entirely, unworkable.

It is possible to declare a site of special scientific interest. Indeed, such sites can be designated to include tidal and coastal areas. However, they do not cover areas below low tide. They extend to different watermarks in Scotland and England. Perhaps most important, they fail to prevent damaging activities in tidal and marine habitats.

There are many reasons why, above all, we should have a regime that provides protection for the marine habitat and environment which is just as strong as the protection for the shore. Our coastal waters are the resting place and breeding grounds of enormous numbers of species of global significance. Those of us who have been privileged enough to spend holidays in Orkney, in my case, the north-east coast of Scotland or the north-east coast of England are aware that enormous numbers of sea birds use those coastal waters. About 4·25 million sea birds breed around our North sea coasts. It is about 10 per cent. of the world's population of some species and the majority of some wonderful species such as the fulmar, the Arctic skua and the puffin.

We must make sure that we preserve the marine environment in a way that we are failing to do at present. My hon. Friend the Member for Gordon and I propose that one of the conservancy councils, the status of which we discussed earlier, should have the power to designate a marine area that is in need of protection by reason of its flora, fauna or geological or physiographical features a marine conservation zone. I challenge the Government to say that our proposal is not both practical and urgent.

The last of our new clauses is new clause 55. It is a rescue clause. It is a simple proposal. I hope that the Government will accept it. It says:

"Where it appears to the Secretary of State that it is necessary or expedient for the purpose of protecting the marine environment, the living resources which it supports, or human health or activities, he shall carry out or cause to have carried out operations to retrieve any harmful substances from the sea in United Kingdom controlled waters, or from any land adjoining the sea in United Kingdom controlled waters."

If those who had caused the pollution were to blame they would be required to pay the price of retrieving any substances from the sea.

Sadly, for too long Britain has been regarded—I apologise for using a sexist phrase—as the dirty man of Europe. We have turned our attention to making sure that our backyards are environmentally clean but we have not made sure that our national backyard is environmentally clean. The worst evidence of that is the North sea. My hon. Friends and I hope that the House will accept the new clause.

Mr. Devlin: I have a long-term interest in the North sea as one who comes from the north-east of England and who has taken an active interest in ecology since I was at school, when I established a society called the Survival Society to look after the ecology of the world. We set up our own school paper recycling project, a model which, 10 years later, has been copied all over Britain. At that time I was young and innocent, and I was a member of Friends of the Earth. Just as people say, "If you are not a socialist when you are 20 you do not have a heart, and if you are not a Conservative by the time you are 40 you do not have a head," perhaps if one is not a member of Friends of the Earth at the age of 20 one does not have a heart, and if one has not seen sense by the time one is 30, one certainly does not have a brain.

I came to represent Stockton, South with great interest, because I thought that it would give me a unique opportunity to get to grips with some of the problems of the North sea. I was worried about what would happen to rubbish dumped in the North sea. Many of my constituents fish in the North sea and they have told me of the disgusting problem, for example, of pulling nets out of deep sludge from sewage outfalls in the North sea. In respect of that part of his speech, I agree with the hon. Member for Southwark and Bermondsey (Mr. Hughes).

The hon. Member also referred to the problem of ash which comes predominantly from inefficient incineration and to the major problem of sewage sludge. I have maintained some links with organisations such as Greenpeace and Friends of the Earth and they have sent

[Mr. Devlin]

me their briefs. Last August I had an opportunity to go aboard the Rainbow Warrior when it docked at La Rochelle in France.

I found it interesting that the speech of the hon. Member for Southwark and Bermondsey closely followed the Greenpeace brief called "Reasons why the UK is still the Dirty Man of Europe" issued on 6 March 1990. It sets out seven areas in which the United Kingdom is still the dirty man of Europe. When I received that brief, I was worried about some of the issues that it threw up. I immediately wrote to Paul Horsman, the United Kingdom toxics divisional director of Greenpeace, to ask him some questions about it. I shall deal with some of the points raised.

Paul Horsman is the Max Headroom of Greenpeace. He does not seem to exist. He is a name on the bottom of notepaper and at the top of various newspapers published by Greenpeace. When one writes to him one eventually receives any number of letters from people who sign "per pro Paul Horsman". If hon. Members are looking for an interesting way to spend their term in Parliament, perhaps they should find someone from Greenpeace to work for them as their secretary. They can then spend their five years in Torremolinos or whatever place takes their fancy.

On 9 January, I wrote to Mr. Horsman about the pollution of the North sea. I asked whether he would prefer landfill or incineration to the dumping of sewage sludge. On 12 January 1990, he wrote back, not on that subject but enclosing a circular on another matter. On 22 January, I wrote to him asking if he intended to reply to my letter of 9 January. Someone acknowledged my letter saying that he was out of the country.

I wrote a further reminder. On 6 February I received a further circular addressed "Dear Member of Parliament". On 22 February, I wrote a further reminder. On 26 April, I received a reply. The House may be interested to hear some of the points in reply. I am sure that its position is the same as that of the Liberals, because they follow the Greenpeace brief. It says:

"Greenpeace is not only opposed to dumping waste at sea (a practice ended by most other European countries), but also to incineration—an acknowledged environmentally damaging waste disposal technology."

With great respect to that organisation, which commands significant support throughout Britain, it is not true by any means that incineration is acknowledged to be environmentally damaging. It is the only way that we have at present of dealing with PCBs.

The letter went on to discuss the two incinerators on Teesside and Tyneside which are to burn not only sewage sludge but hazardous waste. On that point Greenpeace is absolutely right. One cannot burn sewage sludge with industrial waste. No one has the technology. Even the chemical industry looks sceptically on whether sewage sludge can be burned with chemical waste. Greenpeace went on to say:

"Incineration of industrially contaminated sewage sludge or of sewage sludge with hazardous waste can only increase the residue problems."

The problem with that is that household sewage, that horrible stuff that goes down the drains to our sewage farms, is polluted by many different substances such as heavy metals and many other contaminants. In the past people thought that that was due to the fact that some industry was dumping chemicals down the drain. It now looks as if many of the chemicals that go down the drain are from ordinary household uses.

The hon. Member for Southwark and Bermondsey will recall that, on Monday night, when we were discussing the chemical industry, I pointed out that all sorts of chemicals are used every day in bleach, oven cleaners, and nail varnish. They all go down the drain and find their way out into the North sea through that drainage system. It is not a simple matter to take the industrial waste out of our sewage to produce the so-called "clean" sewage. The solution proposed by Greenpeace and Friends of the Earth is to implement such clean technology and production. I am minded to question what they mean by the clean production of sewage, but I shall not go into that now.

7 pm

It is worth while considering some of the products that go down the drains and become sewage. There is a certain product whose contents are outrageous and I know that the House will be extremely concerned about it. It contains chemicals such as acetone, acetaldehyde, methyl butrate, ethyl caproaie, hexy acetate, methanol acrolein and even some stuff called crotonaldehyde. How could anyone dose up with a product that contains so many chemicals? One would think that, at the very least, the producers would be forced to print those ingredients on the product.

That would be rather a problem, however, because the product I have described is a fresh strawberry, naturally grown, with no man-made ingredients. The next time hon. Members see a reasonably ripe strawberry on their plate, they might like to think about what is going on in that little chemical reactor. Strawberries end up in our drains.

I agree that a waste reduction audit is necessary—I am sure that many hon. Members agree about that. If we can reduce the amount of waste that industry and others create in the environment in the first place, it will help to solve the problem. I saw representatives of the chemical industry today and asked them about the problems associated with clean technology and clean production and whether such production would be possible. One can never say what might be possible as a result of new research, but the hon. Member for Southwark and Bermondsey suggested that all that was needed was for a company the size of ICI to turn its technological effort to waste minimisation and, hey presto, the whole problem would be solved in a matter of moments.

It is important to inform the House of the environmental objectives of the Chemical Industries Association; every chemical-producing company in the country is a signatory to those objectives. The CIA states:

"The chemical industry accepts its duty to manage its operations so that they are socially acceptable as well as complying with all relevant statutory provisions.

It is a primary responsibility of the management of the chemical industry to protect the environment as an integral part of good business practice."

The problem of waste is being addressed by the chemical industry, and in the past 10 years the clean up of the River Tees has been dramatic. We must now look at further ways in which to clean up the environment.

If we do not intend to continue to dump sewage and other things into the sea, we must find alternatives. If the hon. Member for Southwark and Bermondsey came up to the north-east he would learn that planning applications have been made for two toxic waste incinerators—one in Tyneside at Howden, the other in Portrack, near to my

constituency. The hon. Gentleman's colleague, the hon. Member for Berwick-upon-Tweed (Mr. Beith), can confirm that there is massive public disapproval of those schemes and great opposition to them.

We have given a commitment to clean up the North sea, but it appears that we are not prepared to meet the environmental price for doing so by finding an alternative. There are two alternatives to dumping. One can put waste in landfill sites, but we are desperately short of landfill sites, and problems are also associated with them because of the escape of methane and other gases.

The only other option currently available is expensive and politically sensitive—incineration. The disposal of waste through incineration is extremely expensive, as is disposal in landfill sites. The chemical industry already has a major incentive to cut down its waste streams wherever possible because of that expense. I recently visited Teesside with the all-party chemical industries group and I know that work to reduce such waste streams is already going on throughout the industry.

Some might argue that to tackle the problem all one needs to do is disconnect our industries from the sewerage system. If that happened, some of our smaller companies would go out of business immediately. We must address that problem. We do not want such companies to dump chemicals into the drains, but we want them to remain in business so that they can provide us with a vibrant pharmaceutical and chemical industry in the next century.

If one dumps sewage on landfill sites, there is bound to be some run off. It has been suggested that such sewage could be put on the land, but supply would quickly outstrip demand. Greenpeace has also informed me that it is possible to compost sludge with straw and substitute it for some of the uses of peat in agriculture and horticulture. That may be possible, but I am advised that that practice would deal with only a small amount of sewage.

It is important to consider waste disposal in its widest perspective. Other European states have demanded that sewage dumping at sea should end by 1995, and I know that the Government want to achieve that. The difficulty arises in finding alternatives to such dumping, especially as they are costly and politically sensitive.

The recently published "Interim Report on the Quality Status of the North Sea" said that the United Kingdom ranks second to the Netherlands as the largest contributor of the most dangerous heavy metals that go into the North sea. Some might argue that our contribution is more significant than that of the Dutch, as their figure includes products from Switzerland, France, Luxembourg and West Germany. I understand that the report has since cast doubt on the validity of the figures given, and that further studies are planned.

The hon. Member for Southwark and Bermondsey is correct to say that the United Kingdom is now the only country dumping fly ash in the sea. That practice is scheduled to end in 1992. The companies concerned are actively seeking alternatives, but, once again, they face problems in obtaining planning permission and the necessary capital.

Waste disposal needs a great deal more research. It is simple for the hon. Member for Southwark and Bermondsey and others to get up to say what is wrong with current practices in the United Kingdom. The research that backs up the statistical charges of inefficiency by the Government is often poorly founded; we need better facts and figures before we can point to this country as the dirty man of Europe.

Industry throughout the north-east, where most of the pollution comes from, is making a significant effort to address the problems and it is making inroads. I hope that the House will urge that industry to do as much as it can in the future and will not accept the new clause, which is ill-founded and in need of greater research.

Mr. A. J. Beith (Berwick-upon-Tweed): I support the new clause tabled by my hon. Friend the Member for Southwark and Bermondsey (Mr. Hughes). I accept that industry is making great efforts. It is so far ahead in the technology of waste management that we could, as we did in Victorian times, export our technology and knowledge. In common with energy efficiency, waste technology is a worthwhile area in which our industries should take a lead.

I represent nearly 50 miles of the North sea coastline, and many of my constituents work on the sea in the fishing industry. Many others who live near the coast feel strongly about the existing level of pollution. The public row to which the hon. Member for Stockton, South (Mr. Devlin) referred, about the proposed incinerators, is a further aspect of public anxiety about pollution in the north east.

All those various types of pollution have aroused concern and my constituents have complained about them for many years, but there has been little response. All of a sudden, other people are interested, it is on national television screens and the Greenpeace ship and inflatables are there for all to see, interfering with fly ash dumping and other activities. There are two possible reactions to that. Sometimes, people resent it and say, "We have known about that for a long time," or say, as many do, "Thank goodness that somebody else is at last taking an interest in our problem."

All the various types of dumping have aroused deep concern. Pharmaceutical wastes, which place into the North sea substances that can reappear in the food chain, particularly through fish, are a source of great anxiety. The dumping of fly ash provides a solid bed in a concentrated area of the North sea in the middle of important fishing grounds. The fishing industry in Northumberland faces difficult times for a series of reasons, and to have the accumulating effect of fly ash dumping in the middle of that adds to the problems.

The fly ash comes from north-east power stations that use the coal from north-east pits, particularly at Blyth and Stella. Nobody in the north-east wants to see an end to coal-fired electricity generation in the north-east, but that is a problem that can be solved; National Power clearly recognises that it can be, as it must, because the Government have committed it to solving the problem.

It has been suggested in my constituency that it is absurd that, when lorries are trundling into Blyth day after day with the products of opencast sites, they cannot be filled with fly ash to take back and put in the hole from which the opencast material has come. When so many holes are being dug in the north-east, there is surely some prospect of filling some of them with the very fly ash produced by the coal from the north-east. There is clearly some scope for the intelligent use of opportunities that are already available.

Sewage sludge and sewage output contribute greatly to the problems faced by fishermen in the north-east, and early action is clearly required. As well as all the factors

[Mr. A. J. Beith]

mentioned in the debate, there are also problems of colliery waste tipping and polluted beaches. Such problems exist at Lynemouth in Northumberland. That is basically the same problem that exists on Durham beaches and is deeply depressing for those who know what those beaches used to look like.

There is a complex and interlocking chain of problems. The waste is tipped from the Lynemouth-Ellington colliery complex, which is of great employment importance in the region, and supplies an aluminium smelter. Some of the proposed ways of dealing with the complex problem might not solve it, particularly when one takes into account the possible rise in sea levels and the global warming effect. We may lose the whole lot, including the smelter, if there is an incursion from the sea into the area where this is taking place. It requires careful management.

There has been a limited commitment of Government funds to a possible future scheme to solve the colliery dumping problem at Lynemouth. That is clearly not enough, and the scheme first produced will be inadequate. I hope for continued and more expensive Government involvement in whatever scheme is most likely to end the dumping and secure the future of the Ellington colliery complex and smelter for as long as possible. It is obviously an efficient arrangement to have a colliery and a smelter working side by side, but it will be better if we can control the waste management from it more effectively than has been done so far.

Much more progress has been made with all these matters since someone started to set timetables. My hon. Friends are keen on the amendments, because they strengthen and tighten those timetables. It is amazing that this was allowed to continue for so long without any significant improvement, until we became involved in international obligations to meet deadlines. That leads me to believe that my right hon. and hon. Friends are right to table amendments seeking an earlier achievement of those targets.

7.15 pm

Mr. Morley: I shall touch on a few points that have been raised in the debate. The Opposition give their broad support to the principles put forward by the Liberal Democrats. We are concerned about one or two matters, such as the time-scale laid down for the phasing out of sea dumping.

It is fair to say, as did the hon. Member for Berwick-upon-Tweed (Mr. Beith), that a time-scale focuses the mind towards working towards the set date. It is also fair to say that the Government have given commitments that they will work to dates, but they have then reneged on them. Those commitments should have been given on the understanding that the Government would honour them, not renege on by them extending the deadlines beyond those previously given at North sea conferences.

There is no doubt that our record on sea dumping is one of the worst in Europe. There have been 10 years of inaction on dealing with raw sewage going into our seas from pipelines and sewage sludge. I take up the point made by the hon. Member for Stockton, South (Mr. Devlin). One cannot simply switch off industrial effluent tomorrow because of the impact it would have on the industries involved and jobs. However, we should work towards that. ICI has said that if it had been given a tighter programme by the Government, it would have adjusted its capital investment programme to meet the deadlines and that it could have phased out the dumping of industrial effluent earlier if the Government had laid on the line more clearly what was expected. The Department of Trade and Industry seems inactive when it comes to working with industry and trying to assist it in finding alternatives such as recycling effluent and reducing the amount of effluent that goes into our water courses and sea.

Some of the deadlines in the Liberal Democrat new clause are more easily met than others. There is no doubt that there are quick alternatives to dumping fly ash in the North sea. Apart from the points that have rightly been made about its effect on sterilising the sea bed, it also tends to solidify into large lumps and causes enormous damage to fishermen's gear when they catch their trawls in the lumps of fly ash. They have had no financial compensation from the people dumping fly ash in the sea and damaging their gear, and I believe that the people responsible should be liable for that.

It is, at the very least, most unpleasant for those catching fish in our seas to trawl up filth from raw sewage because of the sewage dumping that takes place. Fish is one of the few foods that, without doubt, is healthy and good for people. The Government should give greater priority to ensuring that the quality of that product is maintained at its present high standards.

We support the concept of marine conservation zones. We are sorry that there is only one designated marine nature reserve. The problem seems to be the tortuous consultation procedure that must be carried out. That is why we are not meeting our EC commitments to protect important sea bed sites.

In Committee I moved an amendment on behalf of the Opposition calling for a national environmental audit to include the whole of the coastline to look at the organic matter that goes into our coast and the parts of our coastline that need particular support and attention because they are under threat. I was sorry that the Liberal Democrat spokesman voted with the Government against that amendment, because I felt that that was a poor position to adopt——

Mr. Simon Hughes: The hon. Gentleman will appreciate that there has been a change of roles since then, when a colleague of mine took the view that the amendment was a good idea but somewhat impractical. No one wants less knowledge about what we are doing to our marine environment and coastline; it is a matter of how we go about protecting them.

Mr. Morley: I accept the hon. Gentleman's assurances and I recognise that there has been a change of responsibilities—that may be for the better. But we believe that we need a national overview of the environment. I do not want to re-run the arguments about that, but we believe that a lack of such an overview of conservation is one of the fundamental weaknesses in part VII of the Bill. I am sure that we shall return to that matter later in the Bill's progress.

Finally, I pay tribute to the conservation work that fishermen have done. Recently I was in Plymouth talking to members of the south-west region of the National Federation of Fishermen's Organisations, and I was

impressed by the steps that local fishermen had taken to protect the sea bed—for instance, a voluntary ban on French dredging for scallops. They, above all people, recognise the need to conserve our sea beds and to control what goes on to them.

We do not disagree with the idea of polluters paying the recovery costs of harmful substances. In Committee, we moved an amendment calling for a fine and for the confiscation of vessels held responsible for dumping poisonous substances in the sea, deliberately releasing oil into it or washing their tanks at sea. Because of the costs of waste disposal and the transportation, there are enormous profits to be had by people who take the risk of breaking the law by washing tanks at sea, thereby saving turnaround times for oil tankers, or by those who deliberately push toxic substances over the side even though they have been paid to take them to a site at which they can be properly disposed of. I believe that the Government recognise this and I hope that they will consider strengthening the penalties, at least those for clean-up costs. We go one step further and ask the Government also to consider confiscating ships that break the law, because of the serious consequences of their actions.

We accept the thrust of the arguments on the new clause and the sincerity with which they were expressed, but we believe that some of the deadlines are not very realistic. We should like to hear a little more from the Liberal Democrats about how they would be met before giving our full support to the idea.

The Parliamentary Under-Secretary of State for the Environment (Mr. David Heathcoat-Amory): I welcome this chance to debate the marine environment, because the Government are committed to protecting it and to reducing still further the discharge of dangerous substances into the North sea and the other seas around our coasts. However, I cannot accept new clause 9, because it will not take us more quickly to that objective.

The new clause is something of a random mixture of general intentions and arbitrary targets, strung together with no consideration of priorities for action to protect our seas—priorities which have marked the approach of successive North sea conferences, which have rightly focused on the dangerous substances reaching the sea, mainly through rivers, and then agreed the means to reduce them.

At The Hague conference in March agreement was reached on 36 substances for which reductions of 50 per cent. or more will be sought by a deadline of 1995; for four substances, a more ambitious target of a 70 per cent. reduction was set. The United Kingdom is well on the way to meeting those objectives. These figures, and our achievements to date, are contained in the United Kingdom's national action plan on North sea discharges, which was published on 5 March. So I do not disagree much with new clause 9(1).

The differences between us arise in subsection (2), which contains an arbitrary revision of the time scales negotiated and agreed upon at The Hague conference after full consideration of the practical realities involved. Sewage sludge dumping, about which the hon. Member for Southwark and Bermondsey (Mr. Hughes) spoke at some length, accounts for only about 1 per cent. of dangerous substances reaching the North sea. River-borne pollution is by far and away the most potent source of pollution. But we have agreed to phase out sewage sludge dumping by 1998. The hon. Member for Southwark and Bermondsey must face up to the practicalities of his time scale, which would seek to phase it out within three years. The engineering and technical complexities of finding alternative means of disposal of 30 per cent. of the sewage sludge arising in the United Kingdom are great.

The reason why we have so much sludge to get rid of is that we treat more of our household sewage than any other country in Europe does. So we are talking about large volumes of waste, and it must be recognised that it can be disposed of in only three ways: into the earth, on the land or into the sea.

I should have greater respect for the hon. Gentleman's drastic timetable if I did not know that if someone wanted to construct an incinerator in or near his constituency he would be one of the first to object. We must face the fact that no alternative means of disposal is welcomed by or pleasant for those living nearby. Even when pressed by my hon. Friend the Member for Walthamstow (Mr. Summerson), the hon. Member for Southwark and Bermondsey would not admit that these alternatives are politically, socially and technologically difficult.

I have exactly the same objection to the hon. Gentleman's other time scales——

Mr. Simon Hughes: As it happens, when there was a proposal to build, on the boundary of my constituency, a combined heat and power plant that would burn waste, I and my colleagues supported it. If the Minister checks the record he will find that whenever we have debated the disposal of waste I and my colleagues have argued that land-based disposal is better, and we have supported the Government when they have followed that line, because such disposal is more easily monitored. It is more important to deal with the toxicity of the waste beforehand so that the potential dangers are lessened. We have consistently refused to take the NIMBY approach, by contrast with some of the Minister's predecessors in the Department.

Mr. Heathcoat-Amory: I am delighted—as, I am sure, Thames Water will be—to hear that the hon. Gentleman might not take a negative view if it was proposed to build an incinerator in or near his constituency to deal with the sludge from it which now all flows into the North sea.

The technical complexities of dealing with industrial waste and fly ash are also great. We are dealing with large quantities of dilute chemicals. When pressed, the hon. Member for Southwark and Bermondsey said that he did not want to shut down these industries overnight and that his time scales would give some leeway. His new clause would set a time scale of less than eight months, whereas in realistic negotiations with the companies concerned we are setting a time scale that would take us up to 1992, or in two cases a possible continuation into the early months of 1993. That is a demanding time scale and anything else would put jobs and the industries involved at serious risk.

7.30 pm

I emphasise that we are not in breach of undertakings given at the second North sea conference. The industrial wastes being deposited in the North sea are not significantly harmful and we have presented evidence to that effect to the Oslo commission. The hon. Gentleman drew attention to the part of his new clause that calls for zero discharges of harmful substances by 2000. My hon.

Friend the Member for Stockton, South (Mr. Devlin) rightly said that that was entirely unrealistic because we are dealing with a wide range of wastes—domestic, industrial and agricultural—some of which contain trace elements of contaminating substances, such as lead from pipes or from roadside dust. We also have a legacy from our past activities in mining.

All that means that whatever we do there will always be small quantities of harmful substances running off land into rivers and, therefore, to the North sea. We cannot simply wave a magic wand to try to get those discharges down to zero. We must patiently negotiate with our partners a realistic series of priorities and time scales to deal with dangerous substances. That is what we signed up to do at The Hague conference and in a few weeks we shall publish a detailed guidance note on how we shall implement The Hague conference declaration.

New clause 55 seeks to deal with pollution from ships. I sympathise with what the hon. Member for Southwark and Bermondsey says, but I assure him that his new clause is not necessary because we already have in place a speedy and effective system for dealing with pollution incidents. Hon. Members may recall the efforts of the French and United Kingdom authorities to recover dangerous substances from the motor vessel Perintis which sank in the western part of the English channel last year. Those efforts showed the effectiveness of the Department of Transport's marine pollution control unit which received advice from the Minister of Agriculture, Fisheries and Food and dealt with the matter. The Royal Navy managed to recover a major part of the shipment of pesticides. That shows that we have in place the means of dealing with such problems and new clause 55 will not add to the powers that are already available under the Prevention of Oil Pollution Act 1971 as supplemented by the Merchant Shipping (Prevention of Pollution) Intervention Order 1980.

Some hon. Members spoke about the need to protect, and in some cases set up, marine conservation zones. I am sympathetic to that view, but I draw the attention of the House to the procedures that already exist for setting up marine reserves under the Wildlife and Countryside Act 1981. It is not possible to draw lines on maps and say that the area delineated is a conservation zone. Patient consultation with those involved is required.

The hon. Member for Glanford and Scunthorpe (Mr. Morley) complained about the time that it has taken to set up the Lundy island reserve. I think that he will understand that we must take fully into account those who live and work in such areas. In many cases we are talking about fragile local economies and we must get the wholehearted co-operation of fishermen, those who make their living along the shorelines, and those who live in such areas, even if that takes some time. I remind the House that the means exist for protecting our marine environment. I urge the House to reject the new clause.

Mr. Simon Hughes: I do not think that there is as much common ground between the Minister and my party on the matter of dealing with harmful discharges as there is between us on the other matters. I hope that he will look again at the matter of marine conservation zones. People are disappointed that only one, Lundy island, has been declared under the 1981 Act. My new clause is a practical way to deal with important sites. I hope that the Government will respond later in another place and will agree with us on that.

In speaking about new clause 9, the Minister said that we have mixed general intentions and arbitrary targets. The Government have a policy of general intentions and targets and there are dates to which the Government have subscribed. The difference between us is that we say the Government are going too slowly. We could go more quickly and the environmental targets that we urge are much more justifiable than those that the Government have so far negotiated. The evidence shows that on all the occasions when there has been a negotiated agreement, Britain has argued for a later date while everybody else has argued for an earlier one. If the Minister wants more evidence of the fact that the Government are dragging their feet, he should look at the decisions to which the United Kingdom has been a party.

For those reasons, I and my hon. Friends ask that new clause 9, which stresses the urgency of measures to protect the North sea, be put to a Division. I ask hon. Members to support us.

Question put, That the clause be read a Second time:—

The House divided: Ayes 28, Noes 178.

Division No. 190] **[7.38 pm**

AYES

Ashdown, Rt Hon Paddy	Johnston, Sir Russell
Beith, A. J.	Jones, Ieuan *(Ynys Môn)*
Bennett, A. F. *(D'nt'n & R'dish)*	Kennedy, Charles
Bruce, Malcolm *(Gordon)*	Maclennan, Robert
Campbell, Menzies *(Fife NE)*	Meale, Alan
Carlile, Alex *(Mont'g)*	Pike, Peter L.
Cohen, Harry	Primarolo, Dawn
Crowther, Stan	Skinner, Dennis
Cryer, Bob	Steel, Rt Hon Sir David
Duffy, A. E. P.	Taylor, Matthew *(Truro)*
Eastham, Ken	Wardell, Gareth *(Gower)*
Ewing, Mrs Margaret *(Moray)*	Wise, Mrs Audrey
Flynn, Paul	
Hood, Jimmy	Tellers for the Ayes:
Howells, Geraint	Mr. James Wallace,
Hughes, Simon *(Southwark)*	Mr. Archy Kirkwood.

NOES

Alison, Rt Hon Michael	Chope, Christopher
Amess, David	Churchill, Mr
Arbuthnot, James	Clarke, Rt Hon K. *(Rushcliffe)*
Arnold, Jacques *(Gravesham)*	Coombs, Anthony *(Wyre F'rest)*
Arnold, Tom *(Hazel Grove)*	Coombs, Simon *(Swindon)*
Ashby, David	Cran, James
Atkins, Robert	Critchley, Julian
Baldry, Tony	Davies, Q. *(Staml'd & Speld'g)*
Batiste, Spencer	Day, Stephen
Beaumont-Dark, Anthony	Devlin, Tim
Bellingham, Henry	Dorrell, Stephen
Bennett, Nicholas *(Pembroke)*	Douglas-Hamilton, Lord James
Benyon, W.	Dover, Den
Bevan, David Gilroy	Dunn, Bob
Boscawen, Hon Robert	Durant, Tony
Boswell, Tim	Emery, Sir Peter
Bottomley, Mrs Virginia	Evennett, David
Braine, Rt Hon Sir Bernard	Fallon, Michael
Brandon-Bravo, Martin	Fookes, Dame Janet
Brazier, Julian	Forman, Nigel
Bright, Graham	Forth, Eric
Brown, Michael *(Brigg & Cl'Y'a)*	Fox, Sir Marcus
Browne, John *(Winchester)*	Freeman, Roger
Bruce, Ian *(Dorset South)*	French, Douglas
Burt, Alistair	Fry, Peter
Butcher, John	Gale, Roger
Butler, Chris	Garel-Jones, Tristan
Carlisle, John, *(Luton N)*	Glyn, Dr Sir Alan
Carlisle, Kenneth *(Lincoln)*	Goodlad, Alastair
Carrington, Matthew	Gorst, John
Cash, William	Gow, Ian
Channon, Rt Hon Paul	Greenway, Harry *(Ealing N)*
Chapman, Sydney	Greenway, John *(Ryedale)*

Gregory, Conal
Griffiths, Peter *(Portsmouth N)*
Ground, Patrick
Hague, William
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hargreaves, Ken *(Hyndburn)*
Harris, David
Hayward, Robert
Heathcoat-Amory, David
Hill, James
Hind, Kenneth
Howarth, G. *(Cannock & B'wd)*
Howe, Rt Hon Sir Geoffrey
Howell, Ralph *(North Norfolk)*
Hughes, Robert G. *(Harrow W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Irving, Sir Charles
Jack, Michael
Janman, Tim
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert B *(Herts W)*
Key, Robert
Killedder, James
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knapman, Roger
Knight, Greg *(Derby North)*
Knight, Dame Jill *(Edgbaston)*
Knowles, Michael
Lawrence, Ivan
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lester, Jim *(Broxtowe)*
Lightbown, David
Lilley, Peter
Lloyd, Peter *(Fareham)*
Lord, Michael
McCrindle, Robert
Macfarlane, Sir Neil
MacGregor, Rt Hon John
MacKay, Andrew *(E Berkshire)*
McLoughlin, Patrick
Malins, Humfrey
Mans, Keith
Maples, John
Marland, Paul
Marshall, John *(Hendon S)*
Mates, Michael
Maude, Hon Francis
Maxwell-Hyslop, Robin
Meyer, Sir Anthony
Mitchell, Andrew *(Gedling)*
Nelson, Anthony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Norris, Steve
Paice, James
Porter, Barry *(Wirral S)*
Porter, David *(Waveney)*
Renton, Rt Hon Tim
Riddick, Graham
Ridsdale, Sir Julian
Rifkind, Rt Hon Malcolm
Roe, Mrs Marion
Ryder, Richard
Sackville, Hon Tom
Sayeed, Jonathan
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shelton, Sir William
Shephard, Mrs G. *(Norfolk SW)*
Shersby, Michael
Sims, Roger
Skeet, Sir Trevor
Speed, Keith
Speller, Tony
Spicer, Michael *(S Worcs)*
Stanbrook, Ivor
Steen, Anthony
Stern, Michael
Stevens, Lewis
Stewart, Andy *(Sherwood)*
Stewart, Rt Hon Ian *(Herts N)*
Stradling Thomas, Sir John
Sumberg, David
Summerson, Hugo
Taylor, Ian *(Esher)*
Taylor, John M *(Solihull)*
Taylor, Teddy *(S'end E)*
Thompson, D. *(Calder Valley)*
Thompson, Patrick *(Norwich N)*
Trippier, David
Trotter, Neville
Twinn, Dr Ian
Viggers, Peter
Walden, George
Waller, Gary
Wardle, Charles *(Bexhill)*
Watts, John
Wells, Bowen
Wheeler, Sir John
Widdecombe, Ann
Winterton, Mrs Ann
Wood, Timothy
Woodcock, Dr. Mike
Young, Sir George *(Acton)*

Tellers for the Noes:
Mr. Nicholas Baker and
Mr. Irvine Patnick.

Question accordingly negatived.

New Clause 16

DUTY OF ENFORCING AUTHORITY TO CONSULT HARBOUR AUTHORITIES

'.—(1) Where the carrying on of a prescribed process will involve the release of any substance into a harbour, the enforcing authority shall consult the harbour authority before granting or varying an authorisation.

(2) In this section—

"harbour" and "harbour authority" have the same meaning as in the Harbours Act 1964; and

"vary", in relation to an authorisation, means imposing further conditions or varying or rescinding conditions.'.—*[Mr. Knapman.]*

Brought up, and read the First time.

Mr. Roger Knapman (Stroud): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Mr. Harold Walker): With this it will be convenient to take the following: Government amendment No. 37.

Amendment No. 292, in clause 6, page 8, line 11, at end insert—

'(5A) where the authorisation is to cover a discharge to water it should contain a specific section notifying the operator of the requirements of the National Rivers Authority in relation to that discharge in relation to both the standards to be met and the monitoring required.'.

Government amendments Nos. 81 to 87, 62 and 88.

Mr. Knapman: New clause 16 would require enforcing authorities to consult harbour authorities before authorising the release of substances into the harbour. My hon. Friend the Minister will be aware that harbour authorities —that is, those within the meaning of the Harbours Act 1964—have powers and duties in regard to the management, maintenance and improvement of their harbours. Nearly all such authorities have a duty to dredge their harbours, primarily for the safety and convenience of navigation. As so graphically described by the hon. Member for Southwark and Bermondsey (Mr. Hughes), this spoil has to be disposed of. This can be done on land, and I understand that until now a licence has been required under the Control of Pollution Act 1974. I understand that henceforth a licence will be required under part II of the Bill.

The alternative is to dump at sea, and that, too, would require a licence. Dumping at sea is generally rather more economical than dumping on land, but the granting of a licence for the purpose may depend on the chemical composition of the dredgings. Chemical interaction takes place in the water column when fresh and salt water mix. This frequently results in substances released in harbours accumulating in sediments to levels far higher than those which were initially released.

It is logical, therefore, that any harbour authority should be concerned about the releases of substances into the water within the harbour, and the new clause recognises that concern. It would require the enforcing authority, before granting authorisation under the new system of control, to consult the harbour authority. I suggest to my hon. Friend the Minister that the duty would not impose any serious administrative burden on the enforcing authority. I shall welcome his consideration of the clause. In Committee, he was helpful in accepting amendments when he could, and he put us down gently when he could not.

Mr. Andrew Hunter (Basingstoke): I am flattered that my humble amendment, No. 292, has been grouped with new clause 16. I have hitherto agreed entirely with everything that my hon. Friend the Member for Stroud (Mr. Knapman) has said in this place.

I search for a constituency interest. Whatever may happen to the ozone layer or whatever may be the greenhouse effect, I doubt that Basingstoke will have to deal with the problems. I am bewildered that my amendment has been grouped with the new clause, but that having happened I have the opportunity to make what I believe is a valid point. It is one which I made in Committee, and it concerns integrated pollution control —the principle, the system, its application and the abiding concern of industry that this will not, in effect, be the one-stop shop that the Government have hitherto assured us will be the position.

[Mr. Andrew Hunter]

I do not wish to be repetitive. Many of those who are now here were members of the Committee and heard me advance the argument that I am presenting to the House. There is concern that any particular industrial process will still be subject to the overriding and overruling command of Her Majesty's inspectorate of pollution, and that the National Rivers Authority, the privatised water utilities, the waste regulatory authorities, the Health and Safety Executive and the Ministry of Agriculture, Fisheries and Food will still be involved in the regulatory process. Industry is concerned that bureaucracy is being created. Although the principle is sound, the fear is that the wealth and job-creating processes will suffer accordingly. Therefore, the amendment seeks simplification and a lightening of the burden.

That is the basis of the argument behind amendment No. 292.

The Minister for the Environment and Countryside (Mr. David Trippier): I am grateful to my hon. Friends the Members for Stroud (Mr. Knapman) and for Basingstoke (Mr. Hunter) for the way in which they spoke to new clause 16 and amendment No. 292. I shall reply briefly. I must apologise to my hon. Friends at the outset because I shall not be accepting either the new clause or the amendment. I am genuinely sorry because I know how successful they were in Committee in introducing amendments that proved to be acceptable to the Government. I was happy to accept a number of them in their entirety, without having to say that I would return to them on Report.

My hon. Friend the Member for Stroud explained why it is necessary that harbour authorities should be consulted when the following of a prescribed process will involve the direct release of a substance into a harbour. I am pleased to say that schedule 1 gives the Secretary of State the power to prescribe consultees in regulations. In that sense, the new clause is otiose. If it is right that harbour authorities should be consulted, that will be prescribed in the regulations. The regulations are the right place to define statutory consultees. I hope that my hon. Friend will not press the new clause because I am sympathetic to the broad thrust of his argument.

I think that there is a connection between the amendment of my hon. Friend the Member for Basingstoke and the new clause introduced by my hon. Friend the Member for Stroud. Both concern water, the NRA and harbours, possibly, tenuous though that connection might be. Clause 25 meets the concern of my hon. Friend the Member for Basingstoke. It establishes that HMIP will be the lead body with which industry must interface. HMIP will consult the NRA, which will then have the power to veto an application if it considers that releases from the process will contribute to a failure to achieve any water quality objective or to require the inclusion of conditions in the authorisation that HMIP grants.

Mr. Knapman: I am obliged to my hon. Friend the Minister and to my hon. Friend the Member for Basingstoke (Mr. Hunter). I agree that Basingstoke is not likely to have a harbour. That is just about as certain as saying that neither he nor I will make wet Tories. I am obliged to my hon. Friend the Minister for his comments. As the House has placed certain duties upon harbour authorities, I hope that the authorities will be consulted under regulations in due course. In view of my hon. Friend's comments, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New Clause 21

LEVELS OF RADIOACTIVITY

'( )—(1) The inspector appointed under section 11A(1) of the Radioactive Substances Act 1960 as amended shall have as one of his functions the undertaking on an annual basis of a review of the levels of radioactivity experienced by persons employed in any establishment maintained for the purpose of reprocessing radioactive material, or for the generation of electricity using any radioactive process, and, where he considers it appropriate, any other establishment in which research or other processes involving radioactive materials are undertaken, other than an establishment to which section 14(2) of that Act as amended applies.

(2) For the purposes of subsection (1) above, the inspector shall examine relevant levels of radioactivity at each such establishment on an annual basis.'.—*[Ms. Walley.]*

Brought up, and read the First time.

Ms. Walley: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this, it will be convenient to consider also Government amendments Nos. 1 to 23.

Ms. Walley: I shall be brief, in the interests of making progress. The Bill has presented us with many opportunities and it is disappointing that the Government have decided not to make some real improvements to the Radioactive Substances Act 1960. The way in which that measure has been dealt with is evidence of the Government's piecemeal approach.

There should be tighter controls for those who are exposed to certain levels of radioactivity, and the new clause is a first step towards introducing those necessary controls. It calls for an inspector to review the levels of radioactivity that are experienced by persons employed in areas where there are radioactive materials, subject to the exceptions which are set out.

The new clause is a starting point. It does not commit the Government to controls that we would like to see, but it paves the way for lower exposure levels. It is an issue which came to the fore during the consideration of the Bill in Committee. We look to the International Commission on Radiological Protection to recommend lower exposure limits, but there is much that can be done nationally. There is much that industry can do, especially as there is uncertainty about the risks of radiation.

It is well known that there are genuine fears that the risks of radiation are four to five times higher than those that were previously recognised, and that the United States National Academy of Sciences has suggested that the risks are six to eight times higher than those that were estimated in 1977. All this needs to be reflected in standards that are adopted nationally. We believe that the new clause could go some way towards bringing together environmental concerns about this most important issue.

It is worth referring to the implications of the Gardner report, which was published during the Committee stage. It identified two groups of workers who faced the highest risk of having a child who developed leukaemia. It is important that the report's recommendations are taken on

board, certainly by the Secretary of State for the Environment, but also by other Departments, including those responsible for health and safety in industry. It is important to note that, for the first time, the trade unions involved in the industry have joined with the various environmental groups to force the pace for changes in the limits for exposure levels. The new clause would provide the opportunity to do that.

8 pm

I shall deal briefly with the Government amendments. I refer the Under-Secretary to our debates in Committee and the points raised as a result of the experience of officers in the metropolitan borough of Dudley in respect of the Pear Tree site. There appears to be a loophole in existing legislation because local authorities are not, as of right, consulted when Her Majesty's inspectorate of pollution authorises the disposal of radioactive substances. Dudley council had to seek a judicial review to get its views represented. I seek an assurance from the Under-Secretary that the promises and undertakings given in Committee have been fulfilled and that it is now possible for me to tell the leader of the Dudley council, with absolute certainty, that section 11 of the Radioactive Substances Act 1960 has been changed so that local authorities will have an automatic right to a hearing before the Secretary of State takes the specified action under section 11(1). It is an important issue which has arisen out of the practical experiences of local authorities. If the Under-Secretary cannot give the assurance that I seek, I hope that it will be given in another place.

Mr. Heathcoat-Amory: I accept the concern expressed by the hon. Lady, but I assure her that there is no category of substances or waste that receives so much attention and such extensive monitoring as radioactive substances.

I cannot accept new clause 21, for the good reason that its proposals duplicate existing legislation. The functions proposed by the new clause would be carried out by inspectors appointed under the Radioactive Substances Act 1960. However, those functions are already carried out and effectively enforced under the Ionising Radiation Regulations 1985, made under the Health and Safety at Work, etc. Act 1974. The regulations deal, among other things, with dosages to classified workers and with dosages generally in the workplace. They explicitly cover the substance of the new clause. They are enforced by the inspectors of the Health and Safety Executive, which reports to the Health and Safety Commission, which in turn reports to the Secretary of State for Employment. The new clause would duplicate existing legislation and I urge the House to reject it.

The Government amendments to part V are all technical and rectify minor omissions revealed in Committee or improve consistency between part V and other parts of the Bill.

I shall touch on one matter that involves local authorities as that was the substance of the hon. Lady's remarks. Although clause 85 amends the Radioactive Substances Act 1960 to provide that copies of enforcement and prohibition notices shall be sent to the local authorities that received a copy of the section 1 registration and the section 6 authorisation, it does not provide that copies shall go to authorities that received section 3 registrations in respect of mobile plant. Similarly, no provision is made for other public authorities that receive copies of notices to be informed of their withdrawal. Amendments Nos. 5, 6 and 7 rectify those omissions. There are other similar amendments, which I do not think will cause any controversy. I urge the House to accept the Government amendments.

Mrs. Ann Taylor (Dewsbury): My hon. Friend the Member for Stoke-on-Trent, North (Ms. Walley) has had to leave the House, so I shall briefly respond to the Minister's remarks. He said that the new clause duplicates existing legislation. The case that my hon. Friend mentioned today, and which she also put before the Committee some weeks ago, highlights the problem—certainly with the working of existing provisions even if they are adequate in themselves.

I urge the Minister to reconsider the need for local authorities to be consulted and informed about what is happening in their areas. They should have the right to express an opinion and to have it taken into account before any decision is made. I hope that the Minister will take the matter seriously and keep a careful watch on what is happening, because it is causing concern to some local authorities. It is important that they have the right to be involved in such decisions.

As my hon. Friend is not here, we cannot withdraw the motion. However, we will not press it to a Division.

Question put and negatived.

New Clause 23

Transfer of Functions of Secretary of State

'( )—(1) The Secretary of State may by Order transfer such of his functions under this Act as he considers appropriate, including any of the functions specified in subsection (3), below which are vested in him under this Act, to any body established in accordance with subsection (2) below.

(2) The Secretary of State may by Order within two years of the passing of this Act establish an Environmental Protection Executive with a regional structure corresponding in area to any regional authorities established in England, Scotland and Wales.

(3) The functions of any body established under this section may by Order made by the Secretary of State include—

(a) the promotion of preventive measures against pollution, clean technologies and the development of integrated pollution control generally;

(b) the prescription of processes falling within national control in accordance of Part I of this Act;

(c) the issuing of advice as to best practice in the management of waste, including hazardous waste, in accordance with the provisions of Part II below;

(d) the promotion of recycling and the reduction of waste;

(e) the monitoring of national standards as to pollution, waste management, statutory nuisance, litter and substances and organisms falling within Parts V and VI below;

(f) the promotion with local authorities of Environmental Impact Analysis in planning matters;

(g) the undertaking of long-term research on environmental and ecological matters;

(h) the promotion of public education as to environmental matters, where appropriate in liaison with local education authorities;

(i) the co-ordination of improvements to the environment in inner city areas, including the reclamation of urban land;

(j) the exercise on behalf of the Secretary of State of functions under sections 116 or 117 in relation to toxic waste;

(k) the monitoring of activities connected with dumping at sea as referred to in section 119 below;

(l) the provision of advice and recommendations as to financial assistance for environmental purposes in accordance with section 122 below; and

(m) the promotion of international co-operation on environmental measures and the dissemination of best practice.

(4) The Executive shall have such a membership as appears to the Secretary of State to be representative of organisations concerned with environmental, scientific and conservation matters, and of local authorities.

(5) Any order issued under subsection (2) above shall include provision for the incorporation as freestanding specialist persons or bodies within any body established under this section of the chief inspector and his staff, the National Rivers Authority and such other bodies or Departments of State, or parts thereof, as the Secretary of State may determine, and any such body shall have such powers of overall direction and the issuing of guidance, and such duties to promote co-operation and joint working, as the Secretary of State may by order specify.'.—*[Mr. Murphy.]*

Brought up, and read the First time.

Mr. Murphy: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this, it will be convenient to take the following: New clause 24—*Functions of local authorities*—

'( )—(1) For the purposes of protecting and enhancing the environment of their areas, the functions of local authorities as specified in this Act shall include—

(a) the promotion, protection and enhancement of the natural and physical environment in their areas, in liaison with national and regional bodies with environmental regulatory functions;

(b) the monitoring and auditing of the quality of the local environment in accordance with standards established under this Act; or by the National Executive or the Secretary of State;

(c) the provision of public information on environmental matters relevant to the local area;

(d) the co-ordination of other local authority functions for the purpose of enhancing the local environment;

(e) the local enforcement of requirements in relation to integrated pollution control, waste management, statutory nuisance and such other standards as may be determined under this Act;

(f) the maintenence of such public registers or authorisations, applications and infringements of standards as may be required under this Act; and

(g) the undertaking of environmental impact assessments into local processes capable of causing pollution or likely to arise from developmant applications.

(2) The Secretary of State shall, in respect of any financial year in which the functions specified under this section, or otherwise under this Act, are exercisable by local authorities satisfy himself that the resources available to those authorities are adequate to secure the proper carrying out of those functions.

(3) The functions of local authorities under this section may be exercised through one or more committees of elected members of the authority.'.

New clause 25—*Protection from hazardous and other wastes*—

'( )—(1) This section shall have effect for the purpose of maintaining and improving the protection of persons and of the environment from hazardous or other waste or injurious substances or articles.

(2) The Secretary of State shall exercise any powers vested in him under the relevant provisions of Part VIII or under this section for the purposes of securing the objectives specified in subsection (1) above, and in particular he shall, whether by regulations or otherwise—

(a) prohibit or restrict the exportation from the United Kingdom of any substance or article specified under section 116(1) below;

(b) prohibit or restrict the exportation from the United Kingdom of substances or articles where he is satisfied that such substances or articles are to be used in connection with any process which presents a risk of causing pollution of the environment and he is not satisfied that the competence of the persons concerned or as the case may be the regulation of such processes in the country concerned is likely to eliminate so far as reasonably practicable such risk;

(c) prohibit or restrict the importation of waste for direct landfill;

(d) require any licensing authority to refuse to grant any licence application which conflicts with any relevant Ministerial Declaration of a North Sea Conference extant at the time of the application, or which seeks authorisation for activities giving rise to a risk of pollution of the marine environment or the living resources which it supports;

(e) review within one year the maximum levels of penalties specified under sections 116(10) and 117(5)(e) below;

(f) introduce requirements for labelling applicable to identified producers of waste; and

(g) require to be undertaken, and issue guide-lines in respect of, a national audit of toxic waste.'.

Mr. Murphy: New clause 23 refers to the setting up of an environmental protection executive with a regional structure. We dealt with that issue on several occasions in Committee. Such a body would deal with preventive measures against pollution, with integrated pollution control in general, with research, and with co-ordinating the various functions affecting pollution. It would be made up of experts, scientists and representatives of local authorities. It would release the Secretary of State from many burdens. It would effectively mean a decentralisation of control over pollution and other matters in the United Kingdom.

New clause 24 would reflect that proposal at local level. Local authorities would be used as local environmental protection agencies. When local authorities were established 150 years ago, they dealt with sanitation and housing, so they actually set the ball rolling on environmental protection. Over the years they have developed expertise in the collection and disposal of waste; in the cleaning of streets and roads; in the monitoring of pollution of the air and sea; in noise abatement; in transport, planning and housing; and in leisure and tourism. They have a unique experience and expertise in environmental matters. They would be ideally suited to be local environmental protection agencies. Above all, they would be accountable to the electorate.

New clause 25 would strengthen the Secretary of State's position with regard to hazardous and toxic wastes, especially imports and exports. We spent many an hour in Committee dealing with the problems of imported toxic waste. It is a matter of considerable public concern, which was evidenced by the Karin B and the exports of Canadian PCBs to ReChem in my constituency in south Wales. There is no doubt that on both those occasions there was considerable public dismay at the fact that advanced countries, not Third-world countries, were dumping some of the most poisonous wastes known to man in these islands. There need to be the strongest possible controls on such importations.

We are also worried about imports to landfill sites. New clause 25 gives the Secretary of State greater power to ban the importation of toxic waste to such sites. The Select Committee on the Environment proposed a complete ban on such imports. For example, we heard about the 75,000 tonnes of PCB—contaminated waste on its way to the Cwmrhydyceirw quarry site from West Germany via East Germany. My hon. Friend the Member for Swansea, East (Mr. Anderson) asked me to mention that case, and I gladly do so. The tremendous upheavals and changes in eastern Europe, which had a much laxer regime for toxic waste, mean that waste that would have been dumped in landfill sites in eastern Europe can no longer be dumped there and could end up in Britain unless we have the strongest possible legislation to ensure that we deal only with the waste that we ourselves generate.

That is a major issue. I know that the Minister has considerable sympathy with much of what I have said and I look forward to his reply.

Mr. Alan W. Williams (Carmarthen): The present structure for the management of aqueous and solid waste and aerial discharges from factories is fragmented. We welcomed the establishment of the National Rivers Authority last year, but air pollution and toxic waste disposal from industry are matters for local authorities and HMIP, and the standards that prevail are variable. It is a matter of regret for many hon. Members that the Government have not adopted in the Bill the recommendation of the Select Committee on the Environment and based the WRAs on regional authorities rather than the county and district councils in Wales.

But more important is the role of HMIP in the control of air pollution. We are all aware of the shortcomings of HMIP. It is an inadequate and understaffed body where morale is poor. It is overloaded with responsibilities and the Bill gives it massive additional responsibilities.

New clause 23 outlines the structure and responsibilities of an environmental protection executive. It is a concise formulation, giving wide-ranging responsibilities. It would be an umbrella organisation for the NRA, local authorities and so on. Many European countries have such an agency. The United States established its Environmental Protection Agency in 1970. We are 20 years behind some countries.

New clause 24 complements new clause 23 and defines the responsibilities of local authorities. My hon. Friend the Member for Torfaen (Mr. Murphy) spoke eloquently of the role of local authorities over the centuries in providing water and sanitation services and caring for the local environment generally. New clause 24 underlines their role as local environmental protection agencies.

8.15 pm

New clause 25 deals with the management of hazardous waste, a matter which has so far received insufficient attention. We try to manage our rivers reasonably. With tens of thousands of incidents of water pollution every year, I am not happy with our standards, but at least we have an infrastructure for the management of our rivers and, over the decades, our standards have been gradually improving.

But our philosophy on the disposal of solid waste has always been "Out of sight, out of mind". Once it has been dumped somewhere, we think very little about it. But we are now having cases of contaminated land and of leachates contaminating water courses and possibly even water supplies. We should look much more carefully at the management of hazardous waste. Some of the waste that is dumped is as toxic as nuclear waste, yet we would never consider dumping nuclear waste as landfill. We also need to look carefully at co-disposal in Britain—the practice of disposing of toxic waste alongside domestic refuse. Other countries do not do that. It is banned in the United States and the European Commission may soon issue a directive banning it here, too.

New clause 25 also seeks to prohibit the importation of waste for direct landfill. It is appalling that waste from countries where its use as landfill is illegal should come here to be disposed of on the cheap. This is a massive growth industry in Britain. Our imports of toxic waste have increased tenfold in the past decade simply because it is cheap to get rid of it here, as our standards are laxer than elsewhere.

Waste can be treated by various solidification processes. Unfortunately, some are unreliable and need to be carefully supervised and monitored. Treated waste may be more acceptable, but all countries should eventually treat their own waste and develop facilities for its disposal.

My hon. Friend the Member for Torfaen referred to the Cwmrhydyceirw quarry where a lot of waste is presently imported for landfill. It has contracts with Swiss companies to import what in Switzerland is classified as special waste but which here is not classified as hazardous waste. There is a difference in definition. Recently, it was about to sign contracts for the importation of a massive cargo from West Germany which had previously been destined for East Germany. There is a tremendous danger in the next few years of our taking West German exports of toxic waste as it can no longer dump waste cheaply in East Germany and will look for sites elsewhere. Britain could be a prime site as it is so cheap to dispose of waste here.

In the last sentence of new clause 25 we call for a national audit of toxic and all other waste because if we consider the issue nationally, we shall develop disposal facilities commensurate with the national problem. I am thinking in particular about incinerators. On Monday, the Minister talked about the incineration of sewage sludge and said that finding sites for such incinerators will become a major problem in the next 10 years.

If we had not had the experience of ReChem in Pontypool things might have been better. That incinerator was built to service industry in south Wales, the south-west and the midlands. It has become an international facility and its main business is the importation and incineration of polychlorinated biphenyls. The plant has gained a bad reputation among everyone who thinks anything of the environment.

The problem with siting incinerators in the north-east and on the east coast is that the public will fear that they will be used for the incineration of toxic waste.

New clause 25 does not go quite far enough. The Labour party thinks that we should ban the importation of all toxic waste unless it can be demonstrated to be in the wider international interest to import it.

I commend the three new clauses to the House. They would set up an environmental protection executive, give a more explicit role to local authorities and improve the management of hazardous waste.

Mr. Trippier: I have some sympathy with a great deal of what the hon. Members for Torfaen (Mr. Murphy) and for Carmarthen (Mr. Williams) have said. As hon. Members will recall, we discussed the environmental protection executive, as it is called in new clause 23, at some length on 30 January. I thought that we had a helpful and interesting discussion then. If I recommend to the House that we reject new clauses 23 and 24, it is not because I do not accept the spirit behind them or what has been said in debate; it is simply because such a course would be premature.

The hon. Member for Torfaen knows that there has been another opportunity to listen to similar suggestions in another place, when my noble Friend the Earl of Cranbrook spoke in an earlier debate. His appointment as chairman of the Nature Conservancy Council has met with wide acclaim and is highly regarded. I found that debate interesting.

On several occasions in Committee, I gave the commitment that we would consider institutional change in the White Paper that we said should be published in the autumn, and we shall do that.

The hon. Members for Torfaen and for Carmarthen made some comments about the responsibility of local authorities. I do not demur. They will recall that we have given additional responsibilities to local authorities during the passage of the Bill. The local authority associations seem to have welcomed that, and it has met with universal support in the House, as it did in Committee. I cannot remember a single Division on the issue.

I have difficulty with the idea of regional responsibility. The hon. Member for Carmarthen said that he wants there to be regional responsibility for waste regulation. He has heard me denounce that idea in the past. I will not repeat what I said in Committee.

This afternoon, I met a delegation from the metropolitan borough of Wakefield to talk about a tip in that area which is well known in the Yorkshire and Humberside region. As the hon. Member for Carmarthen will know, Wakefield is a Labour-controlled borough. The all-party delegation and the Labour chairman of the regulatory body in that area made it abundantly clear to me that the last thing that they would want is a regional regulatory body. Perhaps they are at odds with the parliamentary Labour party or the Labour Members on the Standing Committee that considered the Bill. They clearly are at odds. If I had that experience with one metropolitan borough, I have no doubt that, if I had the opportunity to meet others, I would experience it again.

Mr. Peter L. Pike (Burnley): Does the Minister agree that, when we consider protection of the environment, the environment is the overriding factor, not falling in line with exactly what local government want to do? We genuinely believe that regional waste regulatory authorities are the direction in which we should be going. We are strong supporters of local government, but this may be an instance when we would take a slightly different approach because it is highly desirable for the environment.

Mr. Trippier: I respect the hon. Gentleman's views on the matter. I have heard them in the past. I am simply pointing out to him that those were not the views expressed by the leader of Wakefield council—Mr. John Pearman—this afternoon. Clearly, we do not have unanimity on the issue.

I must tell the hon. Member for Carmarthen that the Labour councillors also told me at that meeting—without my soliciting the comment—that they thought that the argument produced in *The Observer*, with help from Friends of the Earth, in which many contaminated land tips were denounced, was the most irresponsible piece of journalism that they have ever come across. I pray that in aid because, as the hon. Member for Carmarthen may remember, I used similar words on several occasions in Committee.

I feel under an obligation to deal with new clause 25, because I recognise that there is some thrust behind it. It is an old friend and we discussed it in Committee. It is a large handbag containing a number of objects that Opposition Members believe that the Secretary of State might find useful.

The first two subsections require restriction or prohibition of exports which might endanger the environment overseas. The first applies to the export of substances, the import, use or supply of which the Secretary of State has prohibited or restricted under clause 116. That power is not necessary or appropriate because the United Kingdom already operates regimes under international agreements to implement exports of hazardous substances and wastes.

The second subsection would require the exercise of what, to my mind, is impossible judgment. The Secretary of State would be obliged to prohibit the export of substances and articles if he thinks that the recipients are not competent to use them safely. We discussed that at some length in Committee. The Government believe that it would be a more constructive and realistic approach —and perhaps less patronising—to help less-developed countries through the active promotion of technology transfer, including the transfer of technical, scientific and professional know-how. There is not just a difference of opinion between the Opposition and the Government on that issue; there is a yawning chasm.

I appreciate that a debate on the subject would not be complete without someone trying to criticise ReChem. I suppose that we could all have written the script. I was not particularly surprised that the hon. Members who represent the constituency in which ReChem is situated and the neighbouring constituency used this opportunity to have another stab at it. We do not do that.

If the sophisticated facilities provided by ReChem are properly licensed and monitored—I have said on several occasions in Committee how many times inspectors from Her Majesty's inspectorate of pollution have visited these sites—we must be satisfied. In the unlikely event of a Labour Government, I wonder whether they would try to close the ReChem plant. I doubt it. I wonder whether they would impose tougher standards or emission targets. This part of the Bill raises standards, as it should. IPC comes under part I. The hon. Members for Torfaen and for Carmarthen have welcomed that.

I have delayed the House too long on this matter. Paragraphs (f) and (g) of new clause 25 would require unacceptable, burdensome, bureaucratic arrangements to be created for purposes which could not justify them. I therefore urge the Opposition not to press any of the new clauses to a vote.

8.30 pm

Mr. Murphy: I am grateful for the Minister's comments on new clauses 23 and 24. He said that institutional change will be on the agenda both during the Bill's passage through the other place and when we consider the White Paper on the environment. In that event, I have no hesitation in not pressing the new clause to a Division.

I smile at the devolution argument which has been turned on its head by the Minister. Only two hours or so ago, the Government were the champions of devolution with regard to the NCC and its break-up, but they now appear to wonder whether regional responsibility for waste disposal is a good thing.

I am interested in the Minister's comments about the importation of toxic waste. It is the policy of the Opposition and of many others, including some members of the Conservative party, that there should be a full-scale, independent public inquiry into what occurs at ReChem. There has been no indication that a Labour Government would close that plant. As I understand it, a large proportion of the substances in which it deals are, in effect, non-hazardous compared with PCBs. The controversy surrounds PCBs, which are extremely poisonous, and the importation of toxic wastes. I think that we all agree that each advanced country should look after its own toxic wastes. It is not right that advanced countries should send their poisons here to Britain, to Wales and to my constituency to be dealt with.

Mr. Trippier: I could not agree more with the hon. Gentleman. His last point is perfectly valid. That is why my right hon. Friend the Secretary of State took the lead in the European Council of Ministers by saying that we should not only persuade the other 11 members of the European Community but take the matter to the Organisation for Economic Co-operation and Development. On that matter, we are as one. Developed, industralised countries should be responsible for dealing with their own hazardous waste and should be self-sufficient in that sense. There is no difference between the Government and the Labour party on that. The difficulty, as the hon. Gentleman knows, is with the developing or Third-world countries which do not have the necessary facilities. Our world concern is that, if we are not careful and that waste cannot be dealt with properly, it may be dumped in the sea or in some dark corner of Africa, where it will be a great danger to life and limb.

Mr. Murphy: We are at one on that point. Much of what has been said in this short debate is a matter of agreement. I shall not press the new clauses. I beg to ask leave to withdrawn the motion.

Motion and clause, by leave, withdrawn.

New Clause 27

CODES ON CONTROL OF PESTS

'—(1) The Ministers shall from time to time after consultation with such persons or bodies as seem to them representative of interests concerned—

(a) prepare and issue codes containing such recommendations, advice and information they consider proper for the purpose of providing practical guidance on the release of substances for the purpose of securing safe, efficient and humane methods of controlling pests on land used for agriculture or sporting purposes; and

(b) revise any such code by revoking, varying, amending or adding to the provisions of the code.

(2) A code prepared in pursuance of subsection (1) and any alterations proposed to be made on a revision of such a code shall be laid before both Houses of Parliament forthwith after being prepared; and the code or revised code, as the case may be, shall not be issued until the code or the proposed alterations have been approved by both Houses.

(3) Subject to subsection (2), the Ministers shall cause every code prepared or revised in pursuance of subsection (1) to be printed, and shall cause copies of it to be put on sale to the public at such prices as the Ministers may determine.

(4) In this section "the Ministers" in the application of this section to England, means the Secretary of State and the Minister of Agriculture, Fisheries and Food, and, in the application of this section to Scotland or Wales, means the Secretary of State.'.—*[Mr. Morley.]*

Brought up, and read the First time.

Mr. Morley: I beg to move, That the clause be read a Second Time.

The intention behind the new clause is to introduce a code of conduct on the use of pesticides on various forms of estates, both sporting estates and farms. We need a code of conduct in the Bill because, without doubt, there has been widespread abuse of pesticides, rodenticides and insecticides by a minority of people who kill protected species of birds of prey.

The group involved fall into two categories. The first comprises farmers who deliberately set out to kill pest species, such as corvids, various types of carrion crows and foxes, by illegal means. They do so by putting down eggs that have been injected with poison or by putting poison on various forms of carrion that they know crows and foxes will eat. The trouble is that the poison is eaten not just by crows and foxes but by protected birds. These incidents have occurred in Wales and led to the death of red kites.

The second category involves a much more sinister misuse, which I should like the code of conduct to cover in particular. It takes place particularly in Scotland. Eighty per cent. of this abuse occurs on sporting estates, and the poisons are used for the control of pests as well, but in this case the other target is deliberate. The poison is used in a calculating way and it is aimed at protected birds of prey, such as merlin, sparrowhawks, hen harriers, golden eagles and buzzards, with those involved knowing full well that the consequences of their action will be the death of these protected species.

As a sign of the dramatic impact of this abuse, I should like to point out that some species, such as the buzzard, do not exist in England and Scotland in habitats where in normal circumstances one would expect to find them. The red kite is restricted to about 50 pairs, mainly in central Wales. At one time, they occurred throughout this country. Hon. Members who have been on holiday in central France will have found that the red kite is widespread throughout France, as is the black kite. There is no reason why red kites should not be as widespread in this country if they did not suffer from persecution.

White-tailed eagles were exterminated in this country but have recently been reintroduced in a programme carried out in conjunction with the NCC and RSPB. Some of those birds have been found poisoned. The same is true of the hen harrier, which does not exist in large areas of suitable moorland habitat throughout England and

[Mr. Morley]

Scotland. Britain contains significant numbers of the EEC's population of species such as the hen harrier, but the numbers are decreasing.

The main chemicals used are alpha chloros and strychnine. The abuse of these chemicals is illegal under section 5 of the Wildlife and Countryside Act 1981 and section 12 of the Food and Environment Protection Act 1985. Despite that, over the past nine years the incidence of illegal killings of birds of prey has been as follows: 30 golden eagles, 186 buzzards, 22 red kites, 5 hen harriers and 2 white-tailed eagles. In 1989 alone, 11 red kites out of a population of 50 pairs were found poisoned in Wales. Without doubt, the deaths were caused by hill farmers who were trying to control foxes and crows, but they did not use poison in a way that could be controlled. Its use was, of course, illegal.

In 1989, the NCC and RSPB released 11 red kites in Scotland and England as part of an experiment to find out whether the populations could be re-established. Within six months of release, two of the birds were found dead, both poisoned. The kites were fitted with radio transmitters so that their bodies could be traced. Autopsies showed beyond doubt that they had been deliberately poisoned.

In the game-rearing areas, particularly in Scotland, 80 per cent. of all poisoning incidents were on land used for sporting purposes. In the past three years alone, nearly 80 birds have been found poisoned on Scottish estates, including eight golden eagles, 28 buzzards, three peregrine falcons and two of the reintroduced red kites. Few successful prosecutions are made. It is often impossible to identify the offender. According to the latest figures, only 1·4 per cent. of all reported incidents go to court.

There are legitimate ways of controlling pests and predators—for example, by the use of crow traps and by controlling the breeding populations. I hope that the Government will accept the code and that it will be made widely available to landowners, and to associations and unions representing landowners, to encourage them to cease the destructive and illegal practice and to adopt acceptable and legal methods.

Mr. Hunter: I intervene to clear the point. I am chairman of the falconry committee of the British Field Sports Society. I seek clarification of the thesis that the hon. Gentleman has just propounded. I ask him to comment on the proposition that it is indeed the practice of field sports with regard to falconry to preserve and increase the number of those species of wild birds which are essential to the environment.

Mr. Morley: I am sure that those involved in falconry share my concern about protecting the species. I do not think there is any suggestion that people concerned with falconry have been involved in the abuse. Those involved are motivated by greed. People who manage grouse moors in particular want to maximise their revenue from bringing in people to shoot on the moors; so they want to increase the number of grouse. Pressure is put on gamekeepers to exterminate birds of prey which may reduce the number of grouse. That is completely unacceptable.

I can give a specific example on which I would be grateful for the Minister's comments. I understand that on the Buccleuch estate, which is administered by the Earl of Dalkeith although it is owned by the Duke of Buccleuch, a gamekeeper was sacked. He has given information about what was regarded as a standard practice on that estate of supplying keepers with pesticides and rodenticides, particularly alpha chloros, for use on bait, either laid down to kill birds of prey or used on carrion which was found as the keepers walked round the estate. The gamekeeper, Mr. Rodney Smith, claims that, in one year, over 300 birds of prey, mainly sparrowhawks and owls, were killed on the estate. He claims that a blind eye was turned to the abuse and that pressure is put on gamekeepers to break the law. Although that is strongly denied by the Earl of Dalkeith, I believe that some landowners condone the practice in private, although they condemn it in public. That undermines the credibility of landowners who manage their land responsibly and lawfully and who do their best to encourage nature conservation. However, many landowners, particularly in Scotland, have a deliberate policy of destroying illegally birds of prey.

The Earl of Dalkeith was put on the ruling council of the Nature Conservancy Council by the former Secretary of State for the Environment. That was a disgrace when the illegal slaughter of birds of prey has been taking place on an estate for which he has been responsible. He should resign, and the Minister should support me in that call.

Mr. Hunter: I do not quarrel substantially with what the hon. Gentleman says, but I wish him to put firmly on record what I believe he knows to be the case, that the British Field Sports Society has issued clear guidelines to all involved in shooting that they should not follow the practice which he condemns, and which I too condemn. I wish him to acknowledge that respectable authorities agree with him and accept the thesis which he propounds.

Mr. Morley: In all fairness, I acknowledge that the British Field Sports Society has made that statement publicly. I hope that the hon. Gentleman will agree with me that the actions of people who turn a blind eye to deliberate poisoning—or, even worse, encourage it—undermine the credibility of the whole field sports movement and the concept of sporting estates. As long as people do that, the whole sport will be discredited.

Mr. Hunter: I agree with the hon. Member.

8.45 pm

Mr. Morley: I am grateful for that support.

I support a code of conduct. I appeal to reputable landowners and to those who care about the environment and about conservation to stamp out illegal practices once and for all. There have been plenty of pious comments, but the slaughter still goes on. There are still vast parts of Scotland which do not contain certain species of birds of prey. If the code of conduct is not adequate, I will press for a change in the law to make landowners, as well as the people who put down the bait, responsible for poisoning incidents which take place on their land. Those who employ others to break the law must take their share of the blame. The code of conduct is a modest step in trying to curb odious and unacceptable practices. I hope that the Government will recognise the abuse and support me in my campaign.

Mr. Heathcoat-Amory: The hon. Member for Glanford and Scunthorpe (Mr. Morley) speaks on the subject with considerable knowledge and experience. I agree that there

is a problem. I am sure that he recognises that it is entirely legitimate for farmers and landowners to seek to control pests and vermin, but it must be done in a way that does not lead to the poisoning, whether accidental or deliberate, of species that are not vermin.

I cannot comment knowledgeably or at first hand on the allegations that the hon. Gentleman repeated about the Buccleuch estate or Lord Dalkeith. I understand that the article to which he referred was unbalanced, and exaggerated the position in suggesting that hundreds of rare and protected birds were being shot or poisoned on the estate. The facts do not support that allegation. In any case Lord Dalkeith has, I understand, issued written instructions to his employees that that should not happen and that birds of prey on his land are to be respected.

It is more important to widen the debate to deal with general matters of policy. I remind the House that under the Wildlife and Countryside Act 1981 it is already an offence to set poison, or poisoned or stupefying substances, with the intention of causing bodily injury to any wild bird. Similarly, under section 11 of the Act, it is an offence to set poison in a way that is calculated to cause injury to any wild animal specified in schedule 6, which includes badgers, bats, wild cats, hedgehogs, pine martens, otters, polecats, shrews and red squirrels. So there is already widespread protection enforced by law under threat of penalty.

Mr. Hunter: I should like my hon. Friend to acknowledge the responsible attitude of the British Field Sports Society, that conservation and the promotion of bird game are identical. I should like him to note that, without that attitude being adopted by landowners and farmers, conservation would be infinitely the poorer.

Mr. Heathcoat-Amory: Yes, I acknowledge that. Those who engage in field sports have the clearest possible self-interest in maintaining a wide diversity of species, including quarry species. It is interesting that people who are not normally well disposed towards field sports now acknowledge that stag hunting on Exmoor has probably led to the survival of red deer there, almost uniquely in England. Mr. Richard Course, who has been a Labour candidate and who was prominent in the League Against Cruel Sports, recently announced his conversion, acknowledging publicly that he has come round to the view that stag hunting on Exmoor has done much to preserve and protect red deer in that part of the country. That was a remarkable and brave statement—almost an admission—from someone who has spent many years pursuing the opposite point of view, and demonstrates that when the facts are investigated, they are often at variance with prejudice and misunderstanding.

Mr. Morley: I should not let that statement pass unchallenged. Red deer may well have been introduced to and preserved on Exmoor for the purpose of stag hunting, but that population can now be maintained and controlled without the need for stag hunting, which many people, including myself, find barbaric and odious.

Mr. Heathcoat-Amory: I am not attempting to give my views, but simply want to pass on to the House the interesting observation of someone who has studied the matter and, up to now, held a contrary view. Mr. Course was firmly opposed to field sports in all forms, but it is now his opinion that, whereas the red deer have been hunted and shot almost to extinction in most other parts of England, they are thriving on Exmoor. He attributes that at least in part to the fact that those who hunt the red stag have a clear self-interest in ensuring the success and survival of the species. I put that to the House without further comment.

Mr. Simon Hughes: I intervene only briefly because the League Against Cruel Sports is based in my constituency, and to observe that Mr. Course is no longer a member or employee of the league. The view that the Minister attributed to Mr. Course is not the view of the league, which continues to object to that practice and sport on the grounds that have just been set out by the hon. Member for Glanford and Scunthorpe (Mr. Morley). Mr. Course is in the small minority of those who have held an anti-bloodsports view and who have changed that view. There are explanations for that, but it would not be proper to go into them in the House.

Mr. Heathcoat-Amory: I am not in the least surprised to learn that Mr. Course is no longer a member of the League Against Cruel Sports, but his opinions and observations are no less valid for that.

The phrasing of new clause 27 closely follows part III of the Food and Environment Protection Act 1985, either by derivation or accident. That in itself demonstrates that the new clause is unnecessary because its provisions are already covered in separate legislation. I am sure that the hon. Member for Glanford and Scunthorpe knows this, but I remind other hon. Members that the Advisory Committee on Pesticides reports to my right hon. Friend the Minister of Agriculture, Fisheries and Food. The origins of that committee date back to 1954, although it has changed its name several times. The committee is now supported by four expert technical panels, one of which is the environmental panel. From time to time that panel publishes studies into the suspected poisoning of animals by pesticides.

Mr. Andrew F. Bennett: I have listened to the Minister with great interest because he is repeating what was more or less said to the House when we considered the Wildlife and Countryside Act 1981. However, the problem is that in the nine years since then, the levels of poisoning appear to have increased rather than decreased. It therefore appears that the present legislation is not working. Surely it is time that we changed the legislation to make it work and to stop those levels of poisoning.

Mr. Heathcoat-Amory: The new clause calls for codes of practice, but they are already provided for in the present legislation. Moreover, the environmental panel of the Advisory Committee on Pesticides has published useful facts and statistics on that matter. The panel supports at least some of the hon. Gentleman's observations. It is true that pesticides are misused—sometimes deliberately. That is highly regrettable and penalties are in place to attempt to deal with that. The Government are not complacent. We do not deny that such incidents occur.

Nevertheless, I invite the House to reject the new clause simply on the ground that it duplicates powers that are already available under the Food and Environment Protection Act 1985 which, as I said, provides for codes of practice on the release of substances for controlling pests. I shall draw the attention of my right hon. Friend the

[Mr. Heathcoat-Amory]

Minister of Agriculture, Fisheries and Food to this debate and doubtless the hon. Member for Glanford and Scunthorpe will take up the matter with him.

Mr. Morley: I am grateful to the Minister for his positive response and for his acknowledgement of the problem. I am aware of the code on pesticides that has just been published. It is a good code, but it is designed to deal with the spraying of pesticides more than with anything else. The new clause not only emphasises the relevant Acts, to which the Minister drew attention, but calls for positive codes of practice to assist those farmers who have a genuine pest control problem to deal with that problem in ways that are both acceptable and legal. That is a slightly different interpretation.

Sir George Young (Ealing, Acton) *rose——*

Mr. Deputy Speaker: Is the hon. Gentleman seeking to catch my eye?

Sir George Young *indicated dissent.*

Mr. Deputy Speaker: Is the hon. Member for Glanford and Scunthorpe (Mr. Morley) seeking to ask leave to withdraw his new clause?

Mr. Morley: Yes, Mr. Deputy Speaker, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New Clause 59

SMOKING IN PUBLIC PLACES

'.—(1) No person shall smoke in a public place except in a designated smoking area.

(2) References in this section to a public place are to an enclosed public place.

(3) For the purposes of this Section, "public place" includes (but is not limited to) so much of any place within the categories described in Part I of Schedule (Smoking in public places) as is enclosed while the place is open to the public but does not include the categories of places (in this Section called "exempt places") described in Part II of that Schedule.

(4) An enclosed work place shall be a public place for the purposes of this Section unless it is an exempt place.

(5) It shall be the duty of the occupier of any public place to take such steps as are reasonably necessary to ensure compliance with the requirements of subsection (1) above.

(5A) Subject to the requirements of the regulations, the occupier of any public place may designate part (but not the whole) of that place as an area (in this Act called a designated smoking area) where smoking is permitted.

(6) It is an offence for a person
- (a) to contravene subsection (1) above
- (b) to fail to discharge the duty to which he is subject by virtue of subsection (5)
- (c) to fail to comply with an order made by a court under subsection (10).

(7) A person guilty of an offence under paragraph (a) of subsection (6) above shall be liable on summary conviction to a fine of an amount not exceeding level 2 on the standard scale.

(8) A person guilty of an offence under paragraph (b) or (c) of subsection (6) above shall be liable on summary conviction to a fine not exceeding the statutory maximum and on conviction on indictment to a fine.

(9) Where a person is convicted of an offence under paragraph (b) or (c) of subsection (6), then, if the contravention in respect of which he was convicted is continued after conviction he shall (subject to subsection (10)) be guilty of a further offence and liable in respect to a fine not exceeding £200 for each day on which the contravention is so continued.

(10) Where a person is convicted of an offence under subsection (5) in respect of any matters which appear to the court to be matters which it is in his power to remedy, the court may, in addition to or instead of imposing any punishment, order him, within such time as may be fixed by the order, to take such steps as may be specified in the order for remedying the said matters.

(11) The time fixed by an order under subsection (10) above may be extended or further extended by order of the court on an application made before the end of that time as originally fixed or as extended under this subsection, as the case may be.

(12) Nothing in this Section shall
- (a) require the occupier of any public place to designate smoking areas or otherwise prevent him from prohibiting smoking in all parts of a public place.
- (b) require the carrying out of any structural or similar works to any premises for the purposes of defining smoking and non-smoking areas.

(13) This Section shall bind the Crown.

(14) For the purposes of this Section, an enclosed place is an area between a floor and a ceiling or roof which is enclosed on all sides by walls or windows (exclusive of door or passage ways) extending from the floor to the ceiling or roof.

(15) In this Section—
- "occupier", in relation to any place, means the person having control or management of the place;
- "public" includes a section of the public;
- "smoking" includes having a lighted cigarette, cigar, pipe or any other smoking equipment and "smoke" shall be construed accordingly.

(16) This Section shall come into force on such day as the Secretary of State may by order made by statutory instrument appoint, and different days may be appointed under this subsection for different purposes.

(17) This Section shall extend to Scotland and Northern Ireland.'.—*[Sir George Young.]*

Brought up, and read the First time.

Sir George Young: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this, it will be convenient to consider amendment No. 327, new schedule—

SMOKING IN PUBLIC PLACES

PART I

PLACES WHICH ARE PUBLIC PLACES FOR THE PURPOSES OF SECTION (SMOKING IN PUBLIC PLACES)

Business Premises

1. Premises used for any trade, business or profession to which the public have access.

Official premises

2. Premises occupied by any government department, local authority or other public body; to which the public have access.

Places of public entertainment or resort

3-(1) Theatres, cinemas and places used for any entertainment, exhibition or sporting event.

(2) Premises used for any meeting which the public are permitted to attend, whether on payment or otherwise.

(3) Hotels, inns and similar establishments used for the purposes of accommodation, public conveyances and transport premises.

4-(1) Railway passenger trains, public service vehicles, tramcars, trolley buses, taxi cabs and any other vehicle used for the transportation of the public.

(2) Any British registered vessel and any British controlled aircraft used for the public carriage of passengers.

(3) Enclosed areas of Railway stations, bus terminals and other transport premises.

Education premises

5. Class rooms, lecture halls and other areas of educational establishments used by persons attending such establishments.

Health care premises

6. Hospitals, clinics and other premises used for medical or dental purposes.

PART II

EXEMPT PLACES

1. Premises in respect of which a justices licence to sell intoxicating liquors by retail for consumption on the premises (other than a Part IV licence within the meaning of the Licensing Act 1964) is in the force.

2. Shops used wholly or mainly for the sale of tobacco and smokers requisites.

3. Those parts of hotels, inns and similar establishments, used for the purposes of accommodation, designated as smoking areas.'.

Sir George Young: I regret that my enthusiasm not to miss catching your eye, Mr. Deputy Speaker, led me to lean forward in my seat a moment or two earlier than I should have done.

New clause 59 seeks to ban smoking in public places. The welcome debate on environmental issues which has gathered pace over recent months and much of which is focused on this Bill has had two consequences. First, it has raised public awareness on environmental matters, and, with it, public expectations; secondly, it has shown the breadth of the environmental debate and also the length of the environmental frontier patrolled so ably by my hon. Friend the Minister.

9 pm

The new clause is a product of these two factors: growing awareness and rising expectations, on the one hand, and the range of areas where progress can be made, on the other. It seeks to protect the public from one particular type of pollution, tobacco smoke, and to respond to the changing mood on smoking generally. It is, I believe, the first time that passive smoking has been debated as an environmental issue rather than as a health one, and it starts from the principle that non-smoking should be the norm in enclosed areas frequented by the public or employees, with special provision for smokers, rather than vice versa.

I hope that no one in the debate will claim that tobacco smoke is not a pollutant. It is the major pollutant in indoor air. Given the welcome progress that my hon. Friend had made in removing pollutants from outside air, this needs to be accompanied by progress inside, where, after all, most of us spend most of our time.

Mr. Hunter: I am not so concerned with pollution as with prejudice. My old grandfather was born and bred in Liverpool a hundred years ago. He did not like Roman Catholics—he was prejudiced—and his great vendetta in life as a Protestant from Liverpool was against Catholics. I am a non-apologising consumer of nicotine and tobacco. I love my pipe. I refuse to be prejudiced in the way that my hon. Friend the Member for Ealing, Acton (Sir G. Young) continues to propound his thesis.

Sir George Young: I hope that my hon. Friend will see a distinction between being prejudiced against Catholics, and totally overlooking all the medical and scientific advice which shows that passive smoking is dangerous.

I quote briefly from the fourth report of the independent scientific committee on smoking and health, which refers to the number of deaths caused by passive smoking:

"It might however amount to several hundred out of the current annual total of about 40,000 lung cancer deaths in the United Kingdom, a small but not negligible proportion."

I am sure that my hon. Friend's grandfather never said that the Catholics in Liverpool killed people. We are here talking about something which is different in concept from the prejudices of what I am sure was a very distinguished old man.

I hope also that no one will claim that this is not a suitable matter for legislation. The Government have already legislated on atmospheric pollution and on public nuisances such as litter, which after all harms no one's health. Tobacco smoke is airborne litter, but bad for one's health as well.

It is not just the case, in the immortal words of Frank Sinatra, that smoke gets in your eyes. Smoke gets in your hair. Smoke gets in your clothes. My hon. Friend's pipe smoke gets in my mouth. People who suffer from asthma and other bronchial infections have their illnesses aggravated by smoke—either raw smoke from the tips of burning cigarettes or, to use the jargon, recycled smoke exhaled by my hon. Friend and others. Others find that smoke irritates their nose and throat and aggravates coughs. The numbers exposed to this nuisance are huge.

This debate is about the fairly basic entitlement to breathe air unpolluted by unpleasant fall-out of an activity increasingly realised to be both dangerous and anti-social. Public opinion surveys show that the steps proposed are supported not just by the non-smoking majority, but by the smoking minority. Asked what their reaction was to the proposition that, in general, people who do not smoke should have the right to work in air free of tobacco smoke, 86 per cent. of non-smokers assented, as did 81 per cent. of smokers. Eighty-nine per cent. of smokers agreed that all restaurants should provide no-smoking areas—something which I hope the Services Committee will consider in respect of the restaurants and cafeterias in the House, particularly in respect of Annie's Bar.

In today's papers I see that just such a measure as I propose was introduced yesterday in the Republic of Ireland; and similar measures already exist in the United States, Canada, Australia, Belgium, Norway and Spain.

Mr. Stan Crowther (Rotherham): I wonder if the hon. Member would care to propose a no-drinking area in Annie's Bar as well?

Sir George Young: Since, Mr. Deputy Speaker, you enjoy, I believe, both the activities that have been mentioned, you would rule me out of order if I attempted to extend new clause 59 beyond smoking.

I mention in passing the example that Ministers can set in their own Departments by making sure, for example, that the atmosphere at 2 Marsham street is pure. I remember, during my tenure at Marsham street, banning smoking in the lifts. All went well until my right hon. Friend the Member for Cirencester and Tewkesbury (Mr. Ridley) joined the Department, when the "no smoking" signs mysteriously disappeared. I hope that my hon.

[Sir George Young]

Friend will tell me that, following my right hon. Friend's departure for the Department of Trade and Industry, those signs have been reinstated and that his Department has an effective policy for its own offices.

Mr. Anthony Beaumont-Dark (Birmingham, Selly Oak): Does my hon. Friend remember that, when we all thought that he was an excellent Minister in the Department of the Environment, he went to Sweden and got carried away—not far enough, as it turned out—and said that he hoped that one day smoking would be only between consenting adults in private as though it were somewhat worse than adultery in public? People like my hon. Friend wish to impose on everyone their wonderful sanctified piety and say that nothing with which they do not agree should be allowed to take place in public. That is not Conservatism but left-wing socialism.

Sir George Young: What my hon. Friend the Member for Birmingham, Selly Oak (Mr. Beaumont-Dark) does with his pipe in private is his business.

Mr. Hunter: Will my hon. Friend give way?

Sir George Young: May I finish my point? I note that two honourable pipe-smoking Friends are anxious to interrupt.

What my hon. Friend the Member for Selly Oak does in public, imposing his foul-smelling pipe on those who happen to walk behind him, is different. I do not mind if he smokes his pipe at home. If he smokes it in a public place he imposes his prejudices on other people. My new clause seeks to insulate people from his anti-social activities.

Mr. Hunter: Will my hon. Friend give way?

Sir George Young: I am anxious to make progress, because I suspect that many hon. Members wish to take part in the debate.

I hope that the Department of the Environment will at least issue guidelines to proprietors of public places on how to deal with the issue, perhaps working through environmental health officers. I accept that progress is being made on a voluntary basis. For example, the Department of Social Security office in my constituency has a smoke-free waiting area and the waiting room at Ealing Broadway station is now a smoke-free zone. Progress is being made in taxis and in some hotels and offices. But it is slow and sporadic.

One of the roles of the House of Commons is to reflect the shift in public opinion on social issues. There has been a shift in the role of the dog in our society, which we debated on Tuesday and to which the Government have responded. There has been a shift in public opinion on smoking, too. No one is about to ask that smoking be banned. But some of us will ask the Government to protect the most basic liberty to which our constituents are entitled—the right to breathe unpolluted air. We do that in this new clause which, in a nutshell, bans smoking in a public place except in a designated smoking area.

Mr. Crowther: I do not imagine for a moment that the House will be so foolish as to approve this ill-conceived new clause. Nevertheless, a few words need to be said to tone down the extremism of the anti-smoking campaign which has now reached an almost unbelievable pitch of hysteria.

I am sure that the hon. Member for Ealing, Acton (Sir G. Young) has studied the matter in detail. If so, he must know that there is as much evidence against his arguments about the dangers of so-called passive smoking as there is for it. I do not intend to go through all the evidence, but I have looked into it in some detail and I shall quote some of it.

The hon. Gentleman quoted in support of his argument the report of the Independent Scientific Committee on Smoking and Health. I think that he was referring to the report published in March 1988. Certainly, that is the most widely publicised report on which so many of the anti-tobacco campaigners have depended. They seem to have depended on it without reading it in full or even fully understanding it. The report was not based on any independent research. It merely aggregated several carefully selected previously published studies. The report admitted:

"None of the studies can be accepted as unequivocal."

That was said by the very people whom the hon. Gentleman quoted in support of his new clause.

The committee did not include other studies in its report. It admitted that other studies tended to show that there was no danger or risk whatever to non-smokers from so-called passive smoking. I am sorry that the hon. Gentleman did not mention those matters in that same report when he quoted it in support of his new clause.

The report, which is now widely believed to be scientific truth, is nothing more than an expression of opinion.

Mr. Beaumont-Dark: It is twaddle.

Mr. Crowther: Yes, but it is couched in scientific language.

A symposium was held in Austria in May 1988 on environmental tobacco smoke, ETS. It was organised by Mr. G. Lehnert and Mr. E. Wynder. I am sure that the hon. Member for Acton is familiar with the symposium's report as he is such an expert in this matter. The statement issued at the end of that symposium said:

"A causal relationship between ETS and illness cannot be established . . .

There is no positive evidence that cancer and other illnesses are caused by passive smoking."

The professor of medicine at the George Washington university in the United States, Professor Witorsch, wrote in the New Zealand "Medical Journal" of November 1986:

"A thorough and critical examination of the relevant literature fails to provide compelling evidence that exposure to ambient tobacco smoke produces adverse chronic health effects."

A group of scientists in New York carried out an interesting study of air samples taken from 26 office buildings and 48 restaurants. The House will be interested to learn that they concluded that a typical New York non-smoker would have to work for 450 uninterrupted hours in an office or dine continuously for 400 hours in order to be exposed to the nicotine equivalent of one cigarette. That is the extent of so-called passive smoking.

The hon. Member for Acton says that tobacco is the major pollutant, but that is not so. Far more contaminants in the air in most buildings are derived from factors other than tobacco smoke, and the sick building syndrome is extremely serious. Fungal and bacterial spores exist in the

air and all kinds of chemical poisons are released from furniture, carpets and goodness knows what else. A lot more study of that syndrome needs to be done.

The trouble is that smoke is visible and therefore gets the blame, but all the other nasty things are ignored. Those other pollutants affect people's eyes, and a runny nose and a sore throat often have nothing to do with tobacco smoke, but are caused by those other poisonous substances. The trouble is that most of our buildings are not properly air conditioned and my goodness we know that better than anyone.

Mr. Hunter: The hon. Gentleman does not speak for Labour colleagues alone. Will he accept my invitation to join me after the debate is over for a good pipe and a chat when we can pursue the argument?

Mr. Crowther: I should be delighted to accept the hon. Gentleman's invitation so long as it is over a pint.

Far more attention needs to be paid to other causes of air pollution and air contamination rather than paying attention to the hysterical attitude that has been adopted in recent times towards tobacco smoke. Because one can see smoke it is assumed that it is the cause of the problem, but, in most cases, the cause is quite different. I hope that the Government will pay attention to this matter in due course.

Mr. Beaumont-Dark: I am happy to say that I speak as a pipe smoker. I know that there are hon. Members like my hon. Friend the Member for Ealing, Acton (Sir G. Young) who look upon that as something worse than a venal sin. I accept that to some people smoking is irritating. But would some people, who have a pious nonsensical attitude towards smokers, accept that smokers have a right to express the huge irritation they feel when, as soon as they light up in a room, even the size of the Chamber, people immediately go into paroxysms of coughing as though they were being laid open to mustard gas.

It is true that smoking is not necessarily good for one. I do not think that drinking is, and I am not sure whether sex is. I am certainly not sure whether jogging is. One of the few times I have ever laughed at someone else's misfortune was when the man who wrote the definitive book on jogging was found dead in a ditch after he had jogged.

9.15 pm

In a modern society it is fair for restaurants to have non-smoking areas, and I agree that aircraft, buses and trains should have such areas. But what many people who are getting more and more cranky about smoking do not realise is that many of us who smoke are willing to accept that when we go into a non-smoking carriage we should not abuse people. If a smoker accidentally goes into a non-smoking carriage and forgets, and someone tells him that it is a non-smoking carriage, he does not reply in language that we used to be told could not be used in the House, but immediately desists from smoking.

In a fair and sensible society there must be a basis of give and take. It is sensible not to smoke in a theatre. I like going to theatres, particularly concerts. In a concert hall any smoker realises that it is sensible to have no smoking in the auditorium because there are musicians and singers. Those of us who smoke are not trying to force some change in the law so that we can smoke wherever we want.

When we talk about pollution in society, it is often put down to cars or smoking; aircraft, which fly over all our houses, are not mentioned. It is likely that the greatest pollutants in this world are aircraft. If we take what people who are against smoking say to its logical conclusion, we should immediately ground aircraft because the great pollutants are cars and aircraft.

Sir George Young: We made it absolutely clear that we are not banning smoking. We have asked those who smoke to confine it to private places or to designated areas in public places.

Mr. Beaumont-Dark: With the greatest respect to my hon. Friend, and bearing in mind his wonderful speech in Sweden, what he wants us to do would make us act as though we were doing something furtive and always blow our smoke up the chimney so that no one else can smell it.

The hon. Member for Rotherham (Mr. Crowther) rightly described what all the cranks who want to stop us exercising our freedom want us to do. My hon. Friend the Member for Acton pedals away like billy-o on his bicycle, getting eggs thrown at his wife and not even wanting to get the muck out of her hair because he thinks it will be good for it. His poor wife rushes about the countryside on a tandem, sucking in carbon monoxide, and aircraft and car fumes, but then my hon. Friend says that if his wonderful wife sits in a restaurant for 45 minutes she will be on the path to death and lung cancer. A bigger load of nonsense was never heard. Even with the wealth of my hon. Friend —it is a legend to us all—he would have to feed her in that restaurant night and day for 115 years before she came to any harm.

Those who are against us exercising our freedom are saying no more than, "We don't like smoking." Well, I do not like some of the nonsense on television, or some of the colours that people wear——

Sir George Young: Turn if off then.

Mr. Beaumont-Dark: We live in a society in which we cannot turn anything off. I hope that this House, which is meant to be a bastion of freedom, will reflect the need for non-smokers, in the name of justice, to be as tolerant towards us as we are towards them. If we accept the measure before the House, we shall set man against brother and wife against husband. Happily, in my house we all smoke. I ask my hon. Friend the Member for Acton, who comes from a family with an honourable tradition of toleration, to show some of the tolerance that his family have shown for generations.

Mr. Simon Hughes: I want to make two simple points in response to what was in part a light-hearted but in part serious bid for tolerance towards smokers.

First, what should the presumption be? Surely it should be that we should have as pollution-free an environment as possible. People can opt out of that, but potentially harmful activities should not be allowed to take place in public——

Mr. Beaumont-Dark: We want a friendly society.

Mr. Hughes: Of course we do, and public places that permit smoking should allow a place in which smokers can opt out and smoke with other smokers.

Secondly, the evidence of the damage that smoking causes is becoming more apparent. I shall not go into the arguments about passive smoking, but it is now generally

[Mr. Hughes]

accepted that smoking causes deaths. We should therefore educate the next generation to be more healthy; such education will include teaching people about the dangers of activities that pose a risk to their health. They are of course free to choose thereafter, but we should teach children how to avoid smoking.

We can never legislate against sin or against weakness but we should legislate to encourage people to do what is best, without banning activities in which those who want to opt out of the norm wish to indulge.

Mr. Hunter: Last year, when I successfully piloted my private Member's measure, the Control of Pollution (Amendment) Bill, through the House, the Liberal Democrats did not argue in this way. They were happy to leave aside issues of tobacco smoking, so there is an inconsistency between the hon. Gentleman's argument now and that advanced by his party last year.

Mr. Hughes: I do not want to be taken down that road. The Bill was limited and we supported it. This new clause is specifically about smoking. It is interesting to note that it was selected whereas the one on CFCs was not. Those who want to smoke pipes, cigarettes or cigars must have the freedom to do so with others in certain areas in public, and to do so in private, but we should surely aim at the best possible environment, and smokers must accept that smoking does harm. They should take the risk themselves but not impose it on the rest of us.

Mr. Beaumont-Dark: Although we are being light-hearted, this is a serious debate. Although my wife and I both smoke—I more heavily than she—we bribed our children not to smoke, so I agree that you should not encourage smoking. My son still does not smoke, but my daughter does. You who are against the freedom of smokers should agree that as long as we do not try to lead people to the devil there is something to be said for the freedom of the individual, who should not be blackmailed, bludgeoned or made to feel guilty——

Mr. Deputy Speaker: Order. I wish the hon. Gentleman would not keep bringing me into these matters.

Mr. Beaumont-Dark: I apologise, Mr. Deputy Speaker.

Mr. Hughes: The hon. Gentleman might think that he needs you in this debate, Mr. Deputy Speaker.

Of course I accept that the hon. Gentleman cannot imagine that Parliament would wish to make social outcasts of people who engage in an activity which, like drinking and other activities, it is correct that they should have a right as adults to choose to do. However, there is a difference from the other examples that the hon. Gentleman cited. Activities such as drinking and watching television do not necessarily have an effect on other people. Of course the person who drinks and is then sick over somebody causes a problem, but there is no such problem for those who can hold their drink.

It is possible to turn off the television and to deal with other potential pollutants, but one cannot deal with people who are smoking except by going somewhere else. Why should it be presumed that those who wish to take the healthier option by not smoking should have to move away to find their private secret corner? The presumption should be the other way and those who choose to engage in an activity in which they are perfectly entitled to engage, even though it is potentially harmful to them and to others, should have to withdraw to do so, thereby keeping the healthier majority happy.

Mr. Robin Maxwell-Hyslop (Tiverton): Much of the debate has been misconceived, in that those who wish to smoke have drawn parallels with drinking. But nobody forces drink down somebody else's throat. The debate is about the alleged right of people who wish to smoke to compel other people to breathe in the smoke when they do not wish to do so.

Once upon a time there were separate smoking rooms. Let us look at a clearer and nearer analogy. When imprisoned suffragettes refused to take food there was considerable debate, including in Parliament, about whether they should be forcibly fed. But that was to save their lives. It was not because somebody else enjoyed doing it.

In the Palace of Westminster smoking is prohibited in the Chamber, in public sessions of Select Committees and in Standing Committee. Except for that, it is impossible for hon. Members to escape from other people's smoke that they do not wish to breathe in. That applies whether they are in the Corridors, in the Library—except for one room—in the Dining Room, in Select Committees in deliberative session, travelling to take evidence away from the House in buses or taxis taking Members of the Select Committee, or in party committees.

Hon. Members who do not wish to breathe in smoke are forced to do so by the minority who wish to be at liberty to pour smoke into the air. That is what the question is about. It is not about the right of those who wish to smoke to do so, but about the right of the minority who wish to smoke to force other people to breathe it in when they do not wish to do so.

The hon. Member for Rotherham (Mr. Crowther), for whom I have a great affection and respect, referred to nicotine, but it is not nicotine that does most of the damage to passive smokers; it is the tars. My hon. Friend the Member for Ealing, Acton (Sir G. Young), who opened the debate, referred to deaths from cancer as a result of passive smoking. Probably far more serious are the deaths from asthma, which is very much an increasing manifestation.

The argument advanced by the hon. Member for Rotherham was logically defective in that he pointed to other undeniable sources of atmospheric pollution as a reason for forcing people to breathe in tobacco smoke. The case for not forcing people to breathe in fungus spores or the fumes given off by furniture or carpets is a strong one, but it is not a case for forcing people to breathe in tobacco smoke when they do not want to do so.

Mr. Crowther: The hon. Gentleman will recall that nicotine was specifically referred to in only only one of the studies that I mentioned. All the others spoke about health in general terms and looked at factors other than nicotine, such as tar content. Only the New York study referred to nicotine and I do not want that to be assumed to be the case in all the studies about which I spoke. We are all forced to breathe in the carbon dioxide that other people have breathed out. We do not notice it, but that is similarly polluting the air.

9.30 pm

Mr. Maxwell-Hyslop: People cannot help breathing out carbon dioxide, but they can help breathing out smoke which they force other people who do not want to to breathe in. The one is unavoidable and the other is not.

The new clause and the amendment are not about preventing people who wish to from smoking, although my hon. Friend the Member for Birmingham, Selly Oak (Mr. Beaumont-Dark) was inaccurate when he said that his daughter did not smoke. If she shares her father's house, she has to smoke, like it or not. She is merely a passive smoker rather than an active smoker. Her medical history later in life is likely to be less favourable as a result of her parents' habit—

Mr. Beaumont-Dark: Absolute rubbish.

Mr. Maxwell-Hyslop: —whether they like it or not, than if she were not living in a household where she had to breathe in the smoke. Her medical history will not be representative of somebody who will be exposed to tobacco smoke. It will be representative of somebody who is compelled to breathe in the smoke while she lives in her parents' house. I cannot see how she can possibly avoid it. This debate is about the right of people who want to exercise a pleasure—there is no reason why they should not exercise it as mature people—in circumstances where they do not force people who do not wish to do so to breathe it in.

Mr. Robert N. Wareing (Liverpool, West Derby): I am a non-smoker and am broadly in agreement with the new clause, but it does not define "public place". For example, what about a racecourse or a football ground?

Mr. Simon Hughes: It says "enclosed".

Mr. Wareing: What is "enclosed"? A football ground could be defined as "enclosed" and so could a racecourse. That deficiency must be remedied. Although I am in favour of the principle behind the new clause, the hon. Member for Ealing, Acton (Sir G. Young) should look at it again and define it more clearly.

Mr. Maxwell-Hyslop: Amendment No. 327 deals with "Smoking in Public Places". If the hon. Gentleman looks at it, he will find considerable elucidation of new clause 59. If it were in any way defective, there are later opportunities for correction. This is the right Bill and the right time for incorporating this measure, even though, as is often the case, it may need refinement at a later stage, including in the other place.

Mr. Anthony Steen (South Hams): The issue is not the danger about which the hon. Member for Rotherham (Mr. Crowther) spoke, but the simple one that I do not like smokers. I do not like the smell of smoke, which makes my eyes water and my clothes smell and causes me to lose my voice. The smoking sections on British Rail are so open to the non-smoking section that, as I travel up and down to Devon, this dreadful smell of smoke has progressively worked its way into my throat and, as a result, over the last week, I have progressively lost my voice. I unwisely spent an hour in the Members' Smoking Room this afternoon and that virtually finished it off.

I see no reason why I should be subjected to the tobacco smoke from the pipe of my hon. Friend the Member for Birmingham, Selly Oak (Mr. Beaumont-Dark). I remind my hon. Friend the Member for Selly Oak of a short exchange we had in the Harcourt Room a few months ago when I was entertaining some guests. It was lunchtime, about 1.30 pm, and the table at which my hon. Friend was sitting was, as it were, lighting up. I remonstrated with him. I told him that I did not want to smell the smoke of all the smokers at that table. I explained that I did not want all the food that my friends and I were enjoying to be ruined by the dreadful smell of the pipe smoke of my hon. Friend or that of his guests.

My hon. Friend was extremely understanding of my plight, although slightly resentful of my intervention. He properly advised the people at his table that it might be prudent not to incur the wrath of such an articulate campaigner as myself on anti-smoking. I am glad to say that everyone at the table, including my hon. Friend, extinguished his pipe or cigarette. We have had a continuation of that discussion.

Mr. Beaumont-Dark: I shall remind my hon. Friend of what I said. When my hon. Friend intervened, I told my friends, "I'm sorry, but this man is a bit of a crank about smoking. Rather than have trouble with someone who is going to get tired and emotional about it, and as we have almost finished our meal, let's let this nut have his way and we shall go outside." Those were the very words that I used.

Mr. Steen: My hon. Friend's intervention illustrates the intolerance and indifference of some to others in this place. He has shown that pipe smokers and cigarette smokers have no idea of the discomfort that it may cause to others. That, of course, applies also to cigar smokers. My hon. Friend has shown that he has no idea of the anger, irritation and discomfort that he creates by his pipe smoking. The aim of the new clause is to make the nation realise that we who support it have nothing against pipe or cigarette smokers. In public places, however, they must not impose their smoke on the increasing mass of people who do not want to smoke. I am not concerned for the moment about the health risk, to which the hon. Member for Rotherham (Mr. Crowther) referred. That is an important issue that we can debate on another occasion.

The real issue is that I do not want to smell the smoke that comes from the pipe of my hon. Friend the Member for Selly Oak, for example. I see no reason why, in a dining room in this place or in a restaurant elsewhere, I should have to suffer the smell of smoke. Most Members of this place are not as intolerant as my hon. Friend and not so insensitive of the wishes of the nation. I am sure that most people would not support his line.

My hon. Friend and others should be allowed to smoke wherever they like in their own homes. If they want their clothes, their children's clothes, the upholstery of their furniture and their cars to smell, that is their choice and they are entitled to have that smell. If that is their wish, let them have that nasty smell around them. They have no right, however, to expect the public to make way for them if the majority do not want it.

It is argued that smoking should be an exception, and that the presumption should be that of non-smokers. Hon. Members should be allowed to smoke in public places, but not at the inconvenience of others. The attitude of my hon. Friend the Member for Selly Oak shows the intolerance of smokers. I hope that the House, with the help of the Minister, will ensure that the vast majority of people who

[Mr. Steen]

believe that smoking is dangerous, bad for health and most unpleasant for those who do not like it, will have the right to choose to avoid smoke.

The new clause is brilliantly drafted, as we would expect from my hon. Friend the Member for Ealing, Acton (Sir G. Young). The House should give it a fair wind.

Mr. Maxwell-Hyslop: A fresh wind.

Mr. Steen: That is right. The Government could do a great service to the nation by ensuring that the vast majority of people who do not smoke do not have the pipe smoke of my hon. Friend the Member for Selly Oak imposed on them in the way that he would wish.

Mr. Gwilym Jones (Cardiff, North): I have been tempted briefly to contribute to the debate because of the slightly aggressive remarks of my hon. Friend the Member for South Hams (Mr. Steen), although in an intervention he had an equally aggressive response from my hon. Friend the Member for Birmingham, Selly Oak (Mr. Beaumont-Dark).

I am a non-smoker, or, to be more precise, I am an ex-smoker. It is usually among ex-smokers that there is the greatest hypocrisy about smoking. I hope that I will not be guilty of such hypocrisy. I wonder how much hypocrisy there has been already this evening. I managed to give up smoking more than two years ago, and since then I have occasionaly wondered whether I did the best thing. I have had to have two nasal operations. My general practitioner tells me that, previously, my nasal passages were anaesthetised by cigarette smoke, but now fresh air is getting into them. I very much hope that the surgeon was successful in my last operation and that it will not become an annual occurrence.

Much reference has been made to the smells caused by cigarette smoking. As a result of my operations and of giving up smoking, I am sure that I have an improved sense of smell. However, I do not find the pipe smoke from my hon. Friend the Member for Selly Oak objectionable —indeed, I quite like it. I find pipe smoke preferable to cigarette smoke. What I find objectionable in this place —and I have only noticed it since I gave up cigarette smoking—is body odour. It is very prevalent when we press together in the Division Lobbies late at night in the warmer weather. All sorts of smells can be regarded as offensive. Perhaps it is all in the eye of the beholder.

My hon. Friend the Member for Ealing, Acton (Sir G. Young) referred to the independent study on smoking and health. The hon. Member for Rotherham (Mr. Crowther) rightly responded with a quotation from it to the effect that none of the studies could be taken as unequivocal. I did not think that my hon. Friend the Member for Acton placed very great store on the study. In fact, the most specific direct quotation that he cited from the study was:

"It might, however, amount to".

Have hon. Members ever heard such a woolly set of words in what is supposed to be an independent, authoritative report?

We are dealing with prejudices. This debate is a mirror of a debate I attended in a previous incarnation when I was a member of the Cardiff city council. It decided to become a non-smoking body. Some of my hon. Friends might be inspired by that message. No good reason was advanced in the debate for imposing a non-smoking rule. In the fine city hall of the capital city of Wales, with lofty ceilings in imposing rooms, there is no good reason for imposing such a rule. The same applies to places with air conditioning. I have heard no good cause, only what I suspect to be prejudice, for making these no-smoking demands.

Sometimes I get the impression that smokers realise that the balance of fashion has changed and are much more willing to accede to the wishes of non-smokers when requested not to smoke or to ask first before they smoke in the presence of other people. I am generalising and there may be exceptions, but I imagine that the vast majority of smokers would not go into somebody's house and start smoking without asking permission. There seems to be a lot more give and take on the part of smokers than there often is on the part of those who are agin it.

We could make more progress if there was more balance in the argument. The anti-smoking lobby should consider whether its negative and hysterical approach to smoking is counter-productive. My hon. Friend the Member for Acton talked about banning smoking in public places except in designated areas. He should withdraw the clause so that the matter can be given more mature consideration and perhaps equal provision can be made for both sides. There should be freedom in this. There should not necessarily be designated places for one group, but designated places for both groups. Let us have a balanced approach to the problem, not a display of prejudice.

9.45 pm

Mr. Morley: The hon. Member for Ealing, Acton (Sir G. Young) has bravely brought forward his all-party new clause. We have had a useful discussion in which the contradictory views of those who support the rights of smokers and non-smokers have been put forward.

I am a life-long non-smoker. I like to think that I am a tolerant person and I recognise the right of people to smoke if they so choose. But there is no doubt that in public places such as restaurants, cinemas and bars an area must be set aside for those who do not smoke and, understandably, find smoking objectionable.

I do not accept all the arguments put forward in support of the sick building syndrome. I have spent much of my political career in the archetypal smoke-filled rooms. When I was a member of the Hull city council Labour group, by the end of one of our evening meetings, which often lasted until midnight, I could not see the chairman due to a combination of smoke and my streaming eyes. We no longer care to tolerate such an atmosphere.

I am pleased that a reasonable attitude on both sides, not legislation or coercion, has led to more and more non-smoking areas being set aside. I am not sure whether society is ready for the new clause, but, as fewer and fewer people smoke and as more and more people want the right at work and in their leisure time to have areas set aside for non-smokers, that will be the inevitable course.

Mr. Crowther: I am sure that my hon. Friend appreciates the essential difference between setting aside a place for non-smokers, to which he is now referring, and setting aside a place for smokers, which is what the new clause is about. To my delight, my hon. Friend begins with the assumption that smoking is allowed in places other

than those where it is not allowed. I am happy with that, but the phraseology of the new clause is precisely the opposite.

Mr. Morley: My point is that there is a trend in society as a result of which smokers are now in the minority and that trend must be reflected by provision in our public spaces for smokers and non-smokers.

Mr. Steen: I imagine that the hon. Gentleman travels, as we all do, on trains and planes. Does he agree that in the past 10 years the non-smoking areas in trains and planes are full and the smoking areas are increasingly empty? Does he further agree that that needs to be reflected in our public transport policy with more places for non-smokers and designated pens for smokers?

Mr. Morley: I would not use the hon. Gentleman's terminology, but I understand from people who deal with airline tickets that there is over-demand for airline seats in the no-smoking section of aeroplanes and under-demand for the smoking section. That has caused many airlines to reconsider their policy on the number of seats that they put aside for non-smokers. I think that the same will happen with British Rail because of the changing trend.

The trend towards non-smoking is unstoppable. I do not want people to be coerced. I recognise a person's right to smoke and I believe that smokers recognise that smoking causes offence to non-smokers. They appreciate that, in public areas, the rights of non-smokers must be respected and that facilities must be provided.

Mr. Trippier: It is perhaps unfortunate for my hon. Friend the Member for Ealing, Acton (Sir G. Young) that, out of the eight Ministers in the Department of the Environment, I am the only one who smokes. I am not proud of it, but I am not ashamed of it either, and I am proud to be a member of a political party which believes in freedom above all else. I do not want to introduce party politics into the debate. I agree with much of what the hon. Members for Glanford and Scunthorpe (Mr. Morley) and for Rotherham (Mr. Crowther) and my hon. Friend the Member for Birmingham, Selly Oak (Mr. Beaumont-Dark) have said, as I shall try to explain.

The Government support the view that non-smokers should not be obliged to be exposed to tobacco smoke when visiting public places, but we do not believe what hon. Members propose in the new clause is necessary or —what is more to the point—enforceable.

Government policy has been developed in the light of medical evidence and aims to create a non-smoking environment with facilities for those who wish to smoke, by encouraging voluntary policy on smoking in public places. That is in contrast to the use of legislation. Our approach is flexible and results in policies which are tailor made for each situation and respond to public demand.

The common misconception is that the voluntary approach is less effective than the statutory approach. That is not true, as voluntary measures arise from popular demand and are accepted.

The statutory ban proposed by the hon. Members who have put their names to the new clause would create overwhelming difficulties. For example, who would enforce the legislation? Do we want to divert the resources of the police or environmental health officers to do the work? The legislation would apply to so many thousands of premises that detection and enforcement of such a blanket ban would be utterly impossible.

The Government have made it clear that they wholeheartedly encourage the implementation of smoking policies and the provision of smoke-free areas. Progress during the past year has been encouraging. Many major companies and organisations have introduced or strengthened smoking policies. Smoke-free areas are widely available in cinemas, shops, restaurants and on public transport. Some cinema chains and airlines provide completely smoke-free facilities. Even such traditional no-go areas for smoking restriction as pubs and betting shops are rethinking their approach where consumer demand for no-smoking facilities is apparent.

Voluntary policies are the best way to proceed because they are produced in response to consumer or employee demand, they cater for the needs of smokers and non-smokers and they can more easily be tailored to individual areas and workplaces. Voluntary policies usually have a greater chance of success than those imposed by legislation, as they secure local commitment by management, staff and the public.

When banning smoking is necessary for reasons of safety and hygiene, we have not hesitated to introduce legislation—for example, in the preparation of food or on the underground.

Many hon. Members who considered the Bill carefully in Committee are smokers. It is interesting that this issue has been raised on Report, as it did not arise at any juncture——

Mr. Morley: It did.

Mr. Trippier: To my recollection, it never arose in Committee. I apologise if I am wrong. I believe that the voluntary controls adopted by the Government are the best way forward. As we have seriously considered the rest of the Bill, I hope that those hon. Members who have put their names to the new clause will not press it.

Sir George Young: This has been a useful and, at times, somewhat heated debate. My hon. Friend the Minister said that he was in favour of freedom, but it became clear during the debate that there are two freedoms which are incompatible. It is no answer for my hon. Friend to say that he is in favour of freedom without saying whether he is in favour of the freedom of those who wish to smoke in public and impose that pollution on others or in favour of the freedom of those who do not wish to inhale polluted air. We are all in favour of freedom, but there is a choice to be made and a priority to be determined.

The principle is: who has to give way? Who has to go to a designated area? Should it be the majority who do not smoke or the minority who do? What is the premise from which we start? The new clause says that the premise is that, by and large, people have the right to breathe unpolluted air and those who wish to pollute it should go to a designated area and pollute it together.

The new clause, which I proposed some time ago, has the support of most of those who smoke. I gave the figures at the beginning of the debate—more than 80 per cent. of smokers support these measures. Yes, there is intolerance and prejudice. We must decide who is being intolerant and who is being prejudiced. We argue that we are not imposing anything on anyone. The imposition is made not by us but by those who wish to smoke in public places,

[Sir George Young]

with all the adverse consequences that were so eloquently described by my hon. Friend the Member for Tiverton (Mr. Maxwell-Hyslop) and by my almost speechless hon. Friend the Member for South Hams (Mr. Steen), whose vocal chords, we understand, are disintegrating because of the volume of smoke on British Rail services and in the Harcourt Room and the Smoking Room.

I am not sure that now is the right time to push further forward the frontiers of social legislation. I have not been totally reassured by the response by my hon. Friend the Minister. The Government have a role to play in setting an example and giving advice to others. I do not agree that this measure is unenforceable. We already have legislation to prevent smoking on London Transport services and buses, and it is self-enforcing. The Government have introduced a range of legislation—for example, covering dogs wearing collars and people having to keep the areas outside their shops free of litter—which will be much more difficult to enforce than the provisions in new clause 59.

I do not wish to press the new clause to a Division. I beg to ask leave to withdraw the motion.

Hon. Members: No.

Question put, That the clause be read a Second time:—

The House divided: Ayes 31, Noes 131.

Division No. 191] **[9.57 pm**

AYES

Banks, Tony *(Newham NW)*
Beggs, Roy
Beith, A. J.
Bennett, A. F. *(D'nt'n & R'dish)*
Boateng, Paul
Bruce, Malcolm *(Gordon)*
Callaghan, Jim
Carlile, Alex *(Mont'g)*
Duffy, A. E. P.
Eastham, Ken
Flynn, Paul
Foster, Derek
Griffiths, Win *(Bridgend)*
Hood, Jimmy
Howells, Geraint
Hughes, Simon *(Southwark)*
Ingram, Adam
Jessel, Toby
Jones, Ieuan *(Ynys Môn)*
McKay, Allen *(Barnsley West)*
Maginnis, Ken
Meyer, Sir Anthony
Michael, Alun
Molyneaux, Rt Hon James
Morley, Elliot
Mowlam, Marjorie
Skinner, Dennis
Taylor, Mrs Ann *(Dewsbury)*
Taylor, Matthew *(Truro)*
Wallace, James
Williams, Alan W. *(Carm'then)*

Tellers for the Ayes:
Mr. Robin Maxwell-Hyslop
and Mr. Anthony Steen.

NOES

Alison, Rt Hon Michael
Arbuthnot, James
Arnold, Jacques *(Gravesham)*
Arnold, Tom *(Hazel Grove)*
Ashby, David
Baker, Nicholas *(Dorset N)*
Baldry, Tony
Batiste, Spencer
Beaumont-Dark, Anthony
Bellingham, Henry
Bennett, Nicholas *(Pembroke)*
Benyon, W.
Bevan, David Gilroy
Boswell, Tim
Bowis, John
Brandon-Bravo, Martin
Brazier, Julian
Brooke, Rt Hon Peter
Brown, Michael *(Brigg & Cl't's)*
Bruce, Ian *(Dorset South)*
Burt, Alistair
Butcher, John
Butler, Chris
Carlisle, John, *(Luton N)*
Carlisle, Kenneth *(Lincoln)*
Carrington, Matthew
Chapman, Sydney
Coombs, Anthony *(Wyre F'rest)*
Coombs, Simon *(Swindon)*
Cope, Rt Hon John
Cran, James
Crowther, Stan
Davies, Q. *(Stamf'd & Spald'g)*
Davis, David *(Boothferry)*
Day, Stephen
Dixon, Don
Dorrell, Stephen
Douglas-Hamilton, Lord James
Dover, Den
Dunn, Bob
Durant, Tony
Fallon, Michael
Fenner, Dame Peggy
Fookes, Dame Janet
Forth, Eric
Freeman, Roger
French, Douglas
Fry, Peter
Garel-Jones, Tristan
Goodlad, Alastair
Greenway, Harry *(Ealing N)*
Griffiths, Peter *(Portsmouth N)*
Ground, Patrick
Hague, William
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hargreaves, A. *(B'ham H'll Gr')*
Harris, David
Haynes, Frank
Heathcoat-Amory, David
Hind, Kenneth
Howarth, G. *(Cannock & B'wd)*
Howe, Rt Hon Sir Geoffrey
Hughes, Robert G. *(Harrow W)*
Hunt, David *(Wirral W)*
Hunt, Sir John *(Ravensbourne)*
Hunter, Andrew
Irvine, Michael
Jack, Michael
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Kennedy, Charles
Key, Robert
Kilfedder, James
King, Roger *(B'ham N'thfield)*
Kirkhope, Timothy
Knapman, Roger
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lester, Jim *(Broxtowe)*
Lightbown, David
Lilley, Peter
Lloyd, Peter *(Fareham)*
Lord, Michael
MacGregor, Rt Hon John
McLoughlin, Patrick
Mans, Keith
Monro, Sir Hector
Moss, Malcolm
Mudd, David
Nelson, Anthony
Nicholls, Patrick
Nicholson, David *(Taunton)*
Paice, James
Pike, Peter L.
Portillo, Michael
Rathbone, Tim
Renton, Rt Hon Tim
Riddick, Graham
Ridsdale, Sir Julian
Rowe, Andrew
Ryder, Richard
Sackville, Hon Tom
Shaw, David *(Dover)*
Shaw, Sir Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shephard, Mrs G. *(Norfolk SW)*
Skeet, Sir Trevor
Speed, Keith
Speller, Tony
Spicer, Sir Jim *(Dorset W)*
Spicer, Michael *(S Worcs)*
Stanbrook, Ivor
Stern, Michael
Stevens, Lewis
Stewart, Andy *(Sherwood)*
Stradling Thomas, Sir John
Summerson, Hugo
Taylor, Ian *(Esher)*
Tebbit, Rt Hon Norman
Thompson, D. *(Calder Valley)*
Tredinnick, David
Trippier, David
Trotter, Neville
Waller, Gary
Watts, John
Wells, Bowen
Wheeler, Sir John
Widdecombe, Ann
Winterton, Mrs Ann
Wood, Timothy

Tellers for the Noes:
Mr. John M. Taylor and
Mr. Irvine Patnick.

Question accordingly negatived.

BUSINESS OF THE HOUSE

Ordered,

That, at this day's sitting, the Environmental Protection Bill and Lords Amendments to the Pensions (Miscellaneous Provisions) Bill may be proceeded with, though opposed, until any hour.—*[Mr. Durant.]*

Environmental Protection Bill

As amended (in the Standing Committee), again considered.

Clause 1

PRELIMINARY

Mr. Heathcoat-Amory: I beg to move amendment No. 26, in page 2, line 23, leave out

'(carried on by any person)'

and insert

'carried on in Great Britain, whether on premises or by means of mobile plant,'.

Mr. Speaker: With this, it will be convenient to consider the following: Government amendments Nos. 27 to 32, amendment No. 240, in clause 4, page 6, line 12, leave out from 'air' to end of line 13 and insert

'or land (but not water)'.

Government amendments Nos. 33 to 36.

Amendment No. 147, in clause 6, page 8, line 10, after 'applicant', insert

'has assessed the likely effects of the process on the environment in an adequate manner and'.

Government amendments Nos. 39, 42 to 45, 50 to 54, 56 to 58.

Amendment No. 293, in clause 20, page 22, line 19, at end insert—

'(6) No proceedings in respect of an offence under this section shall be instituted except by or with the consent of the Director of Public Prosecutions or by the enforcing authority.'.

Government amendments Nos. 59 to 61.

Amendment No. 294, in clause 28, page 29, line 2, at end insert—

'(9A) No proceedings in respect of an offence under this section shall be instituted except by or with the consent of the Director of Public Prosecutions or by the enforcing authority.'.

Government amendments 91 and 92.

Mr. Heathcoat-Amory: Most of the Government amendments in this group are minor drafting amendments, while others have been tabled to give effect to commitments made in Committee.

Mrs. Ann Taylor: We welcome some of the Government amendments that meet commitments given to us in Committee, but the Minister will have noted amendment No. 147, standing in our names, which raises the important question of environmental impact assessments. The Minister should not be surprised to see the amendment on the amendment paper because we discussed the matter in Committee, and the Government stated that they would be bringing forward regulations under schedule 1 to the Bill, requiring applicants for authorisations under integrated pollution control to furnish information about the effects of the processes for which they were applying on the environment. We still feel that it would be better if that part of the regulations was not left in that form but written into the Bill.

I hope that, even if the Minister is unwilling to accept our amendment tonight, he will look at the matter again; otherwise, the impact of integrated pollution control in protecting the environment will not be maximised. I hope that the Minister will give us a positive assurance that he will look at the matter and keep an open mind, and perhaps in another place, when there is more time to debate the matter, he will reconsider environmental assessments. If we are to make real progress, integrated pollution control and environmental assessments ought to go hand in hand.

Mr. Hunter (Basingstoke): With the utmost brevity, I wish to refer to my amendments Nos. 293 and 294.

I belong to the school of thought that believes that industry creates the wealth that pays for welfare services. I believe that industry will likewise ultimately pay for the protection of our environment. My fear, which I expressed in Committee, is that, as it stands, the Bill will allow the green nutters to get on parade and have a field day of litigation against industry, on entirely inconsequential grounds.

Amendments Nos. 293 and 294 simply seek to establish a filter against unnecessary third-party campaigns of accusations against industrial processes. That point was not sufficiently taken on board in Committee and I make no apology for referring to it, albeit in such little detail.

10.15 pm

Mr. Heathcoat-Amory: It is true that the hon. Member for Dewsbury (Mrs. Taylor) raised the subject of amendment No. 147 in Committee. I am sympathetic to the intention of the amendment. Indeed, I undertake to bring forward regulations that will require the operator of a process to include in his application an assessment of the likely effect on the environment of releases from the process. That is an appropriate, flexible but certain way of delivering what the hon. Lady wishes.

Mrs. Ann Taylor: I am grateful to the Minister for accepting the point. Why is he so resistant to writing it into the Bill?

Mr. Heathcoat-Amory: Some matters are better achieved by writing them into the Bill where they are set in concrete and some matters are better left to regulations because they may be subject to amendment and changes in the light of experience which would not alter the effect of what is required. That would build in flexibility to suit the action to circumstances. However, that in no way weakens our commitment to require from an applicant an assessment of the likely consequences on the environment of releases. I assure the hon. Lady that the final regulations will fully put into place what she requests in amendment No. 147. Perhaps with that in mind she will consider not pressing her amendment.

Unfortunately, I must continue to disappoint my hon. Friend the Member for Basingstoke (Mr. Hunter). We discussed new clause 3 on Monday, and we remain convinced that in this case, if an individual has the necessary evidence to mount a case, he should be free to do so without recourse to the Director of Public Prosecutions. We must rely on the courts to deliver justice in this case.

Mr. Hunter: In coming to that conclusion, what assessment did my hon. Friend make of the cost of that process to industry? Does he accept that innumerable people will be likely to challenge an industrial process on the basis of no technical knowledge whatever and that that will result in a cost to industry and to those who indulge in litigation? It will not help the environmental cause but merely incur costs.

Mr. Heathcoat-Amory: I remain of the view that the commitment of industry to pollution control is the surest defence against such litigation. I also believe that access to the courts without necessarily resorting to the DPP is fully in line with other parts of the Bill. I must stick by the line that we took on Monday, which was accepted by the House then.

Amendment agreed to.

Amendments made: No. 27, in page 2, line 28, leave out from 'whatsoever' to end of line 29 and insert

'(including, with or without other activities, the keeping of a substance);

"Great Britain" includes so much of the adjacent territorial sea as is, or is treated as, relevant territorial waters for the purposes of Chapter I of Part III of the Water Act 1989 or, as respects Scotland, Part II of the Control of Pollution Act 1974; and

"mobile plant" means plant which is designed to move or be moved whether on roads or otherwise.'.

No. 28, in page 3, line 7, after second 'authorisation', insert

'for a process (whether on premises or by means of mobile plant)'.

[Mr. Heathcoat-Amory]

No. 29, in page 3, line 11, after 'medium', insert 'whether it is released into it within or outside Great Britain'.

No. 30, in page 4, line 1, leave out 'any form of energy' and insert 'electricity or heat'.

No. 31, in page 4, line 21, after 'substance', insert 'as a substance'.—*[Mr. Heathcoat-Amory.]*

Clause 3

EMISSIONS ETC. LIMITS AND QUALITY OBJECTIVES

Mr. Pike: I beg to move amendment No. 135, in page 5, line 7, at end insert—

'(2A) No regulations shall be made under subsection (2) above in respect of air pollution before the laying before Parliament by the Secretary of State of a document setting out a national transport policy for the purpose of reducing harmful emissions to the air from motor vehicle and promoting forms of transport which minimise the pollution of the environment due to the release of substances into any environmental medium.'.

Mr. Speaker: With this it will be convenient to take the following amendments: No. 148, in page 5, line 32, at end insert

'and any plan shall be accompanied by an Environmental Statement, which shall include an assessment of the likely significant effects of the plan on the environment.'.

No. 149, in page 5, line 36, after 'revised', insert 'including the Environmental Statement'.

Mr. Pike: Given the time, my speech will be shorter than I intended if we had reached this set of amendments at a reasonable hour. That does not mean that the proposals contained in the amendments are not extremely important. I am sure that you appreciate, Mr. Speaker, that amendment No. 135 has so many different facets that one could have a major debate on the items covered by it.

It is extremely important that the Government should consider transport policy and fuel emissions far more seriously than they have to date. We are all aware that some progress has been made on lead emissions with the gradual move towards lead-free petrol—the tax incentive on the price of that petrol has encouraged the move towards it. Lead-free petrol, however, deals only with the problem of emissions from petrol and diesel vehicles, but we must remember other considerations. The Minister will accept without hesitation that emissions from vehicles and power stations represent the two major contributors towards global warming and it is important to remember the implications of that for the world as we approach the next century. Whether we are considering catalytic converters or lean-burn engines, much more positive steps must be taken to encourage developments to tackle the problem of fuel emissions.

If we had a proper transport policy that provided a good, efficient public transport system, which attracted people away from their own vehicles, it would make a major contribution to combating pollution. We must have a cheap, efficient and reliable public transport system and the necessary infrastructure to uphold it.

We need only walk around the streets of London to appreciate the problems caused by vehicle emissions and their effect on global warming. We should consider what we are breathing in as a result of massive traffic jams caused by people using their private cars when they should be attracted to public transport. I am not one of those who believes that it is all right for me to use my car while wanting to introduce regulations to prohibit others from using their private vehicles. Some people believe that it is all right for them to use their cars, but want action taken to stop compulsorily other people from using their own. We should not adopt such a policy.

If we are to have the necessary integrated public transport system, massive public investment is needed in the buses, the underground and the railway system. We should all recognise that such investment would be good not only for our transport system, but for energy conservation and the environment as a result of subsequent reductions in pollution. That is why the implications of amendment No. 135 are extremely important.

If time permitted, I should like to have gone into greater detail about all the aspects of those different policies, which are all part of the same extremely important argument, and must be the direction in which we ultimately move. They have extreme relevance to the Bill and if the Government were to accept this positive amendment, they would make a great contribution towards not just protecting the environment, but enhancing it—as the Minister of State has said repeatedly during the debate on the Bill. If we were to pass amendment No. 135, I am sure that we should be doing that.

Amendment Nos. 148 and 149 relate to providing environmental assessment statements and considering the implications of emissions covered in clause 3, and are extremely important. Having been a member of the Select Committee on the Environment for the past five years, I have learnt that when one deals with one environmental problem, one can create another. Energy is probably the biggest single example of that. If we say that we do not want fossil fuel power stations, do we turn to nuclear power, wind power or barrages, which each have problems? If we change one problem for another, we need carefully to assess the implications involved.

As the Third world rapidly develops, one of the biggest factors during the next 10 years and into the next century will be a massive increase in the demand for energy throughout the world. We all know that pollution and environmental problems do not recognise national boundaries. Therefore, we must ensure that we consider that aspect positively.

The Council for the Protection of Rural England strongly supports the assessments that we seek in those two amendments. It gave one example, which we looked at closely in the Select Committee on the Environment, and we previously dealt with it in a different way—flue gas desulphurisation. If we want to deal with the problems created by coal-fired power stations—as shown in the two Select Committee reports dealing with acid rain—there are a number of options, and two major ones. One is FGD, which creates a demand for large quantities of limestone, and which has environmental implications because of the quantities required.

If we were to start talking about excavating large areas of the Peak district, I know that my hon. Friend the Member for Denton and Reddish (Mr. Bennett) would fight with every ounce of his body to ensure that we did not destroy that part of the country, and I would fully support him. But we much acknowledge that there will be a demand for limestone, which in turn will create large

quantities of gypsum, some of which can be used, some of which cannot. Therefore, while that might seem an easy option, it may be necessary to look for another.

If we were to have an assessment, we would consider the matter objectively and decide whether, environmentally, such a programme was the best solution for dealing with emissions from power stations. We must decide on the best environmental solutions to such problems in a realistic and balanced way.

All those issues are extremely important and I could speak at great length about all of them. I have made an extremely brief case tonight, but I hope that the Minister will respond to it in the same positive spirit in which I have made it.

Mr. Trippier: I much appreciate the spirit behind the amendments to which the hon. Member for Burnley (Mr. Pike) has spoken, but I must ask him to be a little more patient, especially about amendment No. 135. As I have said several times, we propose in the autumn of this year to bring forward a White Paper that will deal with all the issues that the hon. Gentleman mentioned. We shall not duck them. Those issues will have to embrace the environmental consequences of responsibilities that go far wider than those of the Department of the Environment —this amendment, for instance, concerns the Department of Transport.

I have great difficulty with amendments Nos. 148 and 149, although I understand the spirit behind them. I suggest that they would cause a bureaucratic nightmare. The amendments call for a full environmental statement every time a plan is amended. The first plan that we intend to introduce will limit national emissions of sulphur dioxide and nitrogen oxide from large combustion plants. I doubt whether Opposition Members would challenge the need for that. We are doing many things on this front, but the clear-cut demands of the amendments would be, as I have said, a bureaucratic nightmare.

I am not certain what information would go into the statements. Are we, for instance, concerned with local effects or transboundary effects when we are dealing with secondary pollutants that produce, say, low-level ozone? The immediate local impact may depend on the climatic conditions and so be difficult to predict in the short term.

What is the purpose of the statements? What do readers who are unhappy with them do? Do they appeal? If so, to whom? What requirements for discussion are there to be?

The amendments are unnecessary and I urge the House to reject them. I hope that we shall meet the spirit of the main amendment with the publication of the White Paper.

Mr. Pike: I believe that the issues in amendments Nos. 148 and 149 are important. I hope that they, too, will be incorporated in the White Paper presented to the Tory party conference later this year. We need to show publicly that all the implications of environmental matters have been examined.

I wait to see what the White Paper does about the subject of amendment No. 135. I also wait to see what action the Government take on it. If the Government do not deal objectively and properly with those issues in the White Paper, and do not follow that up with action, they will be major issues at the next general election. I believe that the public will recognise that the Labour party has the policies to deal with transport and pollution problems.

I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 4

DISCHARGE AND SCOPE OF FUNCTIONS

Amendments made: No. 32, in page 6, line 5 leave out 'or apparatus'.

No. 33, in page 6, line 38 leave out 'the authority's area' and insert

'the area of each authority affected by the direction'.—*[Mr. Trippier.]*

Clause 6

AUTHORISATIONS: GENERAL PROVISIONS

Amendments made: No. 34, in page 7, line 39, leave out 'in Great Britain'.

No. 35, in page 7, line 42, leave out 'in pursuance of' and insert 'under'.

No. 36, in page 7, line 45, leave out subsection (2).

No. 37, in page 8, line 2, leave out from 'authority' to 'Schedule' in line 3 and insert 'in accordance with'.

No. 38, in page 8, line 15, at end insert—

'(6A) The enforcing authority shall, as respects each authorisation in respect of which it has functions under this Part, from time to time but not less frequently than once in every period of four years, carry out a review of the conditions of the authorisation.

(6B) The Secretary of State may, by regulations, substitute for the period for the time being specified in subsection (6A) above such other period as he thinks fit.'.

No. 39, in page 8, leave out lines 18 to 26.—*[Mr. Trippier.]*

Clause 7

CONDITIONS OF AUTHORISATIONS

Amendments made: No. 40, in page 8, line 35, at end insert

'but no condition shall be imposed for the purpose only of securing the health of persons at work (within the meaning of Part I of the Health and Safety at Work Etc. Act 1974).'.

No. 152, in page 9, line 44, leave out 'include conditions' and insert

', without prejudice to the generality of subsection (1) above, include conditions—

(a)'.

No. 153, in page 9, line 46, at end insert

'; and

(b) requiring advance notification of any proposed change in the manner of carrying on the process'.

No. 41, in page 10, line 6, at end insert—

'( ) It shall be the duty of enforcing authorities to have regard to any guidance issued to them by the Secretary of State for the purposes of the application of subsections (2) and (7) above as to the techniques and environmental options that are appropriate for any description of prescribed process.'.—*[Mr. Trippier.]*

Clause 8

FEES AND CHARGES FOR AUTHORISATIONS

Amendment made: No. 154, in page 10, line 24, leave out 'the amendment' and insert

', or of applications for, the variation'.—*[Mr. Trippier.]*

Clause 9

ALTERATION OR TRANSFER OF AUTHORISED PROCESS

Amendment made: No. 155, in page 11, line 28, leave out clause 9.—*[Mr. Trippier.]*

Clause 10

REVOCATION OF AUTHORISATION

Amendment made: No. 42, in page 12, line 35, after 'on', insert 'or not'.—*[Mr. Trippier.]*

Clause 11

VARIATION NOTICES

Amendment made: No. 156, in page 13, line 2, leave out clause 11.—*[Mr. Trippier.]*

Clause 12

ENFORCEMENT NOTICES

Amendment made: No. 43, in page 13, line 39 leave out 'in pursuance of' and insert 'under'.—*[Mr. Trippier.]*

Clause 13

PROHIBITION NOTICES

Amendments made: No. 44, in page 14, line 11 leave out 'in pursuance of' and insert 'under'.

No. 45, in page 14, line 13 leave out first 'the' and insert 'an imminent'.*[Mr. Trippier.]*

Clause 14

APPEALS AS RESPECTS AUTHORISATIONS AND AGAINST VARIATION, ENFORCEMENT AND PROHIBITION NOTICES

Amendments made: No. 157, in page 15, line 1 leave out lines 1 and 2 and insert—

'(c) a person who has been refused a variation of an authorisation on an application under section (*Variation of conditions etc: applications by holders of authorisations*);'.

No. 46, in page 15, leave out lines 10 and 11 and insert—

'(3) Where an appeal under this section is made to the Secretary of State—

(a) the Secretary of State may refer any matter involved in the appeal to a person appointed by him for the purpose; or

(b) the Secretary of State may, instead of determining the appeal himself, direct that the appeal or any matter involved in it shall be determined by a person appointed by him for the purpose;

and a person appointed under paragraph (b) above for the purpose of an appeal shall have the same powers under subsection (4), (5) or (6) below as the Secretary of State.'

No. 47, in page 15, line 11, at end insert—

'( ) An appeal under this section shall, if and to the extent required by regulations under subsection (9) below, be advertised in such manner as may be prescribed by regulations under that subsection.'.

No. 48, in page 15, line 12, after 'requests' insert 'or the Secretary of State so decides'.

No. 49, in page 15, line 12, after 'be' insert 'or continue'.

No. 158, in page 15, line 18 leave out from 'or' to 'the' in line 20 and insert

'the variation of an authorisation, may direct a enforcing authority to grant the authorisation or to vary'.—*[Mr. Heathcoat-Amory.]*

Clause 15

APPOINTMENT OF CHIEF INSPECTOR AND OTHER INSPECTORS

Amendment made: No. 50, in page 16, line 24, leave out 'council' and insert 'authority'.—*[Mr. Heathcoat-Amory.]*

Clause 16

POWERS OF INSPECTORS AND OTHERS

Amendments made: No. 51, in page 16, line 37, leave out from beginning to second 'the' and insert 'purposes of'.

No. 52, in page 18, line 16, leave out from 'to' to 'powers' in line 17 and insert 'mobile plant an inspector shall have, in circumstances corresponding to those specified in subsection (2) above'.—*[Mr. Heathcoat-Amory.]*

Clause 18

OBTAINING OF INFORMATION FROM PERSONS AND AUTHORITIES

Amendments made: No. 53, in page 19, line 39 after 'following', insert 'authorities'.

No. 54, in page 19, line 44, leave out from 'person' to 'as' in line 46 and insert',

require that person to furnish to the authority such information which the authority reasonably considers that it needs'.—*[Mr. Heathcoat-Amory.]*

Clause 19

REGISTERS OF INFORMATION

Amendment made: No. 25, in page 20, line 5, leave out clause 19.—*[Mr. Heathcoat-Amory.]*

Clause 20

OFFENCES

Amendments made: No. 55, in page 21, line 15, at end insert—

'(aa) to fail to give the notice required by section (*Transfer of Authorisation*) (2) above;'.

No. 56, in page 21, line 20, leave out 'or 17'.

No. 159, in page 21, line 37, leave out 'amendment' and insert 'variation'.

No. 57, in page 22, line 6, leave out from 'paragraph' to '(f)' in line 7 and insert

'(aa)'.

No. 58, in page 22, line 13, leave out from 'above' to 'shall' in line 14.—*[Mr. Heathcoat-Amory.]*

Clause 22

ONUS OF PROOF AS REGARDS TECHNIQUES AND EVIDENCE

Amendment made: No. 59, in page 22, line 32, leave out 'by virtue of' and insert 'under'.—*[Mr. Heathcoat-Amory.]*

Clause 24

POWER OF CHIEF INSPECTOR TO REMEDY HARM

Amendment made: No. 60, in page 23, line 14, leave out 'his' and insert 'their'.—*[Mr. Heathcoat-Amory.]*

Clause 25

AUTHORISATIONS AND OTHER STATUTORY CONTROLS

Amendments made: No. 160, in page 23, line 20, after 'shall' insert 'at any time'.

No. 161, in page 23, line 27, leave out subsection (2).

No. 61, in page 24, line 7, leave out from 'on' to 'authorisation' in line 8 and insert 'under an'.

No. 162, in page 24, line 12, leave out from 'shall' to 'vary' in line 13 and insert

'exercise its powers under section *(Variation of authorisations by enforcing authority)* above so as to'.

No. 239, in page 24, line 16, leave out subsection (6). —*[Mr. Heathcoat-Amory.]*

Clause 26

AUTHORITIES FOR PURPOSES OF THIS PART

Amendments made: No. 64, in page 25, line 29, after 'disposal' insert 'or regulation'.

No. 93, in page 25, line 38, after 'collects,', insert 'keeps,'.

No. 65, in page 25, line 39, leave out

'under the Companies Act 1985'.

No. 109, in page 25, line 42, at beginning insert 'either'.

No. 66, in page 25, line 42, leave out

'under the Companies Act 1985'.

No. 67, in page 25, line 45, after 'and', insert

'"company" has the same meaning as in the Companies Act 1985 and'.

No. 68, in page 26, line 1, leave out subsection (6) and insert—

'(6) In this Part, in its application to Scotland, "river purification authority" means a river purification authority within the meaning of the Rivers (Prevention of Pollution) (Scotland) Act 1951.

(7) It shall be the duty of each authority which is both a waste regulation authority and a waste disposal authority for the purposes of this Part to submit to the Secretary of State for approval details of the administrative arrangements which it has made for separating its functions as a waste regulation authority from its functions as a waste disposal authority.' —*[Mr. Heathcoat-Amory.]*

Clause 27

TRANSITION TO WASTE DISPOSAL COMPANIES ETC.

Amendment made: No. 151, in page 26, line 25, leave out 'undertakings' and insert 'undertaking'.—*[Mr. Heathcoat-Amory.]*

Clause 28

PROHIBITION ON UNAUTHORISED DEPOSIT, TREATMENT OR DISPOSAL ETC. OF WASTE

Amendments made: No. 163, in page 27, line 42, after 'deposited', insert 'in or'.

No. 164, in page 27, line 46, at beginning insert 'in or'. —*[Mr. Heathcoat-Amory.]*

Mr. Paul Marland (Gloucestershire, West): I beg to move amendment No. 106, in page 28, line 18, at end insert—

'(5) The Secretary of State shall exercise his power under subsection (3) above to make regulations excluding from the controls imposed by waste management licenses those ferrous and non-ferrous scrap dealers and processors whose business is to recycle such scrap as the Department of Trade and Industry may classify as non-hazardous in a list which it shall publish, based on customs and excise tariff classifications.'.

Mr. Speaker: With this it will be convenient to discuss the following amendments: No. 100, in clause 39, page 41, line 6, at end insert—

'(1A) Without prejudice to the provisions of any regulations made, or having effect as if made, under section 55 below, it shall be the duty of each waste collection authority, if requested by a harbour authority or terminal operator, to arrange for the collection of any industrial waste deposited at reception facilities—

(a) provided in accordance with the Prevention of Pollution (Reception Facilities) Order 1984 for vessels using the harbour or terminal; or

(b) provided in accordance with the Merchant Shipping (Reception Facilities for Garbage) Regulations 1988 for ships using the harbour or terminal;

unless other arrangements for the collection of the waste are made by the waste disposal authority whose area includes the area of the waste collection authority.'.

No. 328, in clause 44, page 49, line 26, at end insert—

'(c) to send to the planning authorities for the areas covered or affected by the plan a copy of the plan or, as the case may be, particulars of the modification to be considered in relation to development plans prepared for those areas.'.

No. 142, in clause 54, page 58, line 43, leave out from beginning to 'it' in line 44.

Government amendments No. 77 and 78.

No. 298, in clause 65, page 70, line 10, at end insert—

', nor scrap metal, whether ferrous or non-ferrous, handled in the normal course of business by a scrap dealer registered under the Scrap Metal Dealers Act 1964.'.

No. 299, in page 70, line 12, at end insert—

', except that the presumption shall not apply where metal is sold for a consideration to a scrap metal dealer registered under the Scrap Metal Dealers Act 1964'.

Government amendment Nos. 79, 80, 196, 197, 330 and 123 to 125.

Mr. Marland: I realise that there is much pressure on time, but I have sat here since 4.30 and I am anxious to put my speech on the record. I shall start by making my own position absolutely clear. I am involved in the metal recycling industry which enables me to speak in the debate with a certain amount of understanding and first-hand knowledge of the industry.

Recycling of all types makes a massive contribution to the environment, not only by minimising waste and keeping the countryside clean, but by making a tremendous contribution to saving our finite resources. To give the House an idea of the scale of this industry, I am pleased to be able to say that, in Britain, metal recyclers process or recycle 4,000 old motor cars a week. That is more than 2 million a year. They also recycle 150,000 white goods items—cookers, refrigerators and washing machines—a week, and 50 per cent. of all the copper used in the United Kingdom is recycled, as is 40 per cent. of all the aluminium used in the country.

The energy savings from recycling are just as spectacular as the amounts involved. By recycling aluminium, for example, the energy used is only one twentieth of that required for refining bauxite. For every 1,000 tonnes of ferrous scrap turned into steel, there is a saving of 140,000 gallons of fuel oil. Those are big and impressive figures for what is a big and impressive industry.

When the Bill was in Committee, there was much satisfaction in the recycling industry for the supportive

[Mr. Marland]

remarks by the Government. The Under-Secretary of State for the Environment, my hon. Friend the Member for Wells (Mr. Heathcoat-Amory), will remember from previous debates that there is great concern in the metal recycling industry that scrap metal is defined in the Bill as waste, and that there is a strong possibility that it could be treated in the same way as dangerous chemical waste.

The local authority environmental health inspector is free to interpret the regulations as he sees fit, and if he decides to be over-officious he could make the life of a metal recycler very difficult and seriously inhibit his business. Scrap metal is not waste but a valuable secondary resource, and it is wrongly defined in the Bill.

The World Health Organisation defines waste as something which the owner no longer wants at a given place and time and which has no current or perceived market value. The Japanese, who usually get most things right, say that waste refers to something the owner of which cannot use or sell for any countervalues. The Bureau International de la Recuperation, the international arm of the recycling industry, says that waste is redundant goods, by-products or residues that have no value and must be disposed of at cost.

I know that the Department of the Environment will not accept that definition, for in a letter to the hon. Member for Rochdale (Sir C. Smith) my hon. Friend the Member for Wells says that the key test of whether something is waste is the attitude of the person who produces the waste. The letter says that if the holder of the substance, goods or article wishes to dispose of it, then it is waste to him. Whether or not the waste has any value or can be of use to somebody else does not affect the fact that it is waste. What about scraps of gold in a jewellery-making business, or a five-year-old motor car that the owner wishes to dispose of in order to buy a new one? I do not believe that a five-year-old motor car is waste, but the definition in the Bill, and in the letter, makes it so. Clearly, they are not waste, and neither are the metal turnings from an engineering plant. They are valuable secondary raw materials and should be classified as such.

The hon. Member for Rochdale is assured in the letter that there are some exceptions to the rule, such as waste paper and textiles or rags. They are not classified as waste as they do not pose an environmental problem, but some rags and waste paper are impregnated with some pretty nasty substances and, when they come to be disposed of, if they are burnt, they can give off some unpleasant odours. The Government are seriously out of line with what the industry believes in, and what normal commonsense dictates.

In Committee, I tried to raise the status of some of this non-toxic waste through the attitude of the holder of the material to the material that he held. His attitude to the material would determine its legal status. If the material was unwanted, and could not be sold—if the owner had to take it away, for example—fair enough, it was waste. If the material arose out of the holder's business activity, such as waste paper, off-cuts of aluminium or metal turnings from boring steel, and had a resale value, it should be classified as a secondary raw material. That is slap in line with the BIR proposal.

There would be categories of secondary raw materials, just as there are categories of waste, be they hazardous or non-hazardous, and they would be treated accordingly. I pointed out to the Committee the sheer size and value to our balance of payments of the exports of secondary raw materials and the frequency of transfrontier shipments within the EEC suggest that this demanded that something should be done to clarify the situation. Sadly, the suggestion of introducing the classification of secondary raw materials was firmly rejected.

To be fair to my hon. Friend the Member for Wells, he said that if I could find cases where local authorities had been too heavy handed and had inhibited the development of the recycling business, I was to get in touch with him, and he would try to do something about it. Since I last spoke to him about this subject, I have visited scrap metal and recycling businesses in Long Marston, Derby, Sheffield, Leeds and Glasgow. Although there is concern about the implementation of some of the regulations, I have not yet found any of the first-hand evidence that he asked me for. However, I saw metal recycling yards where there was no toxic material whatever—no acid from batteries or engine oil from old motor engines.

However, there is concern that local inspections are done at random, in rather a haphazard way, very much influenced by personal choice. It seems that the local environmental health officers would rather avoid the yards where savage dogs are kept and the yard is not concreted over, and where the proprietor is thoroughly offensive. While these are the very people who give the industry a bad name, the local environmental health officer would rather go to a well-run yard where he gets a cup of coffee in a warm office, has a nice chat and then tours a well-run yard while wearing a pair of shoes. He then sometimes makes a lot of fuss about a small oil seepage from an old car.

I stress that the scrap metal and recycling industry does not fear registration or control, but it believes that these should be appropriate and fair. A cloud is appearing on the horizon, and I ask my hon. Friend to comment on it. It is the possibility that future regulation will stipulate that metal recyclers will have to be licensed to handle waste. To obtain a licence, the operator would need a certificate of competence issued by the Institute of Wastes Management. As I have said, the industry agrees that regulation is a good thing and that it must be enforced. The scrap metal industry is as anxious as any other to pursue quality control. Is the Minister satisfied that the Institute of Wastes Management itself is competent to issue a certificate of competence to an industry that it knows nothing about?

Having recognised that the definition of waste is Europeanwide and even a worldwide problem, not merely a domestic one—hence the interest of the BIR—my hon. Friends and I turned our attention to Europe and went to meet Mr. Jean Marie Junger, who is a senior offical in the Euro equivalent of the Department of the Environment. He told us that the European Community would like to help the reclamation and recycling industry and suggested having recourse to three criteria that would exempt valorisable waste or, as I prefer to call it, secondary raw materials, from the procedures that would be applicable to disposable waste.

First, operators and collectors of recyclables should be listed. That means not that they should be registered, licensed or authorised but just that they should be listed. The list could be based on a national federation membership and then widened. Secondly, it was recommended that each country should decide on a single

body which would have authority over the reclamation and recycling industry. That authority would be a different one from the one which deals with disposable waste. In the United Kingdom, I believe that the Department of Trade and Industry should be responsible for the recycling industry and that the Department of the Environment should be responsible for the disposal of waste. Thirdly, the reclamation and recycling industry could be exempted from the administrative consequences of the directive on transfrontier shipments of hazardous waste through the use of various lists of goods, which could be prepared on the basis of Customs and Excise classifications.

10.45 pm

Non-toxic valorisable waste or secondary raw materials would be on a white list, toxic valorisable waste would be on a grey list, whereas disposable waste would have to be on a black list. As a basis for the white list, the Customs and Excise tariff classifications could be used. Products that would be on the white list would be entirely exempt from any control whereas those on the grey list would be subject to a simplified monitoring procedure.

On the basis of that advice, I tabled the amendment, for if we are going anywhere it is into Europe. The amendment is in line with European thinking and has the full backing of the British Scrap Federation and the support of many hon. Members on both sides of the Chamber. I understand also that the British Secondary Metals Association is anxious to identify with it, though I have not had direct dealings with it. I hope that my hon. Friend the Minister will carefully reflect on the amendment, for it is one that has been seriously and painstakingly put together. It would do much to encourage an industry which itself can do much more to help cherish our environment.

Mr. Jeremy Hanley (Richmond and Barnes): I shall speak on two seemingly unconnected matters though they appear in the batch of amendments that we are considering. The first is the matter to which my hon. Friend the Member for Gloucestershire, West (Mr. Marland) has just referred—the inclusion of the secondary metal industry within the definition of waste. That means that the industry could be subject to possibly unsuitable and bureaucratic licensing requirements. There are many who believe that, although such requirements may be appropriate to the waste disposal industry, they are not appropriate to a sector that is dedicated to the reclamation and recycling of metal.

The recycling of metal by the secondary metal industry provides the United Kingdom with the equivalent of about £1·5 billion in imports saved or exports made each year. If the metal were not recycled, it would be dumped —some of it is toxic—or consigned for landfill disposal. I submit that both actions are potentially damaging to the environment. The imposition of costly new licensing controls on the metals reclamation industry will threaten the scale of the United Kingdom's current recycling activity at a time when every environmentalist is seeking a dramatic increase in recycling. The industry appears to be committed to the safe disposal of all waste and is prepared to be subject to a stringent code of practice. It is unfortunate that our recycling activities will be caught up in what could be considered to be a web of controls that will probably have no impact on the end disposal of real waste.

Secondly, I wish to ask my hon. Friend the Minister a second question relating to my local borough. My previous statements have been on behalf of the Richmond Metal Company. My next statements will be on behalf of Richmond-upon-Thames council. I know that my hon. Friend takes a keen interest in the collection and recycling of waste. He is aware that the council is concerned about what will happen to its effective way of collecting waste. Its method is supported by all parties on the council. I am fairly sure that after tomorrow there will be no change of policy, although I hope that there will be a change in the party in power. The council has led the movement for the recycling of useful waste. Successive Ministers have visited the borough. Indeed, my hon. Friend the Under-Secretary of State for Industry and Consumer Affairs made his debut in ministerial engagements when opening a new waste paper collection plant.

Currently, the borough is both a waste collection agency and a waste disposal agency. It appears that, under the Bill, it will be prevented from buying equipment for baleing and sorting recyclable waste. The council is good at recycling waste. Indeed, the current administration probably creates more waste paper than any other local authority and so needs to recycle it. Under the Bill, it will no longer be allowed to acquire the machinery to recycle that waste.

I am concerned that when the West London waste disposal authority no longer deals with that area of recycling, the council will no longer be able to dispose of its waste. It will have to contract its services to a new authority, thereby wasting what could be the most effective and least expensive way to produce something of value out of disposable waste. I want my hon. Friend to assure me that the new body that will be established under the Bill will be not only the most effective but the least expensive way to recycle beneficial products into society. It would be crazy to close the recycling plant simply for some piece of dogma. I want an assurance that the new body will have a large input from the local authority. If the local authority finds that it is the cheapest body to recycle waste, I hope that there will be no undue costs or bureaucratic constraints imposed upon individuals in the borough.

Mr. Roger Knapman (Stroud) *rose*——

Hon. Members: Hear, hear.

Mr. Knapman: I sense that my hon. Friends want me to address my remarks to amendment No. 100, which stands in my name. It is an amendment to clause 39, under which harbour authorities and terminal operators must provide reception facilities for waste from ships using their harbours. The waste can take many different forms. It can be residues, mixtures, mixtures including oil, other noxious liquid substances or, of course, vast quantities of garbage.

The potential problem is that, although harbour authorities have the absolute requirement to accept those wastes into their reception facilities, they may not be able to dispose of them from their reception facilities to what one might call their final resting place. If that happened, the harbour authorities would be placed in a difficult position; it may not be putting it too strongly to say that the legislation's intention would be frustrated.

I understand that the Control of Pollution Act 1974 states that ships' waste is industrial waste. The deposit of such waste on land requires a licence, otherwise the deposit

[Mr. Knapman]

would be prohibited. That prohibition does not generally apply to the deposit of waste from the ship into the reception facility, but it does apply to the disposal of the waste from the reception facility.

Clause 39 specifies the duties of a waste collection authority, but will the Minister consider subsection (2), which says that, although a waste collection authority may arrange for the collection of industrial waste from premises in its area if it is requested to do so by the owner, it is not obliged to do so and must also obtain the consent of the waste disposal authority before exercising that power.

Therefore, a harbour authority or terminal operator who must provide reception facilities for residues might not be able either to obtain a licence to deposit the waste elsewhere or to persuade the collection authority to collect it, with the consequences that I have already described.

The amendment deals with the problem by inserting a new subsection (1A) which would make it

"the duty of each waste collection authority, if requested by a harbour authority or terminal operator, to arrange for the collection of any industrial waste deposited at reception facilities . . . provided . . . unless other arrangements for the collection of the waste are made by the waste disposal authority."

I think that my hon. Friend will agree that that would in no way prejudice the provision of special waste as provided for in the Bill, and I should be grateful if he would give the matter his characteristically detailed consideration.

Mr. Trippier: I was not surprised to see that we have amendments seeking to exempt the scrap industry from waste controls. I would be the first to pay tribute to my hon. Friend the Member for Gloucestershire, West (Mr. Marland), who was particularly tenacious in Committee in his defence of the metal scrap industry, and he gave us fair warning that the matter would not be allowed to drop.

We have before us some hard-line and some more reasoned amendments, with which I shall deal briefly.

Amendments Nos. 298 and 299 in the name of my hon. Friend the Member for Hornchurch (Mr. Squire) would alter the definition of waste to remove scrap metal from waste management controls altogether. I am not prepared to distort the established definition of waste in that way. Nor can I accept that the treatment of scrap metal is such an environmentally harmless activity that it can be entirely exempt from controls without further ado.

Amendment No. 106 adopts a less absolute stance. The wording of the amendment owes something to proposals being prepared in Brussels to exempt non-hazardous recyclables from the new EC controls on the movement of waste. The European Commission is attempting to define what recyclables are non-hazardous on the basis of tariff classifications, but agreement has not yet been reached. The amendment would achieve the exemption of non-hazardous scrap recycling on the same tariff-based classification.

However, the parallel is misleading. It is one thing to exempt scrap metal, which may be quite safe and inert to transport, from controls on its movement, but it is quite another to exempt the processing of scrap from domestic site licensing controls. The Government support the view that EC controls should not hamper trade in recyclables. Such trade may be needed to make recyclables viable. But that does not constitute a reason for ending controls on scrapyards and metal recycling plants, which can be a source of local environmental problems. There is provision in the Bill for innocuous processes to be exempted from site licensing.

I emphasise that I am most concerned to keep burdens on the scrap industry to a minimum, as long as that is consistent with environmental protection. I would like to see the scrap industry make a case for exemption on those grounds, and I again invite it to do so, but I cannot accept any of the amendments which seek to achieve exemption through primary legislation.

11 pm

My hon. Friend the Member for Gloucestershire, West raised the subject of the Institute of Wastes Management. It will not be issuing certificates of competence. There is a training board—the waste management industry training board—and an advisory board to set up qualifications, chaired by Lord Gregson, who takes the Labour Whip in the House of Lords and for whom I have the highest possible regard. The board is composed of members of industry and local authorities. The scrap industry should be involved in that to ensure that it is competent to decide on qualifications.

My hon. Friend the Member for Richmond and Barnes (Mr. Hanley) referred to the excellent example in his constituency of Richmond borough council in recycling waste. He was concerned that it should not be put at risk by any measures in the Bill. I assure him that that is not the case. The Bill prevents any authority which is both a collection and disposal authority—as Richmond is—from providing those facilities directly. As a disposal authority, Richmond will have duties under clause 45 to arrange for the recycling and disposal of waste by arrangement with a waste disposal contractor. It does not make any sense for the authority to provide its own facilities as a collection authority, which as a disposal authority it would then have to pass to a contractor.

Mr. Hanley: Is it not true that the local authority could still have a sizeable influence over that contractor if it was deemed to be desirable that that influence existed?

Mr. Trippier: In two ways. First, the local authority would be the regulatory authority. Secondly, in the case of a local authority company—an arm's-length company—as defined by the Local Government and Housing Act 1989, 20 per cent. of the board have to be local authority elected representatives or chief officers. If the facility which my hon. Friend has described to the House is as good as he suggests, I have no doubt that the new National Association of Waste Disposal Contractors will be successful in winning the contract once the bids or tenders are put out.

Finally, I shall reply to amendment No. 100 in the name of my hon. Friend the Member for Stroud (Mr. Knapman). The problem of pollution of coastal waters from ships' refuse needs attention, but placing a duty on local authorities is not necessarily the best way to tackle it. Waste collection authorities already have the power to collect that waste if they are requested to do so. The private sector is only too willing to provide collection and disposal services to port authorities.

I know of no problems where an authority has been unable to find a contractor to take waste, and I am sure that the proposed duty would place an unreasonable burden on the collection authorities to provide specialist collection equipment. I cannot accept that amendment.

Mr. Marland: My hon. Friend has replied in his normal constructive and helpful way. Bearing in mind that the problem is not solved, and I would like to feel that his door would always be open, especially in view of the fact that we have a White Paper coming up in the autumn, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Amendments made No. 113, in page 28, line 40, leave out from 'to' to 'and' in line 41 and insert

'imprisonment for a term not exceeding six months or a fine not exceeding £20,000 or both;'.

No. 114, in page 28, line 46, leave out from 'to' to 'and' in line 48 and insert

'imprisonment for a term not exceeding six months or a fine not exceeding £20,000 or both;'.

No. 69, in page 29, leave out lines 3 to 14.—*[Mr. Trippier.]*

Clause 29

DUTY OF CARE ETC. AS RESPECTS WASTE

Amendments made: No. 115, in page 29, line 26, after 'person', insert

'or to a person for authorised transport purposes'.

No. 116, in page 29, line 46, at end insert—

'( ) The following are authorised transport purposes for the purposes of subsection (1)(c) above—

(a) the transport of controlled waste within the same premises between different places in those premises;

(b) the transport to a place in Great Britain of controlled waste which has been brought from a

country or territory outside Great Britain not having been landed in Great Britain until it arrives at that place; and

(c) the transport by air or sea of controlled waste from a place in Great Britain to a place outside Great Britain;

and "transport" has the same meaning in this subsection as in the Control of Pollution (Amendment) Act 1989.'.—*[Mr. Trippier.]*

Clause 30

WASTE MANAGEMENT LICENCES: GENERAL

Amendments made: No. 70, in page 31, line 3, at end insert

'and any person whose consent would be required shall grant, or join in granting, the holder of the licence such rights in relation to the land as will enable the holder of the licence to comply with any requirements imposed on him by the licence.'.

No. 110, in page 31, line 3, at end insert—

'( ) Conditions may relate, where waste other than controlled waste is to be treated, kept or disposed of, to the treatment, keeping or disposal of that other waste.'.

No. 165, in page 31, line 28, leave out subsection (12). —*[Mr. Trippier.]*

Clause 31

GRANT OF LICENCES

Amendment made: No. 71, in page 32, line 8, leave out 'severe' and insert 'serious'.—*[Mr. Trippier.]*

Clause 34

SURRENDER OF LICENCES

Amendment made: No. 72, in page 36, line 47, at end insert—

'( ) A person who, for the purposes of an application for the surrender of a licence, makes any statement which he knows to be false in a material particular or recklessly makes any statement which is false in a material particular shall be liable—

(a) on summary conviction, to a fine not exceeding the statutory maximum; and

(b) on conviction on indictment, to imprisonment for a term not exceeding two years or to a fine or both.'. —*[Mr. Trippier.]*

Clause 38

APPEALS TO SECRETARY OF STATE FROM DECISIONS WITH RESPECT TO LICENCES

Amendments made: No. 73, in page 39, line 44, after 'revoked' insert 'under section 33 above'.

No. 176, in page 40, line 4, leave out 'in accordance with regulations'.

No. 177, in page 40, line 6, at end insert—

'(2A) Where an appeal is made to the Secretary of State—

(a) the Secretary of State may refer any matter involved in the appeal to a person appointed by him for the purpose;

(b) the Secretary of State may, instead of determining the appeal himself, direct that the appeal or any matter involved in it shall be determined by a person appointed by him for the purpose (who shall have the same powers as the Secretary of State);

(c) if a party to the appeal so requests, or the Secretary of State so decides, the appeal shall be or continue in the form of a hearing (which may, if the person hearing the appeal so decides, be held or held to any extent in private).'.

No. 178, in page 40, line 7, after 'State', insert 'or other person determining the appeal.'.

No. 167, in page 40, line 22, after 'preventing' insert 'or, where that is not practicable, minimising'.

No. 179, in page 40, line 27, after 'State', insert 'or other person determining the appeal'.

No. 180, in page 40, line 42, at end insert—

'(7) Provision may be made by the Secretary of State by regulations with respect to appeals under this section and in particular—

(a) as to the period within which and the manner in which appeals are to be brought; and

(b) as to the manner in which appeals are to be considered.'.—*[Mr. Trippier.]*

Clause 43

WASTE RECYCLING PLANS BY COLLECTION AUTHORITIES

Amendments made: No. 234, in page 47, line 4, at end insert—

'( ) It shall be the duty of a waste collection authority, before finally determining the content of the plan or a modification, to send a copy of it in draft to the Secretary of State for the purpose of enabling him to determine whether subsection (3) above has been complied with; and, if the Secretary of State gives any directions to the authority for securing compliance with that subsection, it shall be the duty of the authority to comply with the direction.'.

No. 74, in page 47, line 11, at end insert—

'( ) It shall be the duty of each waste collection authority to keep a copy of the plan and particulars of any modifications to it available at all reasonable times at its principal offices for inspection by members of the public free of charge and to supply a copy of the plan and of the particulars of any modifications to it to any person who requests one, on payment by that person of such reasonable charge as the authority requires.'.—*[Mr. Trippier.]*

Clause 44

WASTE DISPOSAL PLANS OF WASTE REGULATION AUTHORITIES

Amendments made: No. 168, in page 47, line 22, at end insert

'or harm to human health;'.

No. 75, in page 48, line 26, leave out from beginning to second 'the'.

No. 76, in page 49, line 10, leave out from first 'authority' to 'in' in line 11.

No. 111, in page 49, line 20, at end insert—

'( ) It shall be the duty of the authority, before finally determining the content of the plan or modification, to send a copy of it in draft to the Secretary of State for the purpose of enabling him to determine whether subsection (3) above has been complied with; and, if the Secretary of State gives any directions to the authority for securing compliance with that subsection, it shall be the duty of the authority to comply with the direction.'.—*[Mr. Trippier.]*

Clause 45

FUNCTIONS OF WASTE DISPOSAL AUTHORITIES

Amendments made: No. 63, in page 51, line 3, at end insert—

'( ) Subsection (1) above is subject to section (*Transition from Control of Pollution Act 1974 to this Act*).'.—*[Mr. Trippier.]*

Clause 52

POWERS TO REQUIRE REMOVAL OF WASTE UNLAWFULLY DEPOSITED

Amendments made: No. 169, in page 57, line 33, after 'deposited', insert 'in or'.

No. 170, in page 57, line 35, leave out 'the environment' and insert 'land, water or air'.—*[Mr. Trippier.]*

Clause 54

DUTY OF WASTE REGULATION AUTHORITIES AS RESPECTS CLOSED LANDFILLS

Amendments made: No. 142, in page 58, line 43, leave out from beginning to 'it' in line 44.

No. 171, in page 59, line 8, after 'in' insert 'or on'.

No. 77, in page 59, line 16, at end insert—

'In this subsection "controlled waste" means household, industrial or commercial waste as defined in section 65(7), (8) and (9) below (subject, if the regulations so provide, to regulations under section 56(1) or 65(10) below).'.—*[Mr. Trippier.]*

Clause 55

SPECIAL PROVISION WITH RESPECT TO CERTAIN DANGEROUS OR INTRACTABLE WASTE

Amendments made: No. 181, in page 60, line 30, leave out from second 'of' to 'as' in line 31 and insert

'those records, or such information derived from those records,'.

No. 78, in page 60, line 47, at end insert—

'(4) In the application of this section to Northern Ireland "waste regulation authority" means a district council established under the Local Government Act (Northern Ireland) 1972.'.—*[Mr. Trippier.]*

Clause 57

PUBLIC REGISTERS AND ANNUAL REPORTS

Amendments made: No. 182, in page 61, line 26, at beginning insert

'Subject to sections (*Exclusion from registers of information affecting national security*) and (*Exclusion from registers of certain confidential information*) below'.

No. 183, in page 61, line 27, leave out from 'containing' to end of line 45 and insert

'prescribed particulars of or relating to—

( ) current or recently current licences ("licences") granted by the authority;

( ) current or recently current applications to the authority for licences;

( ) applications made to the authority under section 32 above for the modification of licences;

( ) notices issued by the authority under section 32 above effecting the modification of licences;

( ) notices issued by the authority under section 33 above effecting the revocation or suspension of licences or imposing requirements on the holders of licences;

( ) appeals under section 38 above relating to decisions of the authority;

( ) certificates of completion issued by the authority under section 34(9) above;

( ) notices issued by the authority imposing requirements on the holders of licences under section 37(4) above;

( ) convictions of the holders of licences granted by the authority for any offence under this Part (whether in relation to a licence so granted or not);

( ) the occasions on which the authority has exercised any power under section 37 or 54 above:

( ) directions given to the authority under any provision of this Part by the Secretary of State;'.

No. 184, in page 62, line 1, leave out 'copies or all'.

No. 185, in page 62, leave out lines 3 and 4 and insert—

'( ) such matters relating to the treatment, keeping or disposal of waste in the area of the authority or any pollution of the environment caused thereby as may be prescribed;

and any other document or information required to be kept in the register under any provision of this Act.'.

No. 189, in page 62, line 6, at end insert

'and applications for licences are "recently" current if they relate to a licence which is current or recently current or, in the case of an application which is rejected, for the period of twelve months beginning with the date on which the waste regulation authority gives notice of rejection or, as the case may be, on which the application is deemed by section 31(7) above to have been rejected.'.

No. 188, in page 62, line 6, at end insert—

'(2A) It shall be the duty of each waste collection authority in England which is not a waste regulation authority to maintain a register containing prescribed particulars of such information contained in any register maintained under subsection (1) above as relates to the treatment, keeping or disposal of controlled waste in the area of the authority.

(2B) Waste regulation authorities in England which are not waste collection authorities shall furnish any waste collection authorities in their areas with the particulars necessary to enable them to discharge their duty under subsection (2A) above.'.

No. 187, in page 62, line 7, leave out from beginning to 'is' in line 8 and insert

'Each waste regulation authority and waste collection authority shall secure that any register maintained under this section'.

No. 186, in page 62, line 11, leave out 'documents included' and insert 'entries'.

No. 190, in page 62, line 11, at end insert—

'(3A) Registers under this section may be kept in any form.

(3B) In this section "prescribed" means prescribed in regulations by the Secretary of State.'.

No. 191, That Clause 57 be divided into two Clauses, the first consisting of subsections (1) to (3B) of that Clause and the second consisting of subsection (4) to (7) of that Clause.—*[Mr. Trippier.]*

Clause 58

FUNCTIONS OF SECRETARY OF STATE AND APPOINTMENT ETC. OF INSPECTORS

Amendments made: No. 172, in page 63, line 35, after 'environment', insert

'or serious harm to human health'.

No. 173, in page 64, line 15, after 'environment' insert 'or harm to human health'—*[Mr. Trippier.]*

Clause 63

APPEALS AND OTHER PROVISIONS RELATING TO LEGAL PROCEEDINGS AND CIVIL LIABILITY

Amendment made: No. 112, in page 68, line 18, after first 'or' insert 'knowingly'.—*[Mr. Trippier.]*

Clause 65

INTERPRETATION

Amendments made: No. 174, in page 70, leave out lines 13 to 19.

No. 79, in page 70, line 23, leave out from 'from' to end of line 26 and insert—

'(a) domestic property, that is to say, a building or self-contained part of a building which is used wholly for the purposes of living accommodation;

(b) a caravan (as defined in section 29(1) of the Caravan Sites and Control of Development Act 1960) which usually and for the time being is situated on a caravan site (within the meaning of the Act);

(c) a residential home:

(d) premises forming part of a university or school or other educational establishment;

(e) premises forming part of a hospital or nursing home.'.

No. 80, in page 71, line 3, at end insert—

'( ) "Special waste" means controlled waste as respects which regulations are in force under section 55 above.'.

No. 175 in page 71, line 4, leave out subsection (11).

No. 196 in page 71, line 8, leave out 'subsection' and insert 'section'.

No. 197 in page 71, line 17, leave out from 'appropriate' to end of line 18.

No. 330, That Clause 65 be divided into two Clauses, the first consisting of subsections (1) to (10) of that Clause and the second consisting of subsection (12) of that Clause. —*[Mr. Trippier.]*

Clause 66

STATUTORY NUISANCES AND INSPECTIONS THEREFORE

Amendments made: No. 117, in page 72, line 7, leave out 'or' and insert—

'( ) smoke emitted from a railway locomotive steam engine, or'.

No. 118, in page 72, line 12, leave out 'by' and insert 'from'.

No. 194, in page 73, line 37, at end insert

'or the Alkali &c. Works Regulation Act 1906 or section 5 of the Health and Safety at Work etc. Act 1974'.

No. 119, in page 73, line 40, after 'and', insert 'subject to subsection (11) below,'.

No. 120, in page 73, line 46, at end insert—

'(11) A vessel powered by steam reciprocating machinery is not a vessel to which this Part of this Act applies.'.—*[Mr. Trippier.]*

Clause 67

SUMMARY PROCEEDINGS FOR STATUTORY NUISANCES

Amendment made: No. 199, in page 73, line 47, leave out 'are' and insert 'is'.—*[Mr. Trippier.]*

Clause 70

STATUTORY NUISANCES: SCOTLAND

Amendments made: No. 300, in page 76, line 44, leave out 'subsection' and insert 'paragraph'.

No. 301, in page 76, line 45, leave out 'subsection' and insert 'paragraphs'.

No. 302, in page 76, line 49, at end insert—

'(5B) Any dust caused by any trade business, manufacture or process, being a nuisance or injurious or dangerous to health:'.—*[Mr. Trippier.]*

Clause 73

PRELIMINARY

Amendments made: No. 200, in page 79, line 14 at end insert—

'( ) Land is "Crown land" if it is land—

(a) occupied by Her Majesty as part of the Crown Estate,

(b) occupied by or for the purposes of a government department or for naval, military or air force purposes, or

(c) occupied or managed by any body acting on behalf of the Crown;

is "relevant Crown land" if it is Crown land which is open to the air and is land (but not a highway or in Scotland a public road) to which the public are entitled or permitted to have access with or without payment; and "the appropriate Crown authority" for any Crown land is the Crown Estate Commissioners, the Minister in charge of the government department or the body which occupies or manages the land on the Crown's behalf, as the case may be.'.

No. 201, in page 79, line 17, after 'undertaker', insert 'or statutory undertaker of any description".

No. 202, in page 79, line 26, after 'institution', insert 'or educational institution of any description'.

No. 203, in page 79, line 29, after 'treated', insert 'as relevant Crown land or'.

No. 204, in page 79, leave out lines 41 and 42.

No. 205, in page 80, line 7, at beginning insert except where he is the highway or roads authority)'.

No. 206, in page 80, line 11, at end insert—

'and where, by an order under this subsection, responsibility for the discharge of those duties is transferred, the authority to which the transfer is made is, for the purposes of this Part, "responsible" for the highway, road or part specified in the order.'.—*[Mr. Trippier.]*

Clause 74

OFFENCE OF LEAVING LITTER

Amendments made: No. 235, in page 80, line 35, leave out second 'or' and insert

', any trunk road which is a special road and any'.

No. 207, in page 80, line 38, at end insert—

'( ) any place on relevant Crown land which is not a free public open place;'.—*[Mr. Trippier.]*

Clause 75

FIXED PENALTY NOTICES FOR LEAVING LITTER

Amendments made: No. 208, in page 81, line 9, leave out from 'a' to 'finds' in line 11 and insert 'litter authority'.

No. 209, in page 81, line 39, leave out 'principal'.

No. 210, in page 82, line 4, leave out 'principal'.

No. 211, page 82, line 8, at end insert—

'( ) For the purposes of this section the following are "litter authorities"—

(a) any principal litter authority, other than a county council, a regional council or a joint board;

(b) any county council , regional council or joint board designated by the Secretary of State, by order, in relation to such area as is specified in the order (not being an area in a National Park);

(c) any National Park Committee;

(d) any Park board for any area in a National Park; and

(e) the Broads Authority'.

No. 212, in page 82, line 10, leave out 'a principal litter' and insert

', or in the case of any Park board or National Park Committee, an officer acting on behalf of, a litter'.

No. 213, in page 82, line 13, leave out from 'officer' to end of line 14 and insert

', in relation to a litter authority, means the person having responsibility for the financial affairs of the authority';'.

No. 214, in page 82, line 14, at end insert—

' "National Park Committee" means a committee appointed to perform functions under paragraph 5 of Schedule 17 to the Local Government Act 1972;

"Park board", in relation to a National Park, means—

(a) a joint planning board reconstituted under paragraph 1 of Schedule 17 to the Local Government Act 1972; or

(b) a board reconstituted as a special planning board under paragraph 3 of that Schedule;'.—*[Mr. Trippier.]*

Clause 76

DUTY TO KEEP LAND AND HIGHWAYS CLEAR OF LITTER ETC

Amendments made: No. 215, in page 82, line 20, at end insert—

'( ) the Secretary of State, as respects any trunk road which is a special road and any relevant highway or relevant road for which he is responsible,'.

No. 216, in page 82, line 21, at end insert—

'( ) the appropriate Crown authority, as respects its relevant Crown land,'.—*[Mr. Trippier.]*

Mr. Pike: I beg to move amendment No. 138, in page 82, line 30, after 'practicable', insert 'within the resources available'.

Madam Deputy Speaker (Miss Betty Boothroyd): With this it will be convenient to take the following amendments: No. 139, in page 82, line 31, at end insert—

'(1A) The Secretary of State shall in respect of each financial year satisfy himself that the resources available to each local authority or other body to which this section applies are adequate to secure the proper carrying out of the functions conferred by subsection (1) above.'.

No. 145, in page 83, line 34, after 'prepared', insert 'or modified'.

Mr. Pike: Amendment No. 145 is a minor one, which makes a small improvement to the Bill. Although it is likely that the Minister will respond negatively to amendments Nos. 138 and 139, I hope that he will respond positively to that one.

Clause 76 deals with the duty of local authorities to keep highways and land free of litter. Amendment No. 138 provides that, where that is practicable, it should be carried out "within the resources available". This is the last option that we would want the Government to accept, because I believe that amendment No. 139 contains a better proposal. We tabled amendment No. 138 because we recognise that the Government are loth to make funds available to local government. If they are not prepared to meet the requirements in amendment No. 139, they should tackle the problem in the best possible way "within the resources available". That is an important distinction, going beyond the practicability referred to in clause 76.

We have seen the Government's proposals and seen how they categorise different types of streets, highways and land covered by the clause. We know about the powers they are giving the public to take action against local authorities. I know that you, Madam Deputy Speaker, always take a close interest in your local authority, Sandwell, and that you recognise the problems that the council will have in meeting the requirements of this part of the Bill. We all want litter to be eliminated.

The Government are all too fond of giving responsibilities and duties to local authorities without giving them the resources to carry them out. Councils were given the duty of calculating housing benefit after that duty was transferred from the Department of Health and Social Security, as it then was. Every local authority would claim that it has a net deficit because of that burden. The Government have a duty to ensure that local authorities have the cash resources available to carry out their responsibilities.

Mr. Trippier: We cannot have this. I must have told the hon. Member for Burnley (Mr. Pike) a hundred times in Committee that we will provide additional resources through the revenue support grant, as soon as we have ascertained from the consultants' study how much money will be required to provide for that new facility. It is not as easy as the hon. Gentleman makes it sound. A number of local authorities manage to do the job perfectly well within their existing resources. We are sitting in the middle of one —the City of Westminster. There is also Canterbury and, to name one that is not controlled by the Conservatives, the London borough of Sutton. It is under Liberal control, but it somehow manages miraculously to work well within its existing resources and keep the streets remarkably clean.

With the new duties imposed by this legislation, my right hon. Friend the Secretary of State and I have said many times that we are certainly prepared to consider providing additional resources as soon as the consultants' study is completed, which I hope will be within the next few months. We hope then to announce the formula that will be used for calculating those additional resources.

Mr. Pike: We have heard the same message from the Minister time after time. We judge the Government by their track record. They have failed to deliver in the past. We believe that they will again fail to do so. No doubt they will make additional resources available but they will not be sufficient. That is why we thought amendment No. 139 was essential to safeguard the position.

With the permission of the House, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Amendments made: No. 217, in page 82, line 32, after 'of', insert '(a)'.

No. 218, in page 82, line 34, after 'responsible', insert 'and, (b) the Secretary of State, as respects any trunk road which is a special road and any relevant highway or relevant road for which he is responsible,'.

No. 219, in page 83, line 31, leave out 'authority' and insert 'person'.—*[Mr. Trippier.]*

Clause 78

SUMMARY PROCEEDINGS BY PERSONS AGGRIEVED BY LITTER

Amendment made: No. 220, in page 84, line 32, at end insert—

'( ) any trunk road which is a special road;'.

No. 221, in page 84, line 33, at end insert—

'( ) any relevant Crown land;'.

No. 222, in page 84, line 39, at end insert—

'( ) A principal litter authority shall not be treated as a person aggrieved for the purposes of proceedings under this section.'.

No. 236, in page 84, line 41, leave out 'authority, institution or'.

No. 237, in page 84, line 45, leave out 'authority, institution or'.

No. 238, in page 84, line 46, leave out 'authority, institution or'.—*[Mr. Trippier.]*

Clause 79

SUMMARY PROCEEDINGS BY LITTER AUTHORITIES

Amendments made: No. 223, in page 86, line 3, at beginning insert—

'( ) any relevant Crown land,'.

No. 224, in page 86, line 17, at beginning insert—

'( ) as respects relevant Crown land, on the appropriate Crown authority;'.

No. 225, in page 87, line 8, after 'to', insert 'relevant Crown land or'.—*[Mr. Trippier.]*

Clause 82

DEFINITIONS

Amendment made: No. 226, in page 90, line 21, leave out subsection (5) and insert—

'(5) "Highway" (and "highway maintainable at the public expense"), "special road" and "trunk road", in relation to England and Wales, have the same meaning as in the Highways Act 1980 and "public road", "special road" and "trunk road", in relation to Scotland, have the same meaning as in the Roads (Scotland) Act 1984.'.—*[Mr. Trippier.]*

Clause 83

APPOINTMENT OF CHIEF INSPECTOR FOR ENGLAND AND WALES AND FOR SCOTLAND

Amendments made: No. 1, in page 90, line 40, leave out from 'Act' to 'the' in line 41.

No. 2, in page 90, line 42, leave out from 'inspector' to end of line 45.

No. 3, in page 91, line 13, leave out '9 and 14(3)' and insert 'and 9'.

No. 4, in page 91 line 18, leave out '16'.—*[Mr. Trippier.]*

Clause 85

ENFORCEMENT POWERS OF CHIEF INSPECTOR

Amendments made: No. 5, in page 93, line 18, after 'one', insert

'or subsection (5) of section three'.

No. 6, in page 94, line 18, after 'one', insert

'or subsection (5) of section three'.

No. 7, in page 94, line 29, after 'any', insert 'public or'.—*[Mr. Trippier.]*

Clause 89

PURPOSE OF PART VI AND MEANING OF "GENETICALLY MODIFIED ORGANISMS" AND RELATED EXPRESSIONS

Amendments made: No. 268, in page 96, line 19, leave out 'comprising' and insert 'consisting of'.

No. 269, in page 97, line 8, leave out 'subsection' and insert 'subsections (4) and'.—*[Mr. Trippier.]*

Clause 90

MEANING OF "DAMAGE TO THE ENVIRONMENT", "CONTROL" AND RELATED EXPRESSIONS IN PART VI

Amendments made: No. 270, in page 97, line 19, leave out from 'water' to end of line 20 and insert

'or any of those media'.

No. 271, in page 97, line 22, after 'have', insert

'(or of a single such organism which has)'.

No. 272, in page 97, line 23, leave out 'human' and insert 'a person's'.

No. 273, in page 97, line 24, leave out from first 'are' to 'capable' in line 27 and insert '(or is)'.

No. 274, in page 97, line 30, leave out subsection (4) and insert—

'(3A) An organism shall be regarded as present in the environment notwithstanding that it is present in or on any human or other organism, or any article or other substance, which is itself present in the environment.

(3B) Genetically modified organisms present in the environment are capable of causing harm if—

(a) they are individually capable, or are present in numbers such that together they are capable, of causing harm; or

(b) they are able to produce descendants which will be capable, or which will be present in numbers such that together they will be capable, of causing harm;

and a single organism is capable of causing harm either if it is itself capable of causing harm or if it is able to produce descendants which will be so capable.

(4) "Harm" means harm to the health of living organisms or other interference with the ecological systems of which they form part and, in the case of man, means offence caused to any of his senses or harm to his property.

(4A) "Harmful" and "harmless" mean respectively, in relation to genetically modified organisms, their being capable or their being incapable of causing harm.

(4B) The Secretary of State may by regulations provide, in relation to genetically modified organisms of any description specified in the regulations, that—

(a) the capacity of those organisms for causing harm of any description so specified, or

(b) harm of any description so specified,

shall be disregarded for such purposes of this Part as may be so specified.'.

No. 275, in page 97, line 35, leave out from 'under' to 'keeps' in line 36 and insert

'the "control" of a person where he'.

No. 276, in page 97, line 37, leave out from 'for' to end of line 40 and insert

'either or both of the following purposes, namely—

(a) for ensuring that the organisms do not enter the environment or produce descendants which are not so contained; or

(b) for ensuring that the organisms which do not enter the environment, or any descendants of the organisms which are not so contained, are harmless.'.

No. 267, in page 97, line 45, at end insert—

'( ) Genetically modified organisms of any description are "marketed" when products consisting of or including such organisms are placed on the market.'.—*[Mr. Trippier.]*

Clause 91

RISK ASSESSMENT AND NOTIFICATION REQUIREMENTS

Amendment made: No. 244, page 98, line 3, leave out clause 91.—*[Mr. Trippier.]*

Clause 92

REQUIREMENTS APPLICABLE TO PERSONAL IMPORTS

Amendment made: No. 256, in page 99, line 5, leave out clause 92.—*[Mr. Trippier.]*

Clause 93

CONSENTS REQUIRED BY CERTAIN PERSONS

Amendment made: No. 262, in page 100, line 2, leave out from beginning to 'any' and insert 'or acquire, release or market.—*[Mr. Trippier.]*

No. 277, in page 100, line 5, leave out 'received a direction' and insert 'been given directions'.

No. 245, in page 100, leave out line 6 and insert

'*(risk assessment and notification requirements)* (8)(a) above'.

No. 263, in page 100, line 9, at end insert—

'(1A) Subject to subsection (6) below, no person who has imported or acquired any genetically modified organisms (whether under a consent or not) shall continue to keep the organisms—

(a) in sueh cases or circumstances as may be prescribed, after the end of the prescribed period, or

(b) if he has been given directions under section *(risk assessment and notification requirements)* (8)(b) above, after the date specified in the directions,

except in pursuance of a consent granted by the Secretary of State and in accordance with any limitations or conditions to which the consent is subject.'.

No. 291, in page 100, line 9, at end insert—

'(1B) A person who is required under subsection (1A) above to cease keeping any genetically modified organisms shall dispose of them as quickly and safely as practicable'.

No. 264, in page 100, line 10, leave out subsection (2).

No. 265, in page 100, line 28, leave out from beginning to 'above' and insert

'any requirement under subsection (1) or (1A)'.

No. 289, in page 100, line 34, leave out from 'consent' to 'or' in line 35 and insert

'subject to such limitations and conditions as may be imposed under section *(consents: limitations and conditions)* below'.—*[Mr. Trippier.]*

Clause 95

DUTIES RELATING TO THE IMPORTATION, KEEPING OR RELEASE OF ORGANISMS IN THE COURSE OF AN UNDERTAKING

Amendment made: No. 254, in page 101, line 22, leave out Clause 95.—*[Mr. Trippier.]*

Clause 97

RIGHTS OF ENTRY AND INSPECTION

Amendments made: No. 278, in page 103, line 30, leave out from 'be' to 'genetically' in line 31 and insert

'a genetically modified organism or to consist of or include'.

No. 279, in page 104, line 13, leave out from 'above' to 'he'.

No. 280, in page 104, line 17, leave out from 'above' to 'an' in line 18.—*[Mr. Trippier.]*

Clause 98

OBTAINING OF INFORMATION FROM PERSONS

Amendment made: No. 290, in page 105, leave out lines 1 to 4 and insert—

'(a)) to be involved in the importation, acquisition, keeping, release or marketing of genetically modified organisms; or

(b) to be about to become, or to have been, involved in any of those activities;'.—*[Mr. Trippier.]*

Clause 99

PROHIBITION NOTICES

Amendment made: No. 257, in page 105, line 16, leave out clause 99.—*[Mr. Trippier.]*

Clause 100

POWER TO DEAL WITH CAUSE OF IMMINENT DANGER OF DAMAGE TO THE ENVIRONMENT

Amendments made: No. 281, in page 105, line 36, leave out 'anything' and insert 'any thing or substance'.

No. 282, in page 105, line 38, leave out from beginning to 'and' and insert

'a genetically modified organism or that it consists of or includes genetically modified organisms'.—*[Mr. Trippier.]*

Clause 101

OFFENCES

Amendments made: No. 246, in page 106, line 14, leave out '91(1) above to or' and insert

'(*risk assessment and notification requirements*) (1) above'.

No. 247, in page 106, line 16, at end insert—

'(aa) to fail to comply with section '(*risk assessment and notification requirements*) (3) above when keeping something which is, and which he knows or has reason to believe is, a genetically modified organism;'.

No. 258, in page 106, leave out lines 17 to 23.

No. 266, in page 106, line 24, leave out 'above to, or' and insert 'or (1A) above.'.

No. 255, in page 106, line 27, leave out from first 'of' to 'above' in line 28 and insert

'subsection (2), (3) or (4) of section (*general duties relating to importation or acquisition, keeping, marketing or release of organisms)*'.

No. 248, in page 106, line 30, at end insert—

'(aa) to fail, without reasonable excuse, to comply with section '(*risk assessment and notification requirements*) (5) or (6) above'.

No. 249, in page 107, line 7, leave out '91' and insert '(*risk assessment and notification requirements*)'.

No. 250, in page 107, line 14, after '(a)', insert '(aa)'.

No. 259, in page 107, line 14, leave out '(b), (c)'.

No. 260, in page 107, line 23, leave out '(b), (c) or'.

No. 251, in page 107, line 29, after '(a)', insert 'or (aa)'.

No. 252, in page 107, line 36, after 'paragraph', insert '(ee)'.

No. 253, in page 108, line 4, leave out '(a)' and insert '(aa)'.—*[Mr. Trippier.]*

Clause 103

DEFINITIONS

Amendments made: No. 283, in page 108, line 26, leave out 'the acquisition of'.

No. 284, in page 108, line 27, leave out 'by any person'.

No. 285, in page 108, line 28, leave out 'his' and insert 'a person's'.

No. 286, in page 108, line 32, after 'conditions' insert 'subject'.

No. 287, in page 108, line 32, leave out from 'which' to 'has' in line 33 and insert

'the consent for the time being'.

No. 261, in page 108, line 40, leave out '99' and insert '*(Prohibition notices)*'.

No. 295, in page 108, leave out lines 41 to 45.

No. 288, in page 108, line 45, at end insert—

'(2) This Part, except in so far as it relates to importations of genetically modified organisms, applies to the territorial sea adjacent to Great Britain, and to any area for the time being designated under section 1(7) of the Continental Shelf Act 1964, as it applies in Great Britain.'.—*[Mr. Trippier.]*

Clause 117

POWER TO PROHIBIT OR RESTRICT THE IMPORTATION OR EXPORTATION OF WASTE

Amendments made: No. 192, in page 116, line 29, at end insert—

'(dd) provide for the keeping by the Secretary of State, waste regulation authorities and waste collection authorities of public registers of information relating to the importation and exportation of waste and for the transmission of such information between any of those powers;'.

No. 193, in page 116, line 41, after '"waste"', insert ', "waste collection authority",'.—*[Mr. Trippier.]*

Clause 118

POWERS TO OBTAIN INFORMATION ABOUT POTENTIALLY HAZARDOUS SUBSTANCES

Mr. Andrew F. Bennett: I beg to move amendment No. 104, in page 118, line 7, at end insert:—

'(5) Regulations under this section shall, in relation to any requirement to be imposed under subsection (e) above where there is more than one person who manufactures the substance in or imports it into the United Kingdom, make provision for allocating the responsibility for providing test data on an equitable basis.'.

Madam Deputy Speaker: With this it will be convenient to take Government amendments Nos. 228, 227 and 231.

Amendment No. 318, in clause 133, in page 125, line 10, at end insert—

'(2) The following provision of the Act shall come into force on the day on which it is passed, namely—
section 128 (application to Crown).'.

Government amendments Nos. 232, 229, 230, 296, 297 and 233.

Mr. Bennett: I want the Minister to concentrate on amendment No. 318, which deals with the commencement day for the provision on the removal of Crown immunity. I want from the Minister an assurance about how quickly he will bring hospitals under the control of the legislation. The Minister is well aware that on several occasions I have raised the problem of the disposal of clinical waste in the greater Manchester area and the problems which the greater Manchester waste disposal authority has in getting a plant suitable to deal with it.

The Minister will be aware that from 1 April the disposal authority stopped taking hospital waste and left it to the hospitals to dispose of it themselves through private contractors or by putting it into their own incinerators. He will also be aware that several hospital incinerators in greater Manchester are out of date and do not reach the standards which will be required when Crown immunity has been removed.

Many of those incinerators are old but sadly the incinerator at Manchester Royal infirmary, which is relatively new, will not meet the standards. That incinerator is used to dispose of large quantities of hospital waste and is pumping out noxious materials over the people in the surrounding area. It is ironic that a hospital, which is supposedly there to improve people's health, is causing problems by the pollution which is coming from its incinerator.

I hope the Minister will tell us that Crown immunity will be removed as soon as the legislation receives Royal Assent and that the Government will not delay the removal of Crown immunity, thus allowing plants like that at Manchester Royal infirmary to go on polluting the surrounding area. I will listen with interest to the Minister's reply.

Because of our desire to finish at a reasonable time, I did not get a chance to speak on amendment No. 317. If I send the Minister a note about it, I hope that he will try to produce an answer before the matter reaches the House of Lords. The amendment deals with the removal from footpaths of obstructions which the Ramblers Association regards as nuisances.

Mr. Heathcoat-Amory: The reason I cannot accept the amendment, as I am sure the hon. Gentleman will recognise, is that there is normally at least a two-month period before provisions are brought into effect. If we accepted the amendment, we would have the rather odd position of part of the Bill being brought into effect with nothing to which to apply it. I ask him to accept that two months is the minimum provision for bringing the clauses into effect. It is our aim that that should apply in this case.

Mr. Bennett: May I have an assurance that Crown immunity will be removed two months after the legislation comes into effect?

Mr. Heathcoat-Amory: Yes; it is our firm intention to bring that provision into effect within two months of Royal Assent.

Amendment negatived.

Clause 121

BURNING OF STRAW AND STUBBLE ETC.

Mr. A. J. Beith (Berwick-upon-Tweed): I beg to move amendment No. 309, in page 120, line 15, leave out 'may' and insert 'shall'.

Madam Deputy Speaker: With this, it will be convenient to consider the following amendments: No. 310, in page 120, line 21, leave out 'in all, or'.

No. 311, in page 120, line 22, leave out 'in all, or'.

No. 312, in page 120, line 23, leave out 'in all, or'.

No. 313, in page 120, line 23, at end insert

'where disposal of crop residues through incorporation, baling, briquetting or composting is not a practical option.'.

Mr. Beith: This is only one of a group of amendments that are designed to strengthen the Government's resolve. Hon. Members will see that they deal with the various options for exempting the ban on straw and stubble burning.

I warmly welcome the Government's decision to include the ban in the Bill. The amendments try to ensure that it really is a ban and that the provision for exemptions does not make it inoperative. I speak with feeling, because a large part of my constituency is on fire, although not in this case because of stubble burning. It may have been started by operations conducted by the Forestry Commission. Such fires spread extremely dangerously. Hon. Members who think that it is funny should go out now with the full-time and part-time fire brigades who have been out night after night for the past month trying to put out serious forest fires. Fires cause enormous damage.

There has been a fair amount of straw burning in the past that has not given rise to dangerous fires, but some of it clearly has. One of the most compelling reasons for the

ban is the fact that any such uncontrolled fires are dangerous. They will be especially dangerous this year. We have had a dry winter and the summer has started dry. We face a serious danger.

A decade ago, serious fires in the north of Scotland ravaged forestry crops there. The same is likely to happen in Northumberland this year if the utmost care is not taken —and not only by the public, who always get the blame. Fires always supposed to have been started by a member of the public discarding a match or cigarette end, but fires started in the course of agricultural or forestry operations often spread.

Last summer, we had fires that caused serious danger to road traffic. There was a fire that caused serious smoke over the A1 not far south of Berwick for a long time. It is extremely dangerous if smoke billows across a busy road, often unexpectedly because of a change in wind direction. There is nuisance and danger; there is also enormous damage to animal and plant life, as anyone who visits areas ravaged by fires can see.

Above all, it is wasteful to destroy straw. Enterprising farmers in my constituency have taken straw to west coast farms for some years now. Usually, they can get a reasonable price for it, or at least a price that pays for the cost of transport. In some years, that has not been possible, and the National Farmers Union has organised the transhipment of straw from the east to the west coast, to the general benefit.

It is in the interests of all those farmers who have tried to abide by and operate the voluntary codes that we adopt something strict enough to deal with the handful of people who still cause problems, danger and waste. We have felt it necessary to table the amendments because we fear that exemptions might be sufficiently numerous to make it impossible for the public to know whether straw or stubble burning is taking place within the law.

I think that the Government's intention—it was certainly our belief—was that it should be quite clear that, as of this Bill coming into force, stubble and straw burning was banned. Exemptions must be so rare as not to cast doubt on a general understanding by farmers, farm workers and the public that people cannot burn straw and stubble. That understanding would be fatally undermined if there were so many exemptions, for which there is not usually strong justification, that there did not appear to be a general ban. One of our amendments indicates the numerous other things which can be done in order to make good use of straw and stubble. Stubble itself, for instance, can be ploughed back into the land.

I therefore ask the Minister for an assurance that the Government intend to see this through and ensure that there is a general ban on straw and stubble burning and that they do not envisage widespread exemptions. If there are widespread exemptions, some farmers will say that the ban is not serious and will feel that they can do a bit of straw burning and check up later to see whether they would have been exempted; and the public will not have the confidence to report any incident which poses a danger to them or a threat to wildlife and which is a wasteful use of products which can be recycled.

Mr. Morley: I rise very briefly, because we have gone through some of these points in Committee and there is no point in going over them all again. The Minister in Committee gave certain assurances about the exemptions that would be made available. Legitimate concern has been expressed by various organisations about what those exemptions will be, and it might help if a code of guidance was published so that we could see the exact thinking of the Government on what exemptions will be allowed.

Just for the benefit of hon. Members who are present, I might remind the House, to show the scale of the problem, that in 1988 there were 160 complaints about smoke and soot nuisance to local councils, a figure which went up in 1989 to 1,635 complaints.

I would also appreciate a comment from the Minister about the treatment of agricultural premises as trade premises for the burning of other wastes. Just recently, as I have travelled round the country, I have noticed large plumes of smoke coming from various farms where presumably people have been burning to dispose of such things as plastic bags, old tyres used on silage clamps and so on. I would be grateful for some clarification on whether the burning of such waste comes under the control of this Bill as it applies to trade premises and smoke pollution control.

Mr. Trippier: I very much welcome the comments of the hon. Member for Berwick-upon-Tweed (Mr. Beith), and I am most grateful to him for supporting the clause. I, like him, do not wish to see widespread exemptions. Nor do the Minister of Agriculture or the junior Minister who served on the Standing Committee—I must apologise to the House that he cannot be present at this juncture, owing to the very sad and untimely death of his mother, which has meant his leaving the House today.

I can tell the hon. Member for Berwick-upon-Tweed that the exemptions will certainly be limited. It may well be a good idea to come forward with some clearer idea as to what they could be. From memory, my hon. Friend in Committee mentioned two possible exemptions: the burning of linseed in all areas and in certain circumstances and the burning of crop residues in the context of an approved agricultural training board course, even where alternative forms of disposal for that residue exist.

However, if we carry on cataloguing the number of exemptions, we fall into the trap which the hon. Member for Berwick-upon-Tweed seeks to avoid, and I agree with him that we should not do that. I will certainly ask my hon. Friend the Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food to respond to the precise point that he has made, so that it can be clearly seen what exemptions he will consider. I hope that there will not be very many. The signal that must go out from this short debate is that we intend to stop straw and stubble burning. The move has been widely welcomed. The NFU's support of the Government's proposals shows that it appreciates that this change in the legislation is one whose time has come.

Mr. Beith: I am grateful to the Minister for his comments. I am a bit anxious about the idea that we need to train more people on courses to carry out straw burning. In the past I might have welcomed it, because it is a job which, if it is done at all, needs to be done with a great deal of skill and care and only when the wind direction can be predicted safely; but I hope that we will not need to train people to do this at all in the future, so courses will not need to be included.

I was also a bit concerned about what was perhaps a slip of the tongue by the hon. Member for Glanford and Scunthorpe (Mr. Morley). We are past talking about codes

[Mr. Beith]

of practice now. The Minister will make regulations that will be strictly limited. The fact that the code of practice proved not to be enough led us to legislate on the matter, with the support of those in the farming industry who tried to make the code work. Clearly, we needed something stronger, and the Government have given us that. The Minister has also given us the assurance that I sought, that this is intended to be a general ban and that the exemptions that he mentioned are restricted. Once the legislation and the regulations have been passed, the public will know that straw and stubble burning is banned and so will farmers. That will be a good thing for everyone.

Amendment negatived.

Clause 122

FINANCIAL ASSISTANCE FOR ENVIRONMENTAL PURPOSES

Amendment made: No. 228, in page 121, line 29, leave out 'the United Kingdom' and insert 'Great Britain'.—*[Mr. Trippier.]*

Clause 128

APPLICATION TO CROWN

Amendment made: No. 227, in page 123, line 34, at end insert—

'(7) For the purposes of this section in its application to Part II and Part IV the authority charged with enforcing the provisions of those Parts in its area is—

(a) in the case of Part II, any waste regulation authority, and

(b) in the case of Part IV, any principal litter authority.'.

—*[Mr. Trippier.]*

Clause 131

CONSEQUENTIAL AND MINOR AMENDMENTS AND REPEALS

Amendment made: No. 231, in page 124, line 46, at end insert—

'(4) Any regulations made under section 100 of the Control of Pollution Act 1974 shall have effect after the repeal of that section by subsection (2) above as if made under section 116 of this Act.'.—*[Mr. Trippier.]*

Clause 133

SHORT TITLE, COMMENCEMENT AND EXTENT

Amendments made: No. 232, in page 125, line 30, at end insert

'and, in Part VIII, the repeal of section 100 of the Control of Pollution Act 1974.'.

No. 229, in page 125, line 36, at end insert

'section 55(2)(e) in so far as it relates to importation;'.

No. 230, in page 126, line 3, at end insert

'section 127 in so far as it relates to Part VI and sections 116, 117 and 118 so far as they extend to Northern Ireland;'.—*[Mr. Trippier.]*

ABANDONED SHOPPING AND LUGGAGE TROLLEYS

Application

1.—(1) Subject to sub-paragraph (2) below, this Schedule applies where any shopping or luggage trolley is found by an authorised officer of the local authority on any land in the open air and appears to him to be abandoned.

(2) This Schedule does not apply in relation to a shopping or luggage trolley found on the following descriptions of land, that is to say—

(a) land in which the owner of the trolley has a legal estate;

(b) where an off-street parking place affords facilities to the customers of shops for leaving their shopping trolleys used by them, land on which those facilities are afforded;

(c) where any other place designated by the local authority for the purposes of this Schedule affords like facilities, land on which those facilities are afforded; and

(d) as respects luggage trolleys, land which is used for the purposes of their undertaking by persons authorised by an enactment to carry on any railway, light railway, tramway or road transport undertaking or by a relevant airport operator (within the meaning of Part V of the Airports Act 1986).

Power to seize and remove trolleys

2.—(1) Where this Schedule applies in relation to a shopping or luggage trolley, the local authority may, subject to sub-paragraph (2) below,—

(a) seize the trolley; and

(b) remove it to such place under its control as the authority thinks fit.

(2) When a shopping or luggage trolley is found on any land appearing to the authorised officer to be occupied by any person, the trolley shall not be removed without the consent of that person unless—

(a) the local authority has served on that person a notice stating that the authority proposes to remove the trolley; and

(b) no notice objecting to its removal is served by that person on the local authority within the period of fourteen days beginning with the day on which the local authority served the notice of the proposed removal on him.

Retention, return and disposal of trolleys

3.—(1) Subject to the following sub-paragraphs, the local authority, as respects any shopping or luggage trolley it has seized and removed,—

(a) shall keep the trolley for a period of six weeks; and

(b) may sell or otherwise dispose of the trolley at any time after the end of that period.

(2) The local authority shall, as respects any trolley it has seized or removed, as soon as reasonably practicable (but not later than fourteen days) after its removal, serve on the person (if any) who appears to the authority to be the owner of the trolley a notice stating—

(a) that the authority has removed the trolley and is keeping it;

(b) the place where it is being kept; and

(c) that, if it is not claimed, the authority may dispose of it.

(3) Subject to sub-paragraph (4) below, if, within the period mentioned in sub-paragraph (1)(a) above, any person claims to be the owner of a shopping or luggage trolley being kept by the authority under that sub-paragraph, the local authority shall, if it appears that the claimant is the owner, deliver the trolley to him.

(4) A person claiming to be the owner of a shopping or luggage trolley shall not be entitled to have the trolley delivered to him unless he pays the local authority, on demand, such charge as the authority requires.

(5) No shopping or luggage trolley shall be disposed of by the local authority unless (where it has not been claimed) the authority has made reasonable enquiries to ascertain who owns it.

Charges

4.—(1) the local authority, in fixing the charge to be paid under paragraph 3 above by the claimant of a shopping or luggage trolley, shall secure that the charges so payable by claimants shall be such as are sufficient, taking one financial year with another, to cover the cost of removing, storing and disposing of such trolleys under this Schedule.

(2) The local authority may agree with persons who own shopping or luggage trolleys and make them available for use in its area a scheme for the collection by them of trolleys they make available for use; and where such an agreement is in force with any person, no charge may be demanded under paragraph 3 above by the local authority in respect of any trolley within the scheme in relation to which the provisions of the scheme are complied with.

Definitions

5. In this Schedule—

"luggage trolley" means a trolley provided by a person carrying on an undertaking mentioned in paragraph 1(2)(d) above to travellers for use by them by carrying their luggage to, from or within the premises used for the purposes of his undertaking, not being a trolley which is power-assisted; and

"shopping trolley", means a trolley provided by the owner of a shop to customers for use by them for carrying goods purchased at the shop, not being a trolley which is power-assisted.'.—*[Mr. Trippier.]*

Brought up, read the First and Second time, and added to the Bill.

Schedule 1

Authorisations for Processes; Supplementary Provisions

Amendments made: No. 81, in page 127, line 6, leave out 'and advertised'.

No. 82, in page 127, line 7, at end insert—

'( ) An application to the enforcing authority for an authorisation must also, unless regulations made by the Secretary of State exempt applications of that class, be advertised in such manner as may be prescribed in regulations so made.'.

No. 83, in page 127, leave out lines 15 and 16 and insert—

'(4) Regulations under this paragraph may make different provision for different classes of applications'.

No. 84, in page 127, line 18, at beginning insert

'Subject to sub-paragraph (1A) below,'.

No. 85, in page 127, line 21, at end insert—

'(1A) The Secretary of State may, by regulations, exempt any class of application from the requirements of this paragraph'.

No. 86, in page 128, line 35, leave out '(2) and'.

No. 87, in page 128, leave out lines 40 to 44.

No. 62, in page 128, line 47, after 'shall' insert

'if the applicant notifies the authority in writing that he treats the failure as such'.

No. 88, in page 128, line 50, at end insert

'and different periods may be substituted for different classes of application'.—*[Mr. Trippier.]*

Schedule 2

Waste Disposal Authorities and Companies

Amendments made: No. 95, in page 132, line 41, leave out 'this Act' and insert 'the transfer scheme'.

No. 122, in page 132, line 42, at end insert—

'Benefit of certain planning permission

.—(1) This paragraph applies in relation to planning permission deemed to have been granted to the authority under regulation 4 of the Town and Country Planning General Regulations 1976 (deemed planning permission for development by local authorities) which subsists at the vesting date.

(2) Any planning permission to which this paragraph applies which authorises the use of land by the authority for the treatment or disposal of waste shall, on the transfer of the land to the company by the scheme, enure for the benefit of the land.'.

No. 96, in page 135, leave out lines 3 to 16.

No. 97, in page 135, line 17, at end insert—

'16A. A waste disposal authority shall, in determining the terms and conditions of any contract which the authority proposes to enter into for the keeping, treatment or disposal of waste, so frame the terms and conditions as to avoid undue discrimination in favour of one description of waste disposal contractor as against other descriptions of waste disposal contractors.'.

No. 98, in page 135, line 19, leave out from 'contract' to 'of' in line 20 and insert

'which the authority proposes to enter into for the keeping, treatment or disposal'.

No. 99, in page 135, line 31, at end insert—

'Procedure for putting waste disposal contracts out to tender

17A.—(1) A waste disposal authority which proposes to enter into a contract for the keeping, treatment or disposal of controlled waste shall comply with the following requirements before making the contract and if it does not any contact which is made shall be void.

(2) The authority shall publish, in at least two publications circulating among waste disposal contractors, a notice containing—

(a) a brief description of the contract work;

(b) a statement that during a specified period any person may inspect a detailed specification of the contract work free of charge at a specified place and time;

(c) a statement that during that period any person will be supplied with a copy of the detailed specification on request and on payment of the specified charge;

(d) a statement that any person who wishes to submit a tender for the contract must notify the authority of his wish within a specified period; and

(e) a statement that the authority intend to invite tenders for the contract, in accordance with sub-paragraph (4) below.

(3) The authority shall—

(a) ensure that the periods, place and time and the charge specified in the notice are such as are reasonable;

(b) make the detailed specification available for inspection in accordance with the notice; and

(c) make copies of the detailed specification available for supply in accordance with the notice.

(4) If any persons notified the authority, in accordance with the notice, of their wish to submit tenders for the contract, the authority shall—

(a) if more than four persons did so, invite at least four of them to tender for the contract;

(b) if less than four persons did so, invite each of them to tender for the contract.

(5) In this paragraph—

"the contract work", in relation to a contract for the keeping, treatment or disposal of waste, means the work comprising the services involved in the keeping, treatment or disposal of the waste under the contract; and

"specified" means specified in the notice under sub-paragraph (2) above.

17B. A waste disposal authority, in taking any of the following decisions, namely—

(a) who to invite to tender for the contract under paragraph 17A(4)(a) above, and

(b) who to enter into the contract with,

shall disregard the fact that any waste disposal contractor tendering for the contract is, or is not, controlled by the authority.

Variation of waste disposal contracts

17C. Where a waste disposal authority has entered into a contract with a waste disposal contractor under the authority's control, paragraph 16A above shall, with the necessary modifications, apply on any proposed variation of the contract during the subsistence of that control, in relation to the terms and conditions that would result from the variation as it applies to the original contract.'.—*[Mr. Trippier.]*

Schedule 4

Further Amendments of the Radioactive Substances Act 1960

Amendments made: No. 8, in page 138, line 39, leave out from second 'inspector' to end of line 40.

No. 9, in page 140, line 10, leave out '(4)' and insert '(5)'.

No. 10, in page 140, line 37, at end insert—

'(d) in subsection (6), for the words "the last preceding subsection" there shall be substituted the words "subsection (5) of this section".'.

No. 11, in page 142, line 33, leave out 'for England and Wales'.

No. 12, in page 142, line 39, at end insert

'or

(d) revoke such an authorisation.'.

No. 13, in page 143, line 34, at end insert—

'( ) An appeal under this section shall, if and to the extent required by regulations under subsection (10) of this section, be advertised in such manner as may be prescribed.'.

No. 14, in page 144, line 23, leave out 'the procedure for'.

No. 15, in page 144, line 40, after 'whom', insert 'he has served'.

No. 16, in page 144, line 41, leave out 'is served'.

No. 17, in page 148, line 3 after 'inspector)', insert '(a)'.

No. 18, in page 148, line 4 leave out 'and' and insert—

'(b) for the words "the last preceding section" there shall be substituted the words "section twelve of this Act"; and

(c) '.

No. 19, in page 148, line 16, at end insert—

'(10) After subsection (8) there shall be inserted the following subsection—

"(9) Where the commission by any person of an offence under this section is due to the act or default of some other person, that other person may be charged with and convicted of the offence by virtue of this subsection whether or not proceedings for the offence are taken against the first-mentioned person."'.

No. 20, in page 149, line 4, at end insert—

'Expenses and receipts

. In section 16 of the 1960 Act (expenses and receipts)—

(a) in subsection (1)(a), for the words following "incurred by" there shall be substituted the words "the Secretary of State or the Minister of Agriculture, Fisheries and Food under this Act"; and

(b) in subsection (2), for the word "Minister" there shall be substituted the words "Secretary of State or the Minister of Agriculture, Fisheries and Food".'.

No. 21, in page 149, leave out lines 18 to 22 and insert—

'(a) for any reference to the chief inspector there shall be substituted a reference to the chief inspector for Scotland, being the inspector so appointed by the Secretary of State for the purposes of this Act in relation to Scotland;

(b) any reference to the Minister of Agriculture, Fisheries and Food shall be omitted and anything required to be done in England by both the chief inspector and that Minister shall be done in Scotland by the chief inspector for Scotland;'.

No. 22, in page 149, line 37, leave out from '(k)' to 'in' line 42.

No. 23, in page 150, leave out lines 4 to 7—*[Mr. Trippier.]*

Schedule 11

Amendments of the Prevention of Oil Pollution Act 1971

Amendments made: No. 303, in page 176, line 23, at end insert—

'(ia) when, in the absence of a warrant or citation, the master or owner is first brought before a court competent to deal with the case;

(ib) when, in a case where he is liberated upon a written undertaking in terms of section 18(2)(a) or 295(1)(a) of the Criminal Procedure (Scotland) Act 1975, the master or owner appears at the specified court at the specified time;

(ic) when, in a case mentioned in paragraph (ib) above, the master or owner fails to appear at the specified court at the specified time, the court grants warrant for his apprehension;'.

No. 304, in page 176, line 26, leave out from '1975' to '; and ' in line 27.

No. 305, in page 176, line 34, after 'abandoned', insert '(other than *pro loco et tempore*)'.—*[Mr. Trippier.]*

Schedule 12

Consequential and Minor Amendments of Enactments

Amendments made: No. 91, in page 180, line 46, after 'or', insert 'the'.

No. 90, in page 181, line 42, at end insert—

'Functions assignable to London port health authority

In section 7(4) of the Public Health (Control of Disease) Act 1984 (enactments functions under which are assignable to London port health authority), after the paragraph (k) inserted by paragraph 23 of Schedule 6 to the Building Act 1984, there shall be inserted the following paragraph—

"(l) Part I and Part III of the Environmental Protection Act 1990;".'.

No. 296, in page 182, line 18, at end insert—

'Meaning of household waste: competition

. In Schedule 1 to the Local Government Act 1988 (competition: collection of household waste), paragraph 1 shall be amended as follows—

(a) in sub-paragraph (1), the words "In the application of this Part to England and Wales," shall be omitted;

(b) in sub-paragraph (2)(a), for the words "section 12 of the Control of Pollution Act 1974" there shall be substituted the words "section 39 of the Environmental Protection Act 1990";

(c) in sub-paragraph (3), for the words "section 30(4) of the Control of Pollution Act 1974" there shall be substituted the words "section 65(10) of the Environmental Protection Act 1990"; and

(d) sub-paragraph (4) shall be omitted.'.

No. 123, in page 182, line 46, at beginning insert '1(4)(a),'.

No. 124, in page 182, line 47, after '5(1)', insert 'and (4)(a)'.

No. 125, in page 183, line 8, after '(3)', insert ', (4)'.—*[Mr. Trippier.]*

Schedule 13

Repeals

Amendments made: No. 92, in page 184, line 25, leave out 'the work' and insert 'so'.

No. 195, in page 184, line 43, at end insert—

'1990 c.	Environmental Protection Act 1990	In section 66(9), the words following "Part I".'.

No. 297, in page 185, line 8, at end insert—

'1988 c. 9.	Local Government Act 1988.	In Schedule 1, in paragraph 1, in sub-paragraph (1) the words "In the application of this Part to England and Wales," and sub-paragraph (4).'.

No. 121, in page 186, line 27, column 3, after '22', insert '(1) and (2)'.

No. 233, in page 187, line 37, at end insert—

'1974 c. 40.	Control of Pollution Act 1974	Section 100.'.

—[Mr. Trippier.]

Title

Amendment made: No. 315, in line 13, after 'clean', insert

'to make provision conferring powers in relation to trolleys abandoned on land in the open air,'.—*[Mr. Trippier.]*

Order for Third Reading read.—[Queen's Consent, on behalf of the Crown, signified].

11.25 pm

Mr. Trippier: I beg to move, That the Bill be now read the Third time.

When my right hon. Friend the Secretary of State for the Environment opened the Second Reading debate, he said that he hoped that we would have an instructive time in Committee. I can honestly say that we did. It is a matter of some satisfaction to me and my right hon. and hon. Friends that the Opposition parties have welcomed virtually every aspect of the Bill. It is in line with the widespread support that it has received outside the House. There is no dispute that it delivers a series of major measures to further the protection of our environment, and its enhancement. We welcome the constructive approach that has sprung from that.

My right hon. Friend the Secretary of State happily conceded that the Bill does not do all things to all environmental problems. It never could, and we all understand why. It is fantasy to suggest that we can legislate away problems such as the greenhouse effect overnight.

Let me remind the House of some of what the Bill accomplishes. It provides a far-reaching system of controlling major industrial pollution. Integrated pollution control puts this country in the forefront of pollution control in Europe. It completely overhauls and considerably toughens our national system of waste disposal and gives an important boost to recycling at the same time. It introduces radical measures for tackling what for many people is one of the most serious environmental issues—the litter that disfigures our towns and cities.

It provides brand new controls to deal with the environmental effects of genetically modified organisms. It lays the foundations for greatly improved delivery of nature and countryside conservation at all levels. That has always been the one contentious part of the Bill. We remain convinced that reform of the Nature Conservancy Council is required and that our proposals will be wholly beneficial to conservation. That view is strengthened by Lord Carver's report. I promise the House that our response to that report will be positive and sympathetic.

On top of all that, the Bill provides for higher penalties and tougher enforcement of them for polluters across the board. It strengthens the role and powers of local authorities in dealing with local environmental issues. It provides for greatly improved public access to environmental information and includes a battery of further environmental measures, from powers to deal with imports of waste to further controls over dumping at sea.

The Bill is in the best shape to be sent on its way to the other place. It marks a milestone on the path to a better environment in Britain, and I commend it to the House.

11.28 pm

Mrs. Ann Taylor: I agree with the Minister that we had a constructive time in Committee. We spent a good number of hours debating the Bill in Committee and on Report during the past few days. Many amendments have been tabled. Many were tabled by Conservative Members and in particular by the Government. That says something about the way in which the Bill was originally drafted.

We welcome the fact the Government have for once taken on board some of the suggestions that we have made in the spirit of constructive opposition. It is a somewhat unusual experience that Ministers occasionally accept Opposition amendments. Indeed, even this evening amendments have been proposed by the Government which were the result of promises made to us in Committee in recognition of the validity of the points that we have made. That is somewhat unusual for the Government, and we welcome it.

Most Committee members and most hon. Members who have taken an interest tonight feel that they have been able to make a minor, but possibly significant, contribution to the Bill. A significant contribution was made by the Government's acceptance of the need for a register of contaminated land. I am sure that that is particularly welcome to my hon. Friend the Member for Burnley (Mr. Pike) whose Select Committee has done a great deal of work on that matter.

There are still glaring gaps in the Bill. The Minister said that environmental problems could not be solved overnight, but in Committee we were disappointed that the Government did not accept some of our suggestions for a more integrated policy between the Department of the Environment and the Department of Energy and between the Department and the Department of Transport. We understand the internal difficulties that exist and, as a result, we look forward with keen interest to the White Paper that will follow the Bill to see who will win and what Department will win.

We still have some reservations about the Bill. We shall watch carefully to see what happens to part VII and the amendments that may be forced on the Government in another place to make more sense of their proposals. We still have many reservations about the resource implications of the Bill. Promises have been given about resources for Her Majesty's inspectorate of pollution, but local authorities have been given a wide range of extra responsibilities and duties without adequate back-up, which will cause problems in the future.

Obviously we shall not vote against Third Reading, just as we did not vote against Second Reading. Although we

[Mrs. Ann Taylor]

are pleased that there has been some progress and some constructive amendments have been accepted, we still think that the Government have wasted a valuable opportunity and could have achieved far more.

The Bill has a grand title and the Government had the chance to match the image promoted by that title with some amendments. We welcome the Bill so far as it goes, but we hope that it will be significantly strengthened in another place. If that happens, we shall give the Bill all the support we can during its remaining stages.

11.32 pm

Mr. Roger Gale (Thanet, North): I congratulate my hon. Friends on a tour de force, an enormous piece of work. I have studied their deliberations with great interest and their work has been magnificent. I am particularly pleased to see, at last, a measure to control straw and stubble burning on the statute book, something for which I have fought for many years. However, a small but pertinent matter has not been attended to in the Bill.

My hon. Friend the Minister will be aware that I tabled some amendments at a late hour yesterday, which appear on the Order Paper as starred amendments—understandably, in those circumstances, they were not called. I tabled those amendments late because the national chairman and committee of the Bird Scarers Anti-Nuisance Group yesterday met with officials of the Department of the Environment and I felt that it would have been discourteous to have tabled those amendments prior to that meeting.

The control of noise in the countryside is a matter of great concern to many people. Audible bird scaring has been the subject of discussion by the Department for more than two years. It is a source of sadness to me that the same arguments have been rehearsed again and again. The Department has now produced two draft codes of practice for the use of audible bird scarers, but the measures that we have sought for more than two years are still not included in those drafts.

The amendments I tabled have not been discussed, but there will be an opportunity to address that small but important matter in another place. I hope that the Miinster will study the amendments to see if he can assist the other place to ensure that the matter receives the attention that many people believe it deserves.

11.34 pm

Mr. Pike: I echo the words of my hon. Friend the Member for Dewsbury (Mrs. Taylor) in opening the Third Reading debate for the Opposition. I welcome her comments about contaminated land and about the direction in which the Government have moved on that issue.

In the five years that I have served on the Select Committee on the Environment, I have seen the tremendous role served by Select Committees, conducted in a non-political way, in spurring and encouraging the Government to move on many issues. The Select Committee on the Environment has always tried to reach consensus decisions without dividing which has meant give and take on both sides. The Government have responded positively on many issues to recommendations from the Committee, some of which are covered by the Bill.

I agree with many of the Minister's comments and believe that the Bill has been conducted well throughout. I has been encouraging that the Government have been prepared to listen to debate and respond to positive contributions from wherever they came in Committee. The Minister highlighted many issues covered by the Bill. He did not cover them all, but I make no criticism because it was impossible for him to do so in the time allowed.

However, although many issues in the Bill were steps in the right direction, we now need to take a stride to ensure not only that when the Bill has passed through the other House and becomes an Act its provisions are enforced, but to build on that base. Other issues are not covered by the Bill. We look forward to the Government coming forward with their White Paper, and further legislation. The next major Bill on environmental protection and enhancement may be introduced by a Labour Government who will tackle the problem positively.

These issues are of worldwide signficance and are growing in importance in the public's eyes. It is right for Parliament to address the problems positively and it is important for us to play a major role in dealing with them on a worldwide basis because we must ensure that we protect the earth, not only for the people living on it now, but for future generations.

11.37 pm

Mr. Simon Hughes: There is no doubt that this is a wide-ranging and welcome Bill. It ranges from the widely understood plague of litter to the sophisticated scientific study of genetically modified organisms. There are no two more extreme poles of environmental concern. I willingly concede that it marks the Government's conversion to green interests, which is welcome. I understand that that has been strongly advocated by the Ministers in charge of the Bill, which is also welcome.

There is still some doubt about whether we have a Government with a green philosophy. We are a long way from seeing that. Perhaps the proper description is that we have a Government who are green in parts, but not yet right through. Environmental improvement in the Government is welcome, but an environmentally sound Government is yet some way removed.

The best symbol that I could find, having followed, albeit remotely, the processes of the Committee and the questions and answers that were subsequently tabled, is the exchange that has taken place several times, most recently the other day, about the Government's use of recycled paper in the Department of the Environment. That is slightly inaccurate. The Government use paper produced from offcuts in timber yards, but not paper recycled from paper used before. They have gone some way down the road, but have not yet become truly environmentalist. I hope that we shall continue much further and faster than in the past. In the 1970s we legislated against pollution. Much of that legislation was never backed up by secondary legislation. At the beginning of the 1990s, I hope that we shall have a significant Bill on the statute book. But the real proof of whether the Government are green will come when environmental matters become as dominant in their thinking as Treasury matters. I await that day with interest.

11.40 pm

Mr. Andrew F. Bennett: I welcome a great deal in the legislation, and I enjoyed the Committee and Report stages of the Bill.

Throughout our debates there has been an undercurrent, created by two missing ingredients. First, we needed a clear statement from the Government that they would make available the necessary resources. Secondly, we do not know what the White Paper will contain. That leaves me with the worry that, although a large number of new duties have rightly been placed on local authorities, the Government have not given them the proper resources to carry out their work. Through the poll tax, the Government are pressurising local authorities to spend less, and it is impossible for them to carry out their duties under the Bill without incurring extra expenditure. Most local authorities are not wasting money on other areas from which resources could be transferred.

It is appalling that the Minister announced on Monday that the White Paper was being prepared to present to the Tory party conference at the beginning of October. That is a misuse of public money, and it is bad for the protection of the environment. We were first promised the White Paper for the summer——

Mr. Trippier: I am sure that the hon. Gentleman does not want to mislead the House. I said that my right hon. Friend the Secretary of State promised the Conservative party conference in Blackpool last year that a White Paper would be published before the next conference.

Mr. Bennett: The Minister said on Monday that the White Paper would be presented for the Conservative party conference——

Mr. Trippier: Before then.

Mr. Bennett: If it comes in the summer, I will take back everything I have said, but I suspect that the date will be closer to October. By then it will be too late to include its contents in the legislative programme.

So much has been left out of the Bill, just because we are told to wait for the White Paper. If the White Paper comes out in the summer and the legislation is included in the next Session of Parliament, well and good. But I suspect that it will not appear until the party conference. Then there will be no legislation next year, and the White Paper will merely become a contribution to the Tory party manifesto.

That is appalling, because it means using Government resources to prepare and carry out policy reviews for the Tory party—and because it means delaying action on these issues. We need the White Paper in June or July and legislation in October so that we can start to protect the environment as soon as possible.

As far as the legislation goes, I welcome it, but I still have the two major reservations that I have described.

Question put and agreed to.

Bill accordingly read the Third time, and passed.

Pensions (Miscellaneous Provisions) Bill

Lords amendments considered.

Clause 1

QUALIFYING CONDITIONS

Lords amendment: No. 1, in page 1, leave out line 27 and insert—

"(c) in subsection (8), for the words "or (3)(a) above, or in both," there shall be substituted the word "above"."

11.44 pm

The Economic Secretary to the Treasury (Mr. Richard Ryder): I beg to move, That this House doth agree with the Lords in the said amendment.

Mr. Paul Flynn (Newport, West): These amendments are reasonable, benign and moderate, and, as an Opposition who are also reasonable, benign and moderate, we shall not oppose them.

Question put and agreed to.

Clause 5

GUARANTEED MINIMUM PENSIONS: ABOLITION OF DOUBLE INDEXATION FOR SURVIVING SPOUSES

Lords amendment: No. 2, in page 5, line 8, leave out from "be" to "and" in line 10 and insert

"taken to be one half of the rate of the deceased spouse's guaranteed minimum pension at that time".

Mr. Ryder: I beg to move, That this House doth agree with the Lords in the said amendment.

Madam Deputy Speaker: With this it will be convenient to discuss Lords amendment No. 3, in page 5, line 13, leave out from beginning to "of" in line 14 and insert

"subject to any directions under section 59A below (whether made before or after the coming into force of this subsection), be accordingly reduced under that subsection by an amount equal to the rate, as determined under paragraph (b) above".

Question put and agreed to. [Special entry.]

Lords amendment No. 3 agreed to. [Special entry.]

Clause 10

RESTRICTION ON ELECTION THAT REGULATIONS SHALL NOT APPLY TO PERSONS WHOSE SERVICE HAS TERMINATED

Lords amendment No. 4, in page 8, line 6, after "employment" insert "or office".

Mr. Ryder: I beg to move, That this House doth agree with the Lords in the said amendment.

I thank the hon. Gentleman for his kind remarks. He described the Bill as reasonable, benign and moderate, and that is also an ample description of the two of us.

Question put and agreed to.

Train Services (Bromley)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Dorrell.]*

11.44 pm

Mr. Roger Sims (Chislehurst): My constituency could well be described as commuter country. I have nine railway stations in my constituency or on the periphery from which local residents travel to and from central London daily to work and also for shopping and visits to the theatre, and so on. They do so mostly along the lines from Orpington via Chislehurst to London Bridge and Charing Cross or via Bickley to Victoria. I travel daily on the route, in my case from Petts Wood. Later in the month I shall do so in a little less comfort and more slowly because British Rail has decided that services which hitherto ran fast from Petts Wood to London Bridge will no longer stop at Petts Wood. That will reduce the long distance service time by two or three minutes, but it will increase the journey time from Petts Wood from about 20 minutes to 30 minutes.

Most of my constituents use the stations along the main suburban line. The exception is the small branch or spur line from Grove Park to Sundridge Park and Bromley North. At one time there was a regular service on that line to London Bridge and Charing Cross, but it has been gradually reduced until there are just a few through trains in the peak hours. Otherwise, Bromley North and Grove Park are connected by a shuttle service.

In 1986 British Rail attempted to cut out the through service. There was strong local resistance, led particularly by a local organisation, the Bromley North and Sundridge Park Association of Rail Travellers, otherwise known as Bronspart, and at that time British Rail relented. Five years ago there were five through trains in the morning and in the evening. A year ago there were three through trains at less attractive times in the morning rush hour and three in the evening rush hour. Apart from that, there was simply the shuttle service which ceases at about 10 o'clock at night and at about 7 o'clock on Saturday evenings. There is no Sunday service at all.

Last summer, British Rail announced the intended withdrawal of the through service by reducing in October the three morning and three evening peak services to two trains. There was a further reduction from two to one this month, as shown in the new timetable, and in October this year the plan is for a complete withdrawal of the through service. Only a shuttle will then be available at peak times. I have said that British Rail announced its proposals. There is, of course, a legal obligation on BR to consult only if it intends complete withdrawal. In this case it was a gradual withdrawal and the legal obligation may well not apply. However, the House may feel that there is surely a moral obligation on British Rail to consult.

Mr. Harrison Mee, the manager of Network SouthEast, attended a Bronspart meeting on 7 June and quite incidentally told the meeting of his plans. A few days later the London borough of Bromley was told. Initially, people were given the impression that these were simply proposals, but it was quite obvious that the matter had already been decided and a letter to me was couched in those terms. British Rail also claimed that public meetings had been held, but later admitted that the only meeting was the Bronspart one, to which I have referred, at which 30 people were present.

In subsequent correspondence, BR spoke of the possibility of further meetings, and told the council that its representatives would be willing to attend. They did not do so, and a meeting held by Bronspart on 18 October last year, which I chaired, was notable for the complete absence of any representatives from BR, as they refused to attend.

The manner in which BR has let its plans be known has left a rather unpleasant taste in the mouth. As a result of the withdrawal of the service, some 1,700 season ticket holders will suffer a much poorer service, assuming that they continue to use it. According to BR figures, some 1,200 people use the through trains in the morning. From October, they will have to use the shuttle and, at Grove Park station, cross the bridge—about 300 or 400 people will go in each shuttle at the 8 o'clock peak—to wait on the station, much of which is open and most uncongenial on wet and windy mornings, for the mainline train. By the time it reaches the station, it will almost certainly be full. Passengers will find that the length of their journey both to and from town has been lengthened by up to 20 minutes, or possibly even half an hour in the evenings, particularly if the mainline trains are late and the shuttle has left. These passengers—BR likes to call them customers—are people who pay the full fare, and many have chosen to live near Bromley North and Sundridge Park stations because of the train service that BR now proposes to withdraw.

The local people believe that the line makes a profit, but as BR will not issue profit and loss figures, we do not know. The figures that it produces show that reducing this service will produce savings. That is surely self-evident, and on that principle BR could go on withdrawing more services and making more savings. BR is in receipt of a public service grant. In 1988, in respect of this, the Secretary of State required BR

"to provide a public service which is comparable generally with that provided by the Board at present."

BR shields behind the word "generally", but it is obvious that passengers on the line will not enjoy a service comparable with that which they had in 1988.

One of the claims that BR has made is that the withdrawal will enable stock to be transferred to other routes, but there are doubts that this has been done, or even that there is capacity on the other routes to do so.

The reaction to these proposals was hardly surprising. A large number of letters came to me and to my hon. Friend the Member for Ravensbourne (Sir J. Hunt), whose constituents also use this station, and who hopes to catch your eye, Madam Deputy Speaker. We had letters from passengers, from the residents association and from Bronspart, and I was recently presented with a petition that has over 1,000 signatures. Alas, it is couched in terms that do not enable me formally to present it as a petition to Parliament, but it contains not only more than 1,000 names, but space for comments, and many of the signatories have taken advantage of that, and have not minced their words. I have already referred to the well-attended public meeting last October, at which my hon. Friend and I were present, although BR was not, and where strong views were expressed.

The London borough of Bromley has made representations to BR and had a meeting with officials, whom it found most unforthcoming. The only response was to invite the council to provide a capital injection of £4

million—a rather unrealistic approach. I understand that the London Regional Passengers Committee has discussed this matter and is making representations to BR.

There is a real suspicion in the constituencies that British Rail is trying to run down the services on the line so that usage will steadily decrease, when it can argue that there is a case for closing the line. British Rail would then develop the station site. Those suspicions were strengthened by the fact that British Rail suggested to officials of the London borough of Bromley that, following the closure of the through line and the platform which serves it, the council might be interested in part of the station area for an office development and car park.

The possible shadow of closure was lifted with the proposal to extend the docklands light railway to Bromley North, but recently we have been told that that extension is not to proceed. Doubts about the future of the station and the line remain.

I want Network SouthEast to reconsider its proposals. It seems deaf to pleas from its customers, from passenger organisations, from Bromley council and from me and my hon. Friend the Member for Ravensbourne. That is why I have chosen to raise the issue in the House and to give my hon. Friend the Minister the opportunity of hearing my case and that of my hon. Friend the Member for Ravensbourne. I am grateful to the Minister for his presence, especially as I appreciate that there are many other matters occupying his time at present. I know that when he responds he will say that the day-to-day running of British Rail is a matter for it and not for him. I ask him, however, to consider carefully my case and to tell Network SouthEast to think again. It has a duty to my constituents and those of my hon. Friend the Member for Ravensbourne, who are its customers. It has a duty also, I suggest, to make the best use of its assets. Far from reducing the services on the Bromley North line, it should be developing them. There is a formidable case for doing so. In the past three years both passenger numbers and receipts on the line have increased.

Bromley North station is close to the new shopping development in Bromley town centre, as well as providing easy access to the courts and the fine Churchill theatre. Bromley North is one of the few stations in the area that are completely at street level. That is a great attraction to the elderly and the disabled. They can board a train at Bromley North and go to Charing Cross, which again is at street level. London Bridge and Waterloo have ramps.

I say to my hon. Friend the Minister and to Network SouthEast that the other station, Bromley South, is heavily used. It will have to carry increased traffic with the opening of the Channel tunnel, wherever the link is finally established. Network SouthEast should be offering Bromley North as an attractive and comfortable alternative.

As a marketing man, I would advise Network SouthEast that it has in the Bromley North line a product which it should be marketing vigorously and not phasing out of use. I hope that on these grounds, and especially in the interests of my constituents, British Rail will think again, even at this late stage. I ask my hon. Friend the Minister to urge this upon it in the strongest possible terms.

11.58 pm

Sir John Hunt (Ravensbourne): I am grateful to my hon. Friend the Member for Chislehurst (Mr. Sims) for allowing me a few moments to support the convincing case which he has made for the Bromley North line and to reinforce his plea for the retention of through trains on a much-needed and widely used commuter service to London.

I tell my hon. Friend the Minister that throughout my 25 years in the House there has always been a significant level of dissatisfaction with the service provided by British Rail for this part of my constituency, together with a lurking fear that the Bromley North line would sooner or later be closed altogether. There is no doubt that, compared with the gloss and glamour of Bromley South, Bromley North is seen as a sort of Cinderella station. In recent months, the dissatisfaction with it has become markedly worse. At the same time there has been a corresponding increase in the fears about closure. In other words, the rumble of discontent has become a roar of disapproval.

As my hon. Friend the Member for Chislehurst said, a number of my constituents now suspect that British Rail has embarked on a cynical exercise in which it will allow the Bromley North service to run down to such an extent that the number of passengers using it will decline to a level at which the arguments for closure can finally be clinched. It is obvious that with through trains withdrawn, the alternative of changing at Grove Park via a footbridge on to already overcrowded trains presents very real difficulty, especially for the elderly and disabled, and is a guarantee that passenger figures from Bromley North will inevitably show a decline in the months ahead. I hope that my hon. Friend the Minister can provide some reassurance tonight about the retention of Bromley North station and the survival of the Bromley North line.

I wish to put a final point to my hon. Friend. Unlike many other parts of Greater London, Bromley has no underground railway services. It is, therefore, dependent on a surface railway in a way in which many other London boroughs are not. That, coupled with the still uncertain impact of the Channel tunnel services on the Bromley South route, make it vital that the future of the Bromley North service be safeguarded and guaranteed. I hope that my hon. Friend can tonight provide such undertakings for the House and for my constituents.

12.1 am

The Minister for Public Transport (Mr. Michael Portillo): My hon. Friend the Member for Chislehurst (Mr. Sims) began by describing his constituency as a commuters' constituency. If I may, I shall describe him as a commuters' friend. He has assiduously represented his constituents over the years. When I was researching for the debate, I discovered that it was almost six years ago to the day that he raised another Adjournment debate on the same subject. That debate took place at 3.2 am, so I consider myself lucky that history has not repeated itself.

Many matters have changed since then, and my speech will, in many respects, be dissimilar to the one given by the then Minister, my hon. Friend the Member for Hampshire, North-West (Sir D. Mitchell). Then, the picture was of a railway whose numbers were declining. Today, the picture is of a railway whose numbers are increasing. Much of the logic has changed with that.

[Mr. Michael Portillo]

My hon. Friend the Member for Chislehurst, who is moderate in all that he says and who considers his words carefully, said in that previous debate:

"It is obviously sensible that British Rail should review its timetables from time to time to take account of changes in travel patterns and demand."—[*Official Report*, 30 April 1984; Vol. 59, c. 166.]

It is just such a process that has been under way.

In the debate six years ago, my hon. Friend the then Minister referred to a public service obligation grant to British Rail of £855 million. He spoke of a reduction in the number of train miles being run in the south-east of 2 per cent., and of a decline over four years in peak commuting on the southern region into central London of more than 12 per cent. The contrast between then and now is stark.

Between 1984 and 1988 demand for Network SouthEast services rose by 26 per cent., so that in 1988-89 nearly 500,000 commuters were using NSE each day, representing 41 per cent. of all central London commuters. The increased revenue that that has created, together with improvements in productivity, has enabled BR to reduce its call on the taxpayer since 1984 by almost 50 per cent.

As my hon. Friends know, at the same time investment has risen dramatically. Over the next three years NSE plans to invest some £1·2 billion, mainly on new rolling stock both to replace existing stock and to cater for areas of particular growth. In the short term, NSE is seeking to match its services as closely as possible to demand by adjusting train formations and making alterations to the timetable. From 14 May, the total number of train miles operated by NSE will increase by 2 per cent. but changes to the timetable are never universally welcomed and that is, in part, the subject of tonight's debate.

It is right that British Rail's customers should be able to have a say when alterations to the services that they use are proposed. I am distressed to hear from my hon. Friend the Member for Chislehurst that the consultation has not taken place in the way that he would have wished. But I hope that I can reassure him and my hon. Friend the Member for Ravensbourne (Sir J. Hunt), who raised the point in particular, that the concerns of their constituents about ceasing services to Bromley North are unfounded and that it will continue to play a part in BR's plans for south-east London.

I obviously must confirm what my hon. Friend the Member for Chislehurst said: as a general rule Ministers do not like to become involved in operational matters. Few subjects are as complicated as railway planning and we believe that it should be left to the experts, but I do know that the approaches to London from the south are extremely congested and adjustments to services are made only after careful thought. Anyone who has stood at the end of the platforms at London Bridge in the morning rush hour, as I have, and observed the number of trains going through there will know that trains are almost literally fighting for space.

The decision to remove direct services from Bromley North has not been taken lightly and BR is well aware that some inconvenience may result. I have great sympathy for my hon. Friends' constituents because they will be inconvenienced, but BR has an equal responsibility to its passengers using the other lines into Charing Cross and Cannon Street, most notably the north Kent lines via Dartford. My hon. Friends will know that those commuters also have formidable champions in the House.

I am well aware that conditions have become intolerable for many commuters. British Rail recognises that the rolling stock in use is getting towards the end of its useful life and a major investment programme is planned over the next few years. To demonstrate the severity of the problem, in the 1988 annual passenger count, the last for which we have complete data, 16 trains arrived at London Bridge between 8 am and 9 am from Dartford or stations further in those trains were carrying more than 17,500 passengers, meaning that nearly 3,000 were travelling in excess of the agreed load factor standard which allows for 10 per cent. standing on journeys of less than 20 minutes.

British Rail needs to cope with that sort of demand every working day and for the time being that means allocating the resources available to it as carefully as it possibly can. Difficult choices have to be made, which will inevitably generate dissatisfaction from some and relief from many more. Sadly, we never seem to hear from the passengers whose journeys are improved.

As I have said, the removal of through trains will result in some inconvenience for passengers using Bromley North and Sundridge Park stations, as it will necessitate changing at Grove Park. But, as I have tried to explain, BR must rightly consider the needs of all its customers using the Kent link services and balance those needs. It will be of small consolation to my hon. Friends, but the policy of reallocating rolling stock from the Bromley North line has already brought relief to the services in north Kent.

The removal of the 7.22 am through service from Bromley North to Charing Cross last October released a train path which enabled Network SouthEast to relieve overcrowding on three heavily loaded trains on the Dartford lines. But by adding an extra shuttle from Bromley North and providing greater capacity on the corresponding Charing Cross service from Orpington, that adjustment was carried out with the minimum of disruption for Bromley North passengers. Similar adjustments will be made in the new timetable to ensure that the removal of the 8.45 am through service will cause Bromley North passengers the least inconvenience possible.

The other concern of my hon. Friend the Member for Chislehurst is for the long-term future of the Bromley North line. It is perhaps not at all surprising, as my hon. Friend the Member for Ravensbourne said, that the gradual withdrawal of through services has been interpreted as signalling the line's inevitable closure in the longer term. "Closure by stealth" is the expression that is used. I can say now that that is not BR's intention at all. On the contrary, it is simply looking at ways of making the line as efficient as possible in both operational and commercial terms. The majority of Bromley North's through services were not as heavily used as other services into London and it made sense to give priority to the more heavily used mainline trains. But in so doing, BR is ensuring that Bromley North will continue to be a viable, more cost-effective area of operation.

The shuttle service will be more reliable and more frequent. From October BR intends to increase the capacity of the shuttle train from two to four cars. As a result of the move to a shuttle-only service, the costs of running the line will be reduced—of course my hon. Friend

the Member for Chislehurst was right about that—which British Rail says argues in favour of retaining the line and not closing it. The more that it makes it efficient and viable, the more certain it is that it will remain in operation.

A further indication of British Rail's long-term plans for the line can be seen in its strategy of introducing the Networker trains over the next few years. These brand new high-capacity trains, many of which will run on the Dartford line in 12-car formation, will replace the Kent link fleet and will be British Rail's best weapon yet in its continuing efforts to improve conditions for its customers. British Rail intends to order one four-car Networker unit for use on the shuttle service, so that will benefit from the re-equipment of the rolling stock, and there is a specific provision for new rolling stock for that line. The decision to earmark reinvestment for that line in that way would seem to offer the clearest possible evidence that British Rail has no intention of closing the line.

It is vital that British Rail should discharge its responsibilities for all its customers in the south-east subsector of Network SouthEast. That means—I am afraid to say—weighing up the needs of all passengers who wish to travel on the congested lines into London. Whatever shortcomings there may have been in the meetings that my hon. Friends arranged and chaired, I am told that British Rail has had regular contacts over recent years with the groups representing passengers who use Bromley North and Sundridge Park stations. Following criticisms made six years ago of its efforts, BR has been trying to keep its customers informed of the plans for the line.

The proposal to withdraw the through services will certainly not be welcomed with open arms, but I hope that my hon. Friend's constituents will accept that, by improving the shuttle service and improving conditions on trains serving Grove Park, British Rail has not forgotten the needs of Bromley North commuters. British Rail has made great efforts to improve the robustness of all its services and in so doing it insists that the future of the Bromley North line has been secured.

My hon. Friend the Member for Chislehurst deployed his case formidably as he always does. My hon. Friend the Member for Ravensbourne managed to give the essence of the case in a few words. Of course, I shall ask that British Rail reads both speeches made by my hon. Friends and considers carefully the points that have been made.

I hope that if I have not been able to offer much consolation, at least what I have had to say about the long-term future of the Bromley North line may have given some reassurance to my hon. Friends and, most importantly, to their constituents.

Question put and agreed to.

Adjourned accordingly at twelve minutes past Twelve o'clock.

House of Commons

Thursday 3 May 1990

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PRIVATE BUSINESS

BIRMINGHAM CITY COUNCIL (No. 2) BILL *(By Order)*

Order read for resuming adjourned debate on Question proposed [26 February],

That the Bill be now considered.

Debate further adjourned till Thursday 10 May.

LONDON REGIONAL TRANSPORT (PENALTY FARES) BILL *(By Order)*

Order for Second Reading read.

To be read a Second time on Thursday 10 May at Seven o'clock.

Mr. Speaker: As the remaining 11 Bills set down for Second Reading have blocking motions, with the leave of the House I shall put them together.

CLYDE PORT AUTHORITY BILL *(By Order)*

Order for Second Reading read.

To be read a Second time on Thursday 10 May.

ADELPHI ESTATE BILL *(By Order)*

Order read for resuming adjourned debate on Question [27 February],

That the Bill be now read a Second time.

Debate further adjourned till Thursday 10 May.

CATTEWATER RECLAMATION BILL *(By Order)*

SHARD BRIDGE BILL *(By Order)*

VALE OF GLAMORGAN (BARRY HARBOUR) BILL *[Lords] (By Order)*

LONDON DOCKLANDS RAILWAY BILL *(By Order)*

LONDON UNDERGROUND (VICTORIA) BILL *(By Order)*

LONDON UNDERGROUND BILL *(By Order)*

Orders for Second Reading read.

To be read a Second time on Thursday 10 May.

EXMOUTH DOCKS BILL *(By Order)*

Order read for resuming adjourned debate on Question [29 March],

That the Bill be now read a Second time.

Debate further adjourned till Thursday 10 May.

GREAT YARMOUTH PORT AUTHORITY BILL *[Lords] (By Order)*

HEATHROW EXPRESS RAILWAYS BILL *[Lords] (By Order)*

Orders for Second Reading read.

To be read a Second time on Thursday 10 May.

Oral Answers to Questions

HOME DEPARTMENT

Broadcasting Bill

1. **Mr. Tim Smith:** To ask the Secretary of State for the Home Department what representations he has received on the Broadcasting Bill.

The Minister of State, Home Office (Mr. David Mellor): The Broadcasting Bill made good progress in Committee, and returns to the Floor of the House for its remaining stages very soon.

Mr. Smith: I congratulate my hon. and learned Friend on the way in which he handled this detailed and comprehensive Bill, and in particular on the way in which he responded to the many representations made about it. Can he respond to some further representations that have been made about clause 84(2), which lays down general provisions about licensed services?

Mr. Mellor: If my hon. Friend is anxious about the editorialising provisions as they affect religious broadcasting, I can say that we are giving further consideration to where to draw the important line—I know that the House will agree that that line has to be drawn—between legitimate religious expression and offering religious bodies the opportunity to expand religious broadcasting, as other groups will be able to expand other forms of broadcasting in the much wider broadcasting choice that will be available, and opening the door to the American or cult broadcasters who would do the public a disservice. I am aware of the worry that the editorialising provisions might, for instance, prevent a local church that had a community radio station from broadcasting its own religious services. I hope that the rules will not bite that deeply, but, because I am concerned about that, we shall consider whether there should be a new formulation. I hope to be able to take that a stage further on Report.

Rev. Martin Smyth: I welcome the improvements that the Minister has announced, and his further elaboration, but will he explain why Christian television stations should not be licensed when secular ones can be licensed and the same requirements could be stipulated for each?

Mr. Mellor: I am happy to say that Christian television stations on cable or on the non-direct broadcasting by satellite services can be licensed. That is one of the changes that people will welcome. The hon. Gentleman asked why should not this be done without let or hindrance. The answer would be apparent if one turned on a television in the United States and saw Mr. Orel Roberts, Mr. Jimmy Swaggart and the rest of them. Opening the way to such people is no part of the propagation of decent Christian broadcasting.

Car Security

2. **Mr. Carrington:** To ask the Secretary of State for the Home Department what information he has on efforts made by motor manufacturers in the last year to improve the quality of car security.

The Minister of State, Home Office (Mr. John Patten): Progress could certainly be faster. For example, it is very disappointing that the British Vehicle Rental and Leasing Association, which has made an anti-car theft award to individual manufacturers, felt it necessary this year to withhold the award on the ground that no manufacturer had made great progress in improving car security.

However, I understand from the Society of Motor Manufacturers and Traders that the motor industry is continuing to pursue a programme of security improvement. In large part, the society has worked with the Department of Transport towards the production of a European Commission directive based on part I of the British standard on vehicle security. It has also participated in industry meetings to produce an international standard on car alarms.

Mr. Carrington: My right hon. Friend will be aware that my constituents will be disappointed with the attitude of the motor industry towards motor car security. He will also be aware that the bulk of crime in London these days is stealing from or of motor cars and that a great deal of it could be halted if motor cars were made more secure. Will my right hon. Friend impress upon the motor industry the vital and urgent importance of improving the security of new motor cars and devising ways of improving the security of existing motor cars?

Mr. Patten: My hon. Friend is right. Thefts from motor cars represent about 26 per cent. of the annual crime figures. Most of the increase in crime in the 1980s—I choose my words carefully—has been due to an increase in car-related crime. I think that that is accurately describable as the British disease. Car manufacturers could and should do more to help, as, perhaps, should the insurance industry.

Mr. Allason: Is my right hon. Friend aware that only one model of motor car in the United Kingdom is manufactured with a foolproof and tamper-proof milometer? Is not it high time that motor manufacturers were encouraged to have tamper-proof odometers in all vehicles so that those who enter the second-hand car market can at least be offered some protection?

Mr. Patten: I was not aware of the issue which my hon. Friend has drawn to the attention of the House. It is a good idea that tamper-proof odometers should be available. It is a curious reflection that while motor cars in the United Kingdom have the same equipment fitted to them as do motor cars in West Germany, for example, our rate of car-related crime is much higher than that in West Germany. Fitting equipment is one thing; using the equipment properly is another. We are open to all suggestions. The Home Office will draw up a register of cars and rank them in terms of vulnerability to theft and break-in. I shall publish the information.

Mr. Skinner: Who would buy a second-hand car from this Government?

Mr. Patten: I once bought a very good second-hand car from my hon. Friend the Member for Epping Forest (Mr. Norris). I had it for three or four years, and it gave me great service.

Police Pay

3. **Dame Peggy Fenner:** To ask the Secretary of State for the Home Department what has been the real increase in a police constable's pay over the last 10 years.

The Parliamentary Under-Secretary of State for the Home Department (Mr. Peter Lloyd): Since the Government came to office, the pay of police constables has increased by just over 41 per cent. in real terms.

Dame Peggy Fenner: Does police remuneration under the Edmund-Davies formula include the rent allowance as an integral part, as a number of my police officer constituents, who have corresponded with me, seem to believe? What has been the increase in rent allowance for the 29 forces whose force maxima were last reviewed in 1988?

Mr. Lloyd: As my memory serves me, Lord Edmund-Davies did not make any recommendation on rent allowance. He said that he regarded it as reimbursement, not pay. I can answer precisely the second part of my hon. Friend's question. The change for those who last had an increase in rent allowance in 1988 and, therefore, did not have one last year, will be about 16 per cent. There is a small margin either way because some police forces had the uprating a few months earlier or later than others.

Mr. Wilson: If the Minister were giving evidence in a court of law, would not he be guilty of withholding relevant information? In telling us of an increase in police pay, he failed conspicuously to mention the reduction in police pay that has been effected through the imposition of the poll tax in place of the previous rating system. Is not it hypocritical to prosecute when there has been something akin to the three-card trick, with the Government giving money with one hand and taking it away with the other?

Mr. Lloyd: No. I gave accurate and clear statistics on police pay. Under the arrangements that we have made for the community charge, which every adult should pay, the police, who are extremely well paid, come into the same category as the rest of the community, and quite rightly so.

Mr. Rathbone: Does my hon. Friend accept that the Government have done extremely well by the police, but that there have been some difficulties about the rent allowance? Will he ask the chief constables in the forces concerned to report back to him on whether the rent allowance difficulties will lead to recruitment difficulties in the future?

Mr. Lloyd: The fact that police pay has risen so generously as I have said will ensure that we do not have recruitment difficulties, but we discuss such matters constantly with chief officers. My hon. Friend referred to the "problem" of rent allowances. Let me give one figure which will help to put that problem into perspective. We have spent 59 per cent. more on total police expenditure, including pay and equipment, since we took office, but rent allowances have risen by 124 per cent., showing that they have got quite out of line with what the rest of the community has to pay for housing and with police pay.

Mr. Hattersley: Why did the Home Secretary veto the agreement on pay and allowances which was decided by arbitration three months ago? Will he concede that,

because of the conjunction of the poll tax and the holding down of rent allowances, many thousands of police officers will be worse off next year than they otherwise would have been? What will that do for police morale? Does the Minister share my opinion that the Home Secretary should have answered this question on the crucial matter of police pay?

Mr. Lloyd: The police are much fairer and more sensible than the right hon. Gentleman gives them credit for. The fact that their pay has moved in the way that it has shows how well they have been looked after. As Edmund-Davies said, my right hon. and learned Friend the Home Secretary has a final duty to make a decision and he must make it on the wider basis of the totality of spending and in comparison with the rest of the community. In addition, he has a duty to report to the House, which he will do when the measures come before the House in due time.

Prison Statistics

4. **Mr. Knox:** To ask the Secretary of State for the Home Department how many people were in prison at the most recent count.

The Secretary of State for the Home Department (Mr. David Waddington): On Friday 27 April the total prison population in England and Wales was 45,948. That is 3,513 fewer than that on 28 April 1989, when the population stood at 49,461.

The latest projections of the prison population, based on information available to the autumn of 1989, suggest a continuing growth in population over the next five years to a total of 57,100 in 1995, but the fall since then has been very encouraging. The projections will be revised to take account of these changes and the proposals in the White Paper "Crime, Justice, and Protecting the Public" in due course.

Mr. Knox: I welcome the decline in the prison population in recent months, but does my right hon. and learned Friend expect it to continue to fall in future, and is he taking steps to try wherever possible to keep people out of prison?

Mr. Waddington: The central theme of the White Paper is that we should ensure that we do not send to prison unnecessarily those guilty of less serious crimes, but at the same time provide adequate powers of punishment so that the courts can give serious and severe sentences to those guilty of violent crime. In publishing the White Paper we were not embarking on a new course; we were building on the success of proposals introduced by the Government during the past eight years. I am happy to be able to tell my hon. Friend that part of the fall in the prison population during the past 12 months has been due to the fact that many fewer young offenders have been sent to prison. That is an encouraging trend which I hope will develop as a result of the White Paper.

Mr. Maclennan: Does the Home Secretary agree that the present prison overcrowding, and regimes that provide prisoners with no useful occupation, are more conducive to recidivism than to reform? Does he agree, given the natural distress of those involved in the Strangeways disturbance, which has led to cries for industrial action of a kind that seems most unwelcome, that the time has come seriously to examine with prison officers the inadequacies of the existing regimes?

Mr. Waddington: I agree with the hon. Gentleman that it is important to bend our efforts towards the improvement of prison regimes. One sad consequence of the recent outbreaks of rioting is that the damage done to cells is a real setback to our plans. One need only read the report of the chief inspector of prisons on the improvements made at Strangeways during the 12 months before the riot to recognise that a great tribute should be paid to him for making such great improvements. I agree with the hon. Gentleman that it is important to continue to tackle, the issues, but we are confronted with major problems now because of the loss of accommodation resulting from the riots.

Sir John Wheeler: My right hon. and learned Friend will welcome the dramatic and increasing reduction in the prison population. I know that he is equally concerned about the conditions for people who must be sent to prison or placed on remand. My right hon. and learned Friend will be aware that some members of the Home Affairs Select Committee visited Strangeways on Monday. Is he aware of the very high regard that the staff have for the governor of that institution? Is he aware also of the high morale that prevails, and of the great courage that they have displayed over the past 25 days? Does my right hon. and learned Friend agree that what Manchester and its staff need most of all is the remand prison brought back into use as soon as possible?

Mr. Waddington: I am glad to be able to tell the House that during the past 12 months there has been a considerable fall in the remand population. However, I agree with my hon. Friend that we should continue to address that matter. I am grateful for his remarks about the governor of Strangeways and all the prison officers working there. I certainly pay tribute to them. An assessment of the structural damage to the wings at Manchester is being made. When it is completed, we shall review the various options for the prison's future. Obviously I can see the attractions, and the importance to the staff, of bringing at least part of the prison back into use as soon as possible.

Mr. Randall: Notwithstanding the figures that the Home Secretary has just given the House, does not he accept that the Government's prison reform policy has moved at the speed of a tortoise? We are in 1990, yet too many prisoners are still locked up in cells for more than 20 hours a day in appalling conditions, and have inadequate opportunities for education and exercise. Has not the Government's continuing indifference and complacency over the past decade contributed to the kind of situation that arose at Strangeways?

Mr. Waddington: That is an extraordinary comment. As the Labour party is so coy these days about revealing its policies and how much they will cost, perhaps the hon. Gentleman will come back next time and tell the House how much an incoming Labour Government would spend on a new prison building programme. The hon. Gentleman knows perfectly well that we introduced the first substantial prison building programme this century. It involves constructing no fewer than 28 prisons, and the hon. Gentleman knows perfectly well that eight of them

have already been completed. For a member of a party that did precisely nothing about prisons when it was in office, the hon. Gentleman's remarks are sheer cheek.

Mr. David Nicholson: As my right hon. and learned Friend reflects on the unfortunate events at Strangeways, perhaps he will recall the famous remark made by Lloyd George to Churchill in the Norway debate of 1940, that Churchill should not turn himself into an air raid shelter to protect those who were really responsible. Is my right hon. and learned Friend aware that, while we on the Conservative Benches know that he will take responsibility for his Department like the honourable man that he is, we believe that he should not protect people who have given bad advice or who have not fully passed on information?

Mr. Waddington: I note what my hon. Friend says. I have already made the position perfectly clear. I have no intention whatever of placing the blame on officials. I can only tell the House the truth, which is that there is a chain of command. The deputy director-general reported to me about these matters and I did not veto any proposals that he or the governor put to me.

Community Policing

5. **Mr. Matthew Taylor:** To ask the Secretary of State for the Home Department what percentage of police time is spent in community policing.

Mr. Peter Lloyd: It is not feasible to quantify the specific percentage of time spent on community policing as it is integral to almost all aspects of police activity. It is a primary responsibility of every police officer to serve his or her local community efficiently and effectively, and with its consent and support. The deployment of officers at force level to fulfil this duty is a matter for the individual chief officer concerned.

Mr. Taylor: I hope that the Minister accepts that getting bobbies on the beat in our towns and villages is the best method of crime prevention and detection, and that that should be a priority. May I draw attention to Devon and Cornwall constabulary? On average, a constable serves 407 people in his or her area, but in our area an officer serves 523 people. That makes community policing in the far-flung towns and villages of our community difficult. Will the Minister press urgently for a substantial improvement in the ratio?

Mr. Lloyd: As the hon. Gentleman knows, my right hon. and learned Friend takes the advice of Her Majesty's inspector of police on these matters. The hon. Gentleman will undoubtedly have been delighted at the announcement of 17 more police officer posts in the police force in his area this year, and we shall consider the recommendations that are made next year. I must take issue with him on one point. Policemen on the beat are not the only or necessarily the major part of community policing, which includes neighbourhood watch, crime prevention panels, work in schools, work with young people and consultative groups. A range of activities is part of good community policing, not just the one element that the hon. Gentleman mentions, although it is an important one.

Mr. Norris: Although I join my hon. Friend in welcoming the growth in community policing, does he agree that a feature of it that deserves greater examination is the fact that the attention paid to it by different forces throughout the country tends to vary? Does he agree that advice from his Department to chief constables, emphasising the importance of community policing, may ensure that, throughout Britain, the same high priority is attached to this vital area of police work?

Mr. Lloyd: We place great importance on the matter and talk to chief officers about it. My hon. Friend is right that there are different practices in different forces and that community policing is understood in a variety of ways. That is why we have Dr. Trevor Bennett conducting research systematically with each force to see what each force regards as community policing policy. In that way we hope not only to have a common understanding of what is meant by it, but to pick out best practice to recommend to forces throughout the country.

West Midlands Police

7. **Mr. Livingstone:** To ask the Secretary of State for the Home Department when he received the special branch document ref. No. 10368/74; and what action he has taken.

Mr. Waddington: As I said on 30 March in reply to a question from my hon. Friend the Member for Newark (Mr. Alexander), a copy of this document was passed to me by the West Midlands police on 23 January 1990. I examined the document carefully and concluded that it did not constitute new evidence which might cast doubt on the safety of the convictions of the Birmingham Six.

Mr. Livingstone: As the document is a special branch record of the confession of a confirmed member of the IRA, who was then convicted for his crimes, is not the Home Secretary disturbed that on page 3 the individual names a member of the IRA, Mr. Michael Hayes, whom he met in December 1974 and who told him that he had planted one of the two Birmingham pub bombs? As the confession has been in the hands of the police and of special branch for over a decade, how can it be that it did not lead to doubts in the Home Secretary's mind and to a full investigation? Surely this calls into doubt the soundness of the conviction. Surely now is the time for a full public inquiry.

Mr. Waddington: One thing the police report certainly was not was a confession—it was a report on information provided by a person arrested for terrorist offences in the 1970s. The Home Office made inquiries about the document after a Granada television programme last November which referred to its existence, but the hon. Gentleman has got it entirely wrong. The men referred to in the document had been included in the original police investigation, but not sufficient evidence was found against them. Therefore the production of the document by Granada was a non-event and I was able to recognise it as such.

Mr. Barry Field: Will my right hon. and learned Friend ask special branch to investigate why it is that if those men are wrongly convicted they always face the wall whenever they appear in front of a prison governor because they claim that they are political prisoners and not prisoners of British justice?

Mr. Waddington: I do not think that I am capable of commenting on that. I have made my position absolutely clear: if material is put before me which it is suggested is new evidence that may cast doubt on the safety of the convictions, I am prepared to look at those matters. Here is a clear case where a great deal of fuss has been made about a document which includes the names of certain people who it is quite clear were investigated by the police way back in 1974, before the trial, when no sufficient evidence was found against them.

Crime Management

9. **Mr. Ieuan Wyn Jones:** To ask the Secretary of State for the Home Department what information he has as to how much money was invested in purchasing new technology for crime management and crime pattern analysis by each police force in Wales during 1989-90.

Mr. Peter Lloyd: The purchase of computers and other equipment is a matter for chief constables and their police authorities. I understand, however, that in 1989-90 the police forces in Wales spent the following amounts on new technology for crime management and crime pattern analysis: Dyfed Powys £7,500, Gwent £3,500 and South Wales £89,500.

In addition, the North Wales police spent £323,000 on a crime reporting system which will also provide some crime management and crime analysis facilities.

Mr. Jones: The Minister will recall that in an earlier reply his right hon. and learned Friend the Home Secretary said that he heeded the reports of Her Majesty's inspectors. Is he aware of the recent HMI report into the South Wales police which said that their lack of computers was hampering their effectiveness in detecting crime. The report states:

"Crime management and crime pattern analysis——"

Mr. Speaker: Order. The hon. Gentleman must paraphrase, not quote.

Mr. Jones: Is the Minister aware that that report makes it clear that because chief officers of police have to consult files manually they are hampered in trying to detect crime? Will he make it clear to South Wales police that further funding will be made available so that they can overcome that problem?

Mr. Lloyd: Yes, I am well aware of the HMI report and that senior officers in the forces concerned share its views on the necessity of improving the situation. Plans to do so must lie with the police authorities, and this year they are intending to spend a further £2 million on equipment. I hope that a great deal of that money will go on upgrading their computer systems. Of the amount that they intend to spend, one third will come from central Government grant.

Mr. John P. Smith: Will the Minister take this opportunity to comment on a report published today, which shows that one in five of the public in south Wales is not satisfied with the work of the police? Those people gave two reasons for their dissatisfaction—first, that the police are too busy to do their job properly and, secondly, that there are not enough police on the streets. If that police force does not receive money for its computer equipment it will be unable to do its job properly.

Mr. Lloyd: From the figures that the hon. Gentleman cites, it is clear that 80 per cent. of people in the area are satisfied with the police. In answer to the hon. Member for Ynys Môn (Mr. Jones), I said that a particular shortcoming in computer technology had been identified and knowledge of it shared with the chief officers. A substantial sum of money is available among the police forces in Wales to spend on equipment and no doubt they will spend it.

Sentencing

10. **Mr. Jacques Arnold:** To ask the Secretary of State for the Home Department what increases in sentences for serious and violent crimes there have been since 1984.

Mr. John Patten: Between 1984 and 1988, average sentence lengths increased by 33 per cent. for violence against the person, 47 per cent. for sexual offences and 28 per cent. for robbery.

Mr. Arnold: I welcome those considerable increases in sentences for violent criminals and I particularly welcome the fact that in the context of attempting to reduce the prison population, we are not weakening our efforts to deal with violent criminals. May we be assured that sentences will continue to increase in length, not only as a deterrent but to protect our constituents from violent and evil men?

Mr. Patten: I welcome my hon. Friend's concern for public protection and for women's safety in this country. It is our intention that the courts shall have lengthy sentences available to them to deal with violent and sexual offenders, and it is quite right that that should be the case.

It is also our plan that when a sex or violence offender is coming near to the end of his sentence and is about to be released into the community, there shall be new rules concerning the supervision of such an offender giving the victim and the victim's family the right to have their views taken into account as to whether, for example, a convicted rapist should return to the area where he lived before to reside for the rest of his sentence and that is quite right, too.

Mr. Lawrence: Will my right hon. Friend confirm that it has been made more possible, from a practical point of view, to increase sentences for violent and serious crime and to reduce the prison population because the judiciary has made space in our prisons by reducing the number of prisoners on remand, by keeping the number of fine defaulters down to well below 1 per cent. and by taking advantage of community service orders and the other alternatives to imprisonment that the Government have made prodigious efforts to increase?

Mr. Patten: I note what my hon. and learned Friend says about the judiciary and I accept that he is entirely accurate to say that there has been a considerable recognition by all concerned, including the Labour party, that many non-violent and non-serious offenders can be punished adequately in the community, thereby helping the community and paying back for some of the wrong that they have done.

We are absolutely determined, however that those who commit serious and violent crimes shall continue to be punished seriously and that the public shall be protected from them. Proposals by the Home Secretary include the

proposal that in future a persistent sexual or violent offender who offends again, however small the offence, can be sentenced right up to the maximum for public protection purposes.

Mr. Alex Carlile: Does the right hon. Gentleman agree that judges are to some extent inhibited from passing the right sentences by the antique and arcane calendar of offences, many of which have not been changed since 1860 or 1861? Will the Government introduce a whole new range of offences to deal with homicide and violence which would enable judges to exercise their discretion more fully and properly?

Mr. Patten: The hon. and learned Gentleman will be aware, being a recorder as well as a Member of Parliament, that there has been a considerable amount of criminal law reform in the 1980s. However, I believe that what he says is well worth considering in the 1990s.

Domestic Violence

11. **Mr. Arbuthnot:** To ask the Secretary of State for the Home Department how many special units have been established within the Metropolitan police area dealing with cases of domestic violence.

Mr. John Patten: There are currently 35 such units. A year ago there were 12. The first ever was set up in 1987 and I am told that the commissioner plans more.

Mr. Arbuthnot: Is my right hon. Friend aware that special police units to deal with domestic violence are performing an extremely valuable role, not only in protecting battered women but in nipping violence in the bud and thus keeping together families which might otherwise fall apart? Does he agree that that initiative is pursuing the valuable twin aims of preserving the family and preserving law and order?

Mr. Patten: I agree with my hon. Friend. The fact that more women are coming forward to report cases of domestic violence shows the confidence of victims in the way in which the police handle such cases, and we should pay tribute to the police for that. My hon. Friend is also right to say that early intervention by the police can stop small domestic violence incidents escalating into more serious cases of violence and can thus keep families together, which is what we all want to see. That is why in the next couple of months I shall be issuing a circular to the police encouraging them to set up more domestic violence units and to keep at-risk registers.

Mr. Corbyn: Is the Minister satisfied with the number of units that have been established? Does he concede that this important issue needs to be dealt with rapidly by the police, with an increase in the number of officers trained to deal with victims of domestic violence? Does he agree that women who are victims of such violence must be confident that their case will be recorded as one of domestic violence and not just put down as a neighbourhood dispute, as so often happens in the police recording procedures?

Mr. Patten: I hope that it will not alarm the hon. Gentleman if I say that I agree with him. It is important that every crime is reported to the police and recorded. The fact that the commissioner has introduced such an increase in the number of domestic violence units in the Metropolitan area is welcome. I hope that the hon. Gentleman will visit those in his district to see the excellent work done in them.

Juvenile Offenders

12. **Mr. Knapman:** To ask the Secretary of State for the Home Department when he intends to bring forward his proposals giving courts stronger power to hold parents liable for the criminal activities of young offenders.

Mr. Waddington: We shall bring forward legislation to give effect to the proposals in the White Paper, "Crime, Justice and Protecting the Public", including those on parental responsibility, at the first suitable opportunity.

Mr. Knapman: Does my right hon. and learned Friend accept that one third of all crime is perpetrated by the under-17s and that some parents do not seem to know where their children are either by day or at night? Could the regulations therefore be introduced at the earliest possible date, bearing in mind the experience in the United States of America where similar regulations have caused parents to consider their children's actions more carefully?

Mr. Waddington: I agree with my hon. Friend about the importance of that. It should be possible—I believe that it is—to bring home to parents their responsibility when a child goes wrong, without making the parents guilty of a criminal offence. We can do that by strengthening the powers to require parents to pay the fines imposed on their children, allowing magistrates to assess the fines according the parents' means as well as the child's means, requiring a parent to attend court when a child is brought to court and binding parents over to exercise proper control over their children. I should have thought that all right-minded people would understand the common sense of those proposals.

Concessionary Television Licences

13. **Mr. Vaz:** To ask the Secretary of State for the Home Department if he will make a further statement on concessionary licences for retirement pensioners.

Mr. Mellor: Under the 1988 regulations, the concessionary television licence is available to retirement pensioners and disabled people who live in registered residential or nursing homes or in equivalent sheltered accommodation provided by a local authority or a housing association. Some 875,000 people currently benefit from the concession. As the hon. Gentleman knows, we have no plans to make any further changes to the scheme.

Mr. Vaz: Does the Minister realise that the 44,000 pensioners who live in the city of Leicester and millions of others throughout the country, have had to suffer a dramatic decline in their living standards because of the Government's policies in the past 10 years? Does he accept that millions of them simply cannot afford to pay the cost of a television licence as well as all the other charges that they have to pay, including the poll tax? Will he speak to his right hon. Friend the Chancellor of the Exchequer, who is sitting on the Front Bench next to him, to see whether resources can be made available to implement a scheme for all pensioners? The Opposition believe that British pensioners have made a valuable contribution to society and deserve special treatment.

Mr. Mellor: The only problem with what the hon. Gentleman has said is that most of it is inaccurate. It is not true that pensioners' living standards have been falling in recent years—in fact, they have been growing. It is not true that every pensioner is in need. We know that many pensioners are well off—better off than those who would have to pay an extra amount in television licence fee if all pensioners were to receive the concession. The cost of the concession to other licence payers would be sufficient to take the television licence fee to more than £100. Despite the occasional weasel protestation from the Opposition Front Bench, they have never committed themselves to make that change, although I hope that one of them may stand up and clarify the point later.

Mr. McCrindle: Will the Minister look into what I think may be an anomaly in the regulations, whereby even if all the residents of a retirement home are of pensionable age they are not allowed the concessionary television licence if the articles of the home permit persons to be admitted to the home from age 55 even if none under retirement age are actually present?

Mr. Mellor: I think that everyone who has had to deal with this scheme has a passing regret that the scheme was ever devised, because it is of its very nature that lines must be drawn, thus creating anomalies and there are always some people just the other side of the line. We tried to tidy up the arrangements in 1988, but any tidying up still leaves hard cases. I regret what my hon. Friend has said and if that is the case I shall look at it, but it is of the nature of a scheme which was no doubt invented in a hurry and has caused a lot of trouble in the past 20 or 30 years.

PRIME MINISTER

Engagements

Q1. **Mr. Carrington:** To ask the Prime Minister if she will list her official engagements for Thursday 3 May.

The Prime Minister (Mrs. Margaret Thatcher): This morning I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

Mr. Carrington: Is my right hon. Friend aware that the voters of Hammersmith and Fulham are very grateful to the Government for having cut their community charge by £99? Does she also know that my constituents are outraged that the Labour-controlled council is spending community charge payers' money taking the Government to court to try to put the charge back up again? Will she join me in assuring the voters of Hammersmith and Fulham that if they vote for a Conservative-controlled council today the capping will stay and every community charge payer will be £99 better off tomorrow?

The Prime Minister: I am grateful to my hon. Friend. Hammersmith and Fulham has for years been a very high-spending council. In 1987-88 it put the rates up by 127 per cent., and it has increased its budget significantly in recent years, so that this year it has set a charge of £424. The council has been capped because its budget was excessive—nearly £300 per adult over the standard spending assessment. The proposed cap gives a £99 reduction in the charge and, as my hon. Friend says, the voters have every cause to be grateful to the Conservative Government. Labour-controlled councils cost you more and Conservative-controlled councils cost you less—and give a better service.

Mr. Kinnock *rose—[Interruption.]*

Mr. Speaker: Order.

Mr. Kinnock: Thank you, Mr. Speaker, for reminding Members on the Conservative Benches that they are still in Parliament.

Hon. Members: Where are the Opposition?

Mr. Speaker: Order. Such interruptions take up a lot of time.

Mr. Kinnock: Several of my hon. Friends are out ensuring even bigger gains for the Labour party in today's elections.

When the Prime Minister first decided to impose the poll tax, did she realise that all across the country, regardless of which political party has control of councils, three times as many people would lose through the poll tax system as would gain from it?

The Prime Minister: If that is so, the enemy is not the community charge but high-spending Labour-controlled councils.

Mr. Kinnock: By now the Prime Minister knows very well that that is absolutely not true. Why does she not heed the words of her fellow Conservatives in places like Redbridge, where the large Conservative majority on the council passed a resolution calling upon the Government "to desist from misleading the public and to accept its own overriding share of responsibility for the level of community charge"?

Why does the Prime Minister not accept the inescapable truth of that statement from her Conservative colleagues and, just for once, come clean?

The Prime Minister: Because it is local councils which set the community charge—I trust that the right hon. Gentleman does not argue with that—and, as he knows, the top 50 overspenders are all Labour-controlled councils. *[Interruption.]* The top 50 overspenders are Labour-controlled or councils with no overall control. The difference is well exemplified by my authority which, after safety net, has a community charge of £268 but which is top in the education stakes. The Labour-controlled authority where the right hon. Gentleman lives has a community charge after the safety net of £408 and is 74th in educational performance.

Mr. Kinnock: Does not the Prime Minister realise that councillors of all parties, including her own, deeply resent the way in which she is trying to blame them for that which is her fault? Why will she not stand up and accept her own guilt?

The Prime Minister: Labour councillors are expected to take responsibility for the community charges which they set. If they cannot take responsibility, they should not be there. The fact is that under Labour people pay more for poorer services and for spending on things that they do not want. Conservative-controlled councils cost less and provide a better service.

Q2. **Mr. Patrick Thompson:** To ask the Prime Minister if she will list her official engagements for Thursday 3 May.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Thompson: Can my right hon. Friend assure the House that every kind of diplomatic pressure is being brought to bear to secure the release of the hostages in the middle east? Does she agree that it would be wholly wrong to enter into direct negotiations with terrorists or those who are their sponsors?

The Prime Minister: Yes, I agree with my hon. Friend. Obviously we very much want to get our hostages out and every day we are trying to do something to that end. May I point out that our embassy staff have remained in Beirut throughout a very dangerous and difficult period? One of their main purposes in being there is to try to find out any information that they can about any hostages.

Yes, we are using diplomatic contacts and pressure, but there are certain obstacles—for example, the fact that Iran broke off diplomatic relations with Britain over the Rushdie affair. We maintain a dialogue with Iran through our protecting power, which is Sweden, and through other contacts, and we shall continue to do that. We are also in touch with the Americans and, like them, we welcome the role that Iran and Syria played in securing the freedom of the two American hostages. I agree with my hon. Friend that it would be wrong to make deals with those who take hostages and we shall not do that.

Mr. Allen: This is a statement. It is an abuse.

Mr. Speaker: Order. It is a matter which is of grave concern to the whole House.

The Prime Minister: It is wrong to make deals with those who take hostages. We shall not do that, and nor does the United States. The Archbishop of Canterbury has this morning reaffirmed his view that the Government's policy is sound and that one should never reward hostage-taking because to do so would encourage more of it.

Q3. **Mr. Wilson:** To ask the Prime Minister if she will list her official engagements for Thursday 3 May.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Wilson: Will the Prime Minister comment on the collusion which has been exposed today between the Tory-appointed chairman of Lothian health board and the Scottish health Minister, the hon. Member for Stirling (Mr. Forsyth), for the purpose of suppressing until after today—and I quote:

"to avoid political embarrassment to the chairman of the Scottish Conservative party"

—the proposals of that hand-picked Tory health board to close four hospitals and to cut nursing and paramedical services in order to meet a deficit? In how many other corners of Britain are similar plans being suppressed until today is out of the road? Does the Prime Minister realise that the people of Scotland will never accept the dual role of the hon. Member for Stirling as Scottish health Minister and as chairman of the Conservative party in Scotland in manipulating the Health Service for shameless political ends?

The Prime Minister: I know of no such collusion whatsoever. I point out to the hon. Gentleman that my hon. Friend the Parliamentary Under-Secretary of State for Scotland has done wonders for the Health Service in Scotland. There are more hospitals, more nurses, more doctors who are better paid and more patients being treated than ever before. It would be kind if people could pay a tribute to the Under-Secretary who has had a good deal to do with that.

Q4. **Mr. Rathbone:** To ask the Prime Minister if she will list her official engagements for Thursday 3 May.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Rathbone: Will my right hon. Friend, following her statement last Tuesday, give greater reassurance to the House that the Government will introduce positive and persuasive ideas for co-operative evolution in the European Community? Will she apply her undoubted leadership qualities to breed cohesion among Community leaders to ensure that the Community develops in a way that benefits everyone in Europe?

The Prime Minister: Yes. In the next few weeks we shall present ideas to make the institutions of the Community work better, on the basis of sovereign states working through national Parliaments and through the Council of Ministers in the Community in a way that benefits everyone. We shall also be introducing some different ideas for economic and monetary union—bearing in mind the approach of the House, which is not to move in anything like the Delors direction, as that would rob us of our powers. We think that our ideas would go further to ensure the co-operation of the Community states to benefit everyone.

Mr. Ashdown: Has the Prime Minister read the reports in today's newspapers about the Dudley man who was sent a bill for £1·91 poll tax for the last two days of his wife's life? Does she not see that that adds shame to the verdict of inefficiency and injustice that is being passed on the poll tax at the ballot box today? How powerful must the vote of protest against the poll tax be before the right hon. Lady will listen?

The Prime Minister: I am grateful to the right hon. Gentleman for referring to that action by Dudley Labour council, which was not under an obligation to collect that sum from the deceased person's estate. *[Interruption.]* The relevant regulations provide only that sums owing may be recovered in the administration of the person's estate and from his executor or administrator. The Department of the Environment has been advising authorities that if a person dies shortly after 1 April they should consider writing off any outstanding amount. Furthermore, there is no doubt that in this case the cost of billing Mrs. Wood's estate exceeded the amount of the charge.

Q5. **Mr. David Shaw:** To ask the Prime Minister if she will list her official engagements for Thursday 3 May.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Shaw: Will my right hon. Friend tell the House whether she has any information about local authorities which provide good services at reasonable cost, as opposed to those which provide poor services at extortionate cost?

The Prime Minister: I gladly comply. My hon. Friend will know the answer. It is Conservative councils which

give good value for money, cost less and give excellent services. It is Labour councils which cost people more, offer poorer services and often spend money on things that people do not want. The object lesson is clear—elect Conservative councils.

Q6. **Mr. Eadie:** To ask the Prime Minister if she will list her official engagements for Thursday 3 May.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Eadie: Will the Prime Minister sack the hon. Member for Stirling (Mr. Forsyth)—the Parliamentary Under-Secretary of State for Scotland—because he instructed Lothian health board to withhold its programme of hospital closures until after today's regional elections? Does she agree that that is typical of the hon. Member for Stirling and that the Scottish people have had enough of him because of his sustained attacks on their welfare?

The Prime Minister: No, I will pay tribute to the work of my hon. Friend the Under-Secretary of State with responsibility for the Health Service in Scotland for the excellent way in which the service is run, to the great benefit of most of the people in Scotland—who, I am sure, are much more satisfied with it than the hon. Gentleman is. I noted that the hon. Gentleman did not ask me a question about the community charge, possibly because the level of community charge set by Lothian is the highest of any authority in Scotland.

Mr. Eadie: On a point of order, Mr. Speaker——

Mr. Speaker: I will take it in a minute.

Q.7 **Mr. Gale:** To ask the Prime Minister if she will list her official engagements for Thursday 3 May.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Eadie: On a point of order, Mr. Speaker.

Mr. Speaker: What is the point of order?

Mr. Eadie: Should not the same strictures apply to the Prime Minister as apply to other Members of the House when they deal with matters not contained in the question?

Mr. Speaker: I cannot be held responsible for what is said in answer to questions.

Mr. Gale: There is probably no one in the House who cares more than my right hon. Friend about the plight of the hostages in the middle east, but in the light of her earlier answer will she reaffirm that the only result of giving in to terrorists is, in the long run, the taking of more hostages, and that the only way forward must be through quiet diplomacy?

The Prime Minister: Yes, I agree with my hon. Friend. If we ever give in to blackmail it results in the taking of more hostages, which is why neither we nor the Americans will make deals of that kind. We both try and will continue to try, through our contacts, through the protecting power, and through other contacts that we have, to do everything possible to bring about the release of the hostages, about whom we are very concerned. We note that America has done no deals—it is through quiet contacts that her hostages have been released.

Business of the House

Dr. John Cunningham (Copeland): Will the Leader of the House state the business for next week?

The Lord President of the Council and Leader of the House of Commons (Sir Geoffrey Howe): The business for next week will be as follows:

TUESDAY 8 MAY AND WEDNESDAY 9 MAY—Progress on remaining stages of the Broadcasting Bill.

At the end of Wednesday, there will be a motion relating to the statement of changes in immigration rules (HC 251).

THURSDAY 10 MAY—Completion of remaining stages of the Broadcasting Bill.

Motion to take note of EC document relating to general product safety. Details will be given in the *Official Report*.

The Chairman of Ways and Means has named opposed private business for consideration at seven o'clock.

FRIDAY 11 MAY—Private Members' Bills.

MONDAY 14 MAY—Private Members' motions.

Second Reading of the Pakistan Bill *[Lords]*.

The Chairman of Ways and Means is expected to name opposed private business for consideration at seven o'clock.

The House will wish to know that, subject to the progress of business, it will be proposed that the House should rise for the spring adjournment on Thursday 24 May until Tuesday 5 June.

[Thursday 10 May Relevant European Community Document 7480/89 General Product Safety.

Relevant Reports of European Legislation Committee HC 15-xxx (1988-89), para 1 and HC 11-xix (1989-90) para 1.]

Dr. Cunningham: May I ask the Leader of the House to consider his treatment of Supply time? Why has such a lengthy time elapsed without the Opposition having a day on which we may choose a subject for debate? Will the right hon. and learned Gentleman discuss that through the usual channels, because a backlog of Opposition Supply days appears to be building up and we do not want to have to take them all in a rush at the end of the Session?

Will the Leader of the House consider bringing forward without further delay the Police (Amendment) Regulations 1990, which deal with the Government's vetoing of an arbitration award to the police in connection with their allowances, including their liability under poll tax regulations? We suspect that the Government have been hiding away this contentious issue until after today's local elections. Consideration of the order by the House is long overdue and I hope that it will come before us for debate before very much longer.

As the Leader of the House will be aware that independent forecasters are confidently predicting that next week there will be a further damaging rise in inflation, perhaps reaching double figures, will he arrange for an oral statement by the Chancellor of the Exchequer so that we can all question him about the damaging consequences for industry, the economy and mortgage rates of a further rise in the rate of inflation? The Leader of the House will have seen today's good news that John McCarthy and Brian Keenan have been seen recently and apparently are quite well. Sadly, there are no similar reports on Terry Waite and Mr. Jack Mann.

Will the Leader of the House consider—I emphasise the word "consider" because I know that these are difficult and delicate matters—whether we should have a statement next week from the Foreign Secretary? We just witnessed, in effect, a statement from the Prime Minister with no opportunity for hon. Members to ask questions, which was an abuse of our procedures. I do not regard that as an adequate way—*[Interruption.]* I am not raising this contentiously; I am asking the Leader of the House to consider whether it would help all hon. Members to have a statement next week. No one is suggesting that we should deal with terrorists or should reach behind-the-scenes agreements with people who kidnap our citizens, but even the Archbishop of Canterbury has today called for direct dialogue.

Whatever the circumstances, Governments of other countries have been more successful in obtaining the release of their citizens who have been taken as hostages than have our Government. A reconsideration of existing policy and approach may be helpful. Will the Leader of the House discuss with his colleagues whether we may have a statement next week?

Sir Geoffrey Howe: I shall bear in mind the first point made by the hon. Gentleman—it was perfectly reasonable for him to make it—for discussion through the usual channels.

On the hon. Gentleman's second point, the House may not have noticed that the matter to which he referred will be debated on the Adjournment on 14 May. In view of that —I believe that the prayer is out of time—I am not sure that another debate would be appropriate or necessary.

As to the hon. Gentleman's request for a statement on the retail prices index, that would be a departure from precedent wholly without justification. The RPI is announced once a month, and has been since I can remember. I shall not introduce that innovation.

On the hon. Gentleman's last point, I understand and share the pleasure at the news that Mr. McCarthy and Mr. Keenan are alive. I share his anxiety for good news of the other British hostages. I have been concerned with their welfare for many years. He understands, as he implied in his question, the difficulty of making a firm commitment to a statement on that matter.

The House must understand that there are special factors affecting the British position—for example, as the Prime Minister said, that the Government of Iran broke off diplomatic relations, following events of which the House is only too well aware. All these matters are under discussion, but I cannot give the undertaking that the hon. Gentleman wants. I shall bring his question to the attention of my right hon. Friend.

Mr. Timothy Raison (Aylesbury): Does my right hon. and learned Friend agree that it is important for the House to have an early chance to debate the future development of the political institutions of the European Community? When might such a debate occur?

Sir Geoffrey Howe: I can understand my right hon. Friend's perfectly proper interest in bringing this matter to the attention of the House. I shall bear his suggestion in mind, but I cannot give him an answer at the moment.

Mr. Greville Janner (Leicester, West): May we have an early debate on the National Health Service provision for Trent region, and on Leicestershire in particular? Is he

aware that an all-party group of Leicestershire Members of Parliament is this afternoon meeting the Secretary of State for Health to express their concern that the 3 per cent. cut in real terms, which is affecting our county when it needs more health provision, is resulting in swingeing cuts in hospitals, wards and other services, which is disgraceful and is reflected in far too many other parts of the country?

Sir Geoffrey Howe: Any request for such a debate would be most likely to succeed in the context of a debate on the Adjournment. I hope that, if the time comes, the hon. and learned Gentleman will find it possible to acknowledge that there has been an increase in real terms of some 40 per cent. in the total resources for the National Health Service.

Sir Alan Glyn (Windsor and Maidenhead): In view of the changes occurring in Lithuania and the Baltic states, will my right hon. and learned Friend consider having a very early debate about the pressure that the Soviet Government appear to be putting on the reunification of Germany?

Sir Geoffrey Howe: I cannot promise an early debate on that specific subject. I assure my hon. Friend that the Government remain acutely and continuously concerned about that matter.

Mr. James Wallace (Orkney and Shetland): Following the Prime Minister's detailed clarification of the liability or non-liability of the deceased to the poll tax in England, will the right hon. and learned Gentleman make arrangements for the Secretary of State for Scotland to come to the Dispatch Box next week to clarify the position in Scotland? Despite many invitations during Scottish questions, he has failed to give us an answer about the position in Scotland. That lack of clarity has meant that many constituents of mine and of my right hon. and hon. Friends are distressed because councils have exacted poll tax on deceased people. We would welcome clarification from the Secretary of State for Scotland; otherwise, we will again be seen to be treated as second-class citizens.

Sir Geoffrey Howe: My impression of my right hon. and learned Friend the Secretary of State for Scotland is that he has a greater gift than almost anyone to make the position crystal clear in answer to questions. I shall draw to his attention the specific point raised by the hon. Gentleman.

Sir Geoffrey Johnson Smith (Wealden): My right hon. and learned Friend will be aware that it was not until the spillover Session last year that we had a debate on the defence White Paper. Will he reassure the House that this year there will be an earlier debate, perhaps shortly after the Whitsun recess?

Sir Geoffrey Howe: I regret that I cannot give my hon. Friend that specific assurance, although I can assure him that I will consider the timing of such a debate with as much sympathy as his request deserves.

Mr. D. N. Campbell-Savours (Workington): May we have a statement on the reports over the weekend that the House of Commons Commission will consider the salaries of staff, especially those in the Refreshment Department? Is the right hon. and learned Gentleman aware that I have a bill for a meal last night in the Dining Room of the House of Commons? It is for £5·40 for a three-course meal, which included half a litre of red wine. Is it not improper that hon. Members can eat meals at transport café prices on the back of cheap labour hired by the House of Commons Refreshment Department? Is it not fair to say that every Member of Parliament would willingly pay £1 or £2 more for a meal to ensure that such people are paid a proper wage for doing such important work in the House of Commons?

Sir Geoffrey Howe: As the hon. Gentleman knows, there are proper and established mechanisms for staff of the House and for trade unions to put their grievances and concerns about pay, and for those to be properly considered by the management. The House of Commons Commission will be considering some aspects of that question at its next meeting.

Mr. John Browne (Winchester): Does my right hon. and learned Friend recall that the parties to the Montreal protocol are meeting in London at the end of June, and that one of the specific items that they will be discussing is the depletion of the ozone layer? Is he further aware that early-day motion 932 calls clear attention to the need to phase out methyl chloroform?

[That this House calls upon Her Majesty's Government to propose to the European Council of Ministers on 7th June that a phase out of methyl chloroform, an ozone-depleting chemical, be negotiated by the European Economic Community at the London meeting of the parties to the Montreal Protocol, on 20th to 29th June 1990.]

Will he convey that message to his Cabinet colleagues so that the Government can take a leading role in having that and other ozone-depleting chemicals phased out internationally and as a matter of urgency?

Sir Geoffrey Howe: I am aware of the meeting to which my hon. Friend has referred. I remind him that the Government have reached a common position with our European Community partners on the proposal to phase out methyl chloroform that was put forward during negotiations.

Mr. Tony Banks (Newham, North-West): Is the Leader of the House aware that the Norwegian Government have made clear their intention to seek the lifting of the moratorium on commercial whaling when the International Whaling Commission meets in July? Does he share the great concern of all hon. Members and of people outside the House that that should be proposed by the Norwegians, who previously had a good reputation for environmental care—although not in respect of whaling? Will he ensure that any Ministers who attend the United Nations conference in Bergen next month will protest volubly on behalf of the House and the British people? Can we please have an early debate on the conservation of whale stocks, both in the north Atlantic and the Antarctic?

Sir Geoffrey Howe: I am sure that the hon. Member and the House will need no reassuring of the Government's real and continuing concern and interest in this matter, not least in the light of the request made recently by Norway. There can be no question of lifting the moratorium on commercial whaling until the scientific advice is clearly that whale stocks can be sustained at healthy levels. The Government consider that the International Whaling Commission must develop a new management procedure

[Sir Geoffrey Howe]

to guarantee that there will be no repeat of over-exploitation. That is the extremely cautious and concerned way in which the Government will approach the matter raised by the hon. Gentleman.

Mr. Andrew Mitchell (Gedling): Has my right hon. and learned Friend had a chance to read the report on the front page of the *Daily Mail* about the extremely disturbing series of events that it is alleged are taking place in a prison in Nottingham? These events will be of enormous concern to my constituents. Is he aware that the Home Secretary has already started an investigation into these allegations? When that investigation has been completed, will my right hon. and learned Friend make time available for a statement on the results of it?

Sir Geoffrey Howe: I can understand my hon. Friend's concern with these matters. I hope that he is reassured by the fact that my right hon. and learned Friend the Home Secretary is conducting the investigation to which my hon. Friend has referred. I will bring to the attention of my right hon. and learned Friend the view that my hon. Friend has expressed, which underlines the gravity of the matter.

Mrs. Margaret Ewing (Moray): When the Leader of the House draws to the attention of the Secretary of State for Scotland the valid point raised by the hon. Member for Orkney and Shetland (Mr. Wallace), will he emphasise that local authorities in Scotland are beginning to issue 14-day final notices of poinding and warrant sales to the executors of the estates of people who have been deceased for a year? For example, in my constituency, the widow of a skipper who was lost at sea last year, has been threatened with that course of action for a sum of £12·16. Do not we need clarification of this ruling?

Sir Geoffrey Howe: The House understands that these matters have to be considered with due sympathy and consideration for the circumstances of the people concerned and with due regard to the legal provisions. I shall draw to the attention of my right hon. and learned Friend the Secretary of State the example that the hon. Lady has mentioned.

Mr. Simon Burns (Chelmsford): Would my right hon. and learned Friend consider helping to unravel some of the confusion about the unfairness and the punitive nature of the roof tax by arranging a debate on the subject to help the Opposition explain their position?

Sir Geoffrey Howe: My deep anxiety to unravel the difficulties of the Opposition does not extend as far as organising an important debate such as that at such short notice.

Mr. Nigel Spearing (Newham, South): The Leader of the House acknowledged, in reply to the right hon. Member for Aylesbury (Mr. Raison), the importance of institutional developments in the European Community. Therefore, will he consider reverting to the previous practice of having oral statements after the meeting of the Council of Foreign Ministers, now generally called the General Affairs Council of the Communities, particularly as from now until June, and possibly until December, the Council will be preparing the way for constitutional discussions?

Sir Geoffrey Howe: As I understand it, that question and the possible answer to it need to be considered afresh in relation to each meeting of the General Affairs Council. I shall see that the hon. Gentleman's point is brought to the attention of the Foreign Secretary.

Mr. Nigel Forman (Carshalton and Wallington): In view of the great importance to many of my constituents of the cost and conditions of travelling on rail commuter services in and out of the centre of London, will my right hon. and learned Friend consider organising an early statement—or better still, a debate—in which it may be possible for the House to discuss rail commuter services, especially in view of the threat reported in the press today that the price of rail services may be going up by a great deal more than the rate of inflation, which causes great concern to my constituents?

Sir Geoffrey Howe: As a Member who also represents a number of London commuters, I understand my hon. Friend's concern with the matter. I do not want to vouch for the truth of the rumour to which he has referred—indeed, on the contrary—but I shall draw the matter to the attention of my right hon. Friend the Secretary of State for Transport.

Rev. Martin Smyth (Belfast, South): The right hon. and learned Gentleman must be aware of the growing support in the House, as evidenced again last night, for dealing with Northern Ireland legislation other than by Orders in Council, where possible. Will Parliament be given an opportunity in the near future to declare its intention on the issue, so that Northern Ireland might be governed by the same seamless robe of government rather than the machinations of the Northern Ireland Office?

Sir Geoffrey Howe: As I have told the hon. Gentleman, I think more than once, my right hon. Friend the Secretary of State for Northern Ireland is only too willing to consider his concerns and those of other Northern Ireland Members about the procedures for handling legislation and to consider any constructive proposals. I shall draw the attention of my right hon. Friend to the point which the hon. Gentleman has raised.

Mr. Bob Dunn (Dartford): Does my right hon. Friend the Leader of the House share my concern at the announcement this morning that those responsible for illegal ballot-rigging in elections to the executive of the Transport and General Workers Union are now not likely to be identified or brought to justice? As the House is concerned about the links with that union and leading members of the Opposition, will he give an undertaking that there will be an urgent investigation into the affairs of the TGWU at an early date after the Whitsun recess?

Sir Geoffrey Howe: I am not sure about the status of the news to which my hon. Friend refers. My impression was that the inquiry and investigations were still continuing. I shall bring the matter to the attention of my right hon. and learned Friend the Secretary of State for Employment.

Ms. Majorie Mowlam (Redcar): I do not want to bother the Leader of the House again by asking when we shall have a debate on the House of Fraser. I am not sure that even he can come up with another way of saying no or yes without giving a definitive answer, but a response would be appreciated.

I ask, however, for an urgent debate on directors' pay. I am sure that he is aware that it is running at four times the rate of inflation. Many newspapers are carrying the story, and there is general public outrage at the 33 per cent. average increase in directors' pay. These increases are not, as one hon. Member has suggested, in line with the profits of companies, because the profits of many companies are diminishing. This is an outrage and a bad example. I ask for a debate so that the Government can join the Labour party and the CBI in condemning the increases.

Sir Geoffrey Howe: I could make a link between the point raised by the hon. Lady and the point raised by the shadow Leader of the House, the hon. Member for Copeland (Dr. Cunningham), and hope that the Opposition will take advantage of their forthcoming Supply day to raise the matter. More seriously, I share the hon. Lady's concern, although not to the extent or in the language expressed by her, about the course of the necessary curtailment of the growth of unit labour costs and the necessary control of our effective competitiveness alongside profitability. Those in charge of companies and businesses should take account of the need for moderation for themselves as well as for those whom they employ.

Mr. James Kilfedder (North Down): Will the deputy Prime Minister provide time for a debate on the preservation of open spaces in towns in Northern Ireland? The matter is urgent because, for instance, the people in Hollywood, in my constituency, will shortly be deprived for ever of the opportunity of using the old gasworks site at Kinnegar, Hollywood as a recreation ground. Secondly, decisions are being made in private about the seafront at Bangor, which was, disgracefully, turned into a car park. I understand that plans are being made for property speculators to build on part of the site.

Sir Geoffrey Howe: I am not altogether sure whether the House of Commons is the best place in which to disclose those undoubtedly important details about the problems with which my hon. Friend is concerned. I shall bring them to the attention of my right hon. Friend the Secretary of State for Northern Ireland.

Mr. Dennis Skinner (Bolsover): Since the Leader of the House cannot find sufficient time for debates and statements, is he aware that that conflicts with the statement that he has made about the holidays? Does he understand that the Whitsun holiday that he has just announced is probably the longest in the 20 years since I have been a Member of this place? Is he aware also that, when he got his job, Tory Members in particular were cheering him to the echo? I was puzzled to know why. I think that I have now found the answer.

Sir Geoffrey Howe: I only hope that on that point the hon. Gentleman will join the rest of the House in cheering me to the echo.

Mr. Nicholas Bennett (Pembroke): When my right hon. and learned Friend considers his response to the hon. Member for Copeland (Dr. Cunningham) for more time for Opposition debates, will he consider imposing two conditions—first, that Labour Members should turn up for them and, secondly, that the Opposition should say what they would do if they were in power? Is it not the greatest con on the British electorate to promise the earth and not say how the money would be raised?

Sir Geoffrey Howe: My hon. Friend draws attention to two entirely legitimate criticisms of the Opposition. It is beyond my power to impose conditions on the Opposition, much though I would wish to do so.

Mr. Harry Barnes (Derbyshire, North-East): May we discuss the Government's abuse and misuse of statistics and parliamentary procedure? It has taken me more than a month and two points of order to obtain an answer from the Department of the Environment on the breakdown of local government finance. The original estimate was that 50 per cent. would come from local government grant, 25 per cent. from the national business rate and 25 per cent. from the poll tax, but the actual figures are strangely close —48 per cent., 26 per cent. and 26 per cent.—and that has been made possible only because they take into account the aggregate external finance figure, to which extra grants have been added. We should have a debate on how the Government are using figures.

That arrangement is dubious because, if the Government were correct and the poll tax was only 26 per cent. of the total, the Government would have no case against the levels that are being charged, because they are in line with their own predictions. Therefore, poll tax levels must be due to the legislation, not to local authorities.

Sir Geoffrey Howe: I am astonished and baffled by the hon. Gentleman's point. He complains about the accuracy of three figures—50 per cent., 25 per cent. and 25 per cent. —emerging as 48 per cent., 26 per cent. and 26 per cent. If, in any examination that he sat, he could achieve a 96 per cent. accuracy rate in respect of all three parts, he would be congratulating himself.

Mr. Ivan Lawrence (Burton): Is my right hon. and learned Friend aware that he will have the support of Conservative Members in his decision not to have a debate or a special statement next week on the hostage affair, because it might exacerbate a delicate situation? But will he give an undertaking that the Government will take every opportunity next week to continue to make it clear to the Iranian Government that no British Government could reward terrorism by making any bargain for the release of the hostages, and that, if the Iranian Government want to become part of the civilised world again, and to become acceptable and trustworthy, they have only one course—to make sure that all the hostages are released immediately and unconditionally.

Sir Geoffrey Howe: My right hon. Friend the Prime Minister made it clear, as Ministers have often done, that it would never be right to reward hostage taking, and my hon. and learned Friend is entirely right to draw attention to that matter. On the other hand, as my right hon. Friend the Prime Minister also made clear, we welcome the role that Iran and Syria have played in securing the freedom of two of the American hostages. We shall continue to encourage such a response in the most effective way that we can.

Mr. Jeremy Corbyn (Islington, North): The Leader of the House must be aware of the deep concern that many British people have about the potential danger of any sale of arms to Iraq. Early-day motion 869 points out that the Iraqi Government have practised genocide against the Kurdish people, have an appalling and disgraceful human rights record and that any trade with Iraq, be it direct sales from Britain, credit that is made available to the Iraqi

[Mr. Jeremy Corbyn]

Government, or diplomatic recognition and support for Iraq, in effect supports Iraq's human rights record and its attacks on the Kurdish people.

[That this House believes that the Government of Iraq has an appalling record on human rights and that it has used chemical and biological weapons against Kurdish people; believes that it is inconsistent to ban the sale of weapons or weapons material to the Government of Iraq whilst allowing credit and trade; and therefore demands a ban on all trade with Iraq.]

In those circumstances, may we have a debate in the House on our relationship with Iraq so that those of us who believe strongly that there should be no trade with Iraq while it continues its murderous practices against the Kurdish people, using chemical and biological weapons against them, can argue that all trade should be stopped to show that we are serious in our condemnation of the Iraqi Government's abuses of human rights?

Sir Geoffrey Howe: No one hesitates to condemn the abuse of human rights in Iraq, as in any other country, and the hon. Gentleman is entirely right to draw attention to that. He should also acknowledge that the guidelines on the sale of defence materials to Iraq remain in exactly the same state as they were when they were originally drawn up in the course of the Gulf conflict.

However, as my right hon. Friend the Minister of State, Foreign and Commonwealth Office made clear about a month ago, cutting off all trade with Iraq would serve only to create a satisfaction among our industrial competitors and the loss of jobs in Britain. That is not a sensible thing to allow, however much one may abhor the abuse of human rights.

Mr. Harry Greenway (Ealing, North): Will my right hon. and learned Friend arrange a debate soon on early-day motion 854?

[That this House is appalled at Ealing Council's failure to pay statutory maintenance grants to many students for the past two terms; notes that those same students enter a third term without payment of grants due to them from that council despite repeated assurances that the grants will be paid in full at an early date; notes the highly hypocritical opposition of the Ealing Labour Council to interest free student loans as proposed by Her Majesty's Government whilst at the same time forcing students from the borough of Ealing to take out bank loans at high interest rates to pay for board, lodging and other essentials; and demands immediate action from Ealing Council to rectify the deplorable situation in which it has placed so many people who deserve better.]

In that motion, I draw attention to the fact that many higher education students in my constituency and across the whole borough of Ealing have not had their grants paid by Ealing's Labour-controlled council for three terms. Many of those students are in total penury and are having to make use of bank loans at very high interest rates, as a consequence of the actions of a council that opposes student loans at a zero interest rate. Can something be done for those students, who are suffering greatly at the hands of the Labour party?

Sir Geoffrey Howe: As I have told my hon. Friend more than once, he is assiduous in drawing to the attention of the House the shortcomings of Labour-controlled Ealing council. My hon. Friend has raised the matter before, and it has been investigated by my right hon. Friend the Secretary of State for Education and Science. Most outstanding grants have now been paid and steps have been taken to prevent a recurrence. My right hon. Friend the Secretary of State is closely monitoring progress, and he will continue to follow up every individual case that my hon. Friend refers to him.

Mr. Eric S. Heffer (Liverpool, Walton): Will the right hon. and learned Gentleman reconsider his attitude in respect of the whole Iraqi question? As certain persons have now been brought before the courts in respect of the so-called supergun, that matter is now sub judice. Initially, that was not the case, yet the Secretary of State for Trade and Industry refused to answer questions that even you, Mr. Speaker, ruled were not sub judice. Will the Leader of the House refer that matter to the Select Committee on Procedure to consider?

No Secretary of State, in either a Conservative or Labour Government, should be allowed to refuse to answer questions just because a case is before the courts. The House has not been getting the answers that it should receive, and I hope that the right hon. and learned Gentleman will seriously consider my remarks. I am not raising a matter of self-interest—it is one which affects all right hon. and hon. Members.

Sir Geoffrey Howe: I do not doubt for a moment the seriousness of the hon. Gentleman's interest in the matter. Circumstances arise when cases that might lead to prosecutions require investigation by the appropriate authorities. In the case in question, Customs and Excise is the independent authority responsible for conducting investigations and for bringing prosecutions. It could be equally embarrassing to the process of investigation as to the process of prosecution, for the matter to be questioned at large in the House.

I do not exclude interrogation of the circumstances in the House at a later stage, when the proceedings have been brought to an end, but there is a real need to be discreet, in the extent to which the House pursues matters that are the subject of investigation with a view to criminal proceedings. One cannot give as clear-cut an answer to the hon. Gentleman's question as he implies. I have examined that matter and will do so again, but at this stage I cannot give an undertaking to refer it to the Select Committee on Procedure.

Mr. John Greenway (Ryedale): The shadow Leader of the House asked for a rather narrow debate on the subject of the police housing allowance. Does not my right hon. and learned Friend agree that there would be merit in a wide-ranging debate on the police in general, in the light of recent reports about policing? Also, will he investigate a report in *The Sun* today that a young police officer injured in the recent poll tax riot in Trafalgar square has now died? Will he join me in conveying the sympathies of the House to that police officer's family and relatives and in condemning those who incited violence at the demonstration in question?

Sir Geoffrey Howe: I have indeed seen that report, and I join my hon. Friend in sending sympathy to the family of the police officer concerned. [HON. MEMBERS: "Hear, hear."] I am glad to note that that is endorsed by hon.

Members on both sides of the House. I take note of my hon. Friend's suggestion of a debate on the wider aspects of policing at some later date.

Mr. Roger Knapman (Stroud): Will my right hon. and learned Friend find time for an early debate on local authority finance? Would that give the hon. Member for Copeland (Dr. Cunningham) a chance to expand on his speech in the House two years ago last December on the Local Government Finance Bill? When he was asked about Labour party policy, he said that he was coming to it, and later he grew really bold and said that he was coming to it soon. Is this not probably the most delayed second coming in the history of mankind?

Sir Geoffrey Howe: I know of my hon. Friend's interest in these matters and commend him on the way in which he has raised them.

Mr. Michael Jack (Fylde): My right hon. and learned Friend will be aware that the 16,500 aerospace workers in Lancashire fully appreciate that their future depends on the Government's strong economic policies and the orders that result therefrom for the defence industry. They are anxious to hear from the Government about the outstanding matters on the radar for the European fighter aircraft. Can my right hon. and learned Friend offer an early prospect of an announcement on that issue?

Sir Geoffrey Howe: I can certainly assure my hon. Friend that my right hon. Friends in government are well aware of the interests of his constituents in this important matter and will endeavour to offer further information when it is available.

Mr. Ian Bruce (Dorset, South): My right hon. and learned Friend will know that we voted against the European social charter. May we have a debate about the implication that, despite our having vetoed the charter itself, many directives could come from the Commission as a result of majority voting which would be likely to prevent us from having certain employment, social and trade union legislation? Can we have a debate to make it clear to the European Parliament and the Commission that hon. Members on both sides feel that the matter is of great importance?

Sir Geoffrey Howe: I understand my hon. Friend's interest in this matter. He will recall that, at successive meetings of the European Council, the Government drew attention to our opposition to the social charter formulated as a whole and made it plain that each component part which may or may not come forward in the consequent action programme would need to be scrutinised closely and carefully, in accordance with the procedures of this House and other places.

Sir Ian Lloyd (Havant): In view of the characteristically churlish, ungrateful and ungenerous remarks of the hon. Member for Bolsover (Mr. Skinner) about the dates for the Whitsun recess, may I express thanks, not only on my behalf but for all hon. Members, for the response of my right hon. and learned Friend to the suggestion made some time ago that one day at Whitsun is worth two at any other time of year? If the hon. Gentleman chooses to come back in the middle of Whitsun, could the lights be put on so that he may bask in his own reflected glory?

Sir Geoffrey Howe: Subject to the availability of the lights at such a time, I shall certainly take account of the generous, gracious and encouraging remarks of my hon. Friend.

Points of Order

4.8 pm

Dr. John Cunningham (Copeland): On a point of order, Mr. Speaker. You will recall that, at Prime Minister's Question Time, the Prime Minister, not for the first time, read at some length from what was obviously a carefully prepared statement. The issue concerns British hostages in Iran and is an important one. There has been some discussion through the usual channels about whether it should be raised in the House, and about the most helpful way to proceed.

First of all, it is an abuse of the House for the Prime Minister to use Question Time to read lengthy prepared statements on important subjects on which hon. Members are precluded from asking questions. It is an abuse to read out long prepared statements of that kind.

Secondly, it is a totally unsatisfactory way for the House to deal with business, particularly sensitive and controversial issues that are not party political—certainly this is not a party-political issue. We are told by Conservative Members that such matters should not be raised at all. One of the Prime Minister's supporters repeated that argument this afternoon, but, at the same time, that hon. Gentleman and others seemed to endorse the behaviour of the Prime Minister. In those circumstances, the House gets the worst of all worlds.

Statements are made that cannot be questioned, and subsequently we are told that statements cannot be made to the House on which Opposition Members or Conservative Back-Bench Members could question Government policy. I ask you, Mr. Speaker, to consider this matter, to which we should give some thought. Perhaps you will let us have your thoughts in due course.

The Lord President of the Council and the Leader of the House of Commons (Sir Geoffrey Howe): Further to the point of order, Mr. Speaker. May I take up one thing mentioned by the shadow Leader of the House? He said that twice a week, regularly, week after week, the Prime Minister faces questions from this House, sometimes dealing with sensitive and non-party political matters. In those circumstances, I hope that the hon. Gentleman will bear in mind the importance of her answers to a whole range of questions of that sensitivity being carefully thought out and considered in advance.

Mr. John Greenway (Ryedale): Further to that point of order, Mr. Speaker.

Mr. Speaker: Is it further to it?

Mr. Greenway: Yes, it is.

Is not it churlish of the shadow Leader of the House to criticise the Prime Minister's performance at the Dispatch Box bearing in mind that she, unlike most other leaders of European Community member states, stood at that Dispatch Box and answered questions for more than an hour only on Tuesday?

Dr. Cunningham: Since this is important, we might as well get the record straight. I was not criticising what the Prime Minister said, or her conduct in the matter. I was criticising what I regard as an abuse of the procedures of the House—an entirely different point. I was saying that it was an abuse of Prime Minister's Question Time. I made no comment on the content of what the Prime Minister said.

Several Hon. Members *rose*——

Mr. Speaker: Order. Perhaps the House will allow me to deal with this matter. I am not responsible for questions that are asked. I have no idea what an hon. Member with an open question on the Order Paper is likely to ask, so I cannot be held responsible for what the Prime Minister says in reply.

Earlier in the week, we had a point of order deprecating such questions but perhaps one of the bonuses of open questions is that they enable questions on important matters that have occurred recently to be asked and answered. Whether there should be a fuller statement so that the Prime Minister, or the Minister concerned, can be properly questioned is a different matter and not one for me.

Mr. James Wallace (Orkney and Shetland): On a point of order, Mr. Speaker. This relates to open questions and the answers to them. I appreciate that you are not responsible for the answers that the Prime Minister gives, but I know that you are anxious that as many hon. Members as possible should be able to participate in Prime Minister's Question Time and, therefore, the length of her answers may sometimes be relevant to how many hon. Members can get in.

You will have noted, Mr. Speaker, today that, in response to a question from the hon. Member for Midlothian (Mr. Eadie) on the Health Service in Scotland, the Prime Minister, as well as answering that question, gave a further answer relating to the poll tax—in answer to a question that had not been asked. I know that you do not have responsibility for the content of answers, Mr. Speaker, but I am sure that you would deprecate the lengthening of the Prime Minister's answers when she gives wholly irrelevant answers to questions that have not been asked.

Several Hon. Members *rose*——

Mr. Speaker: Order. It is not a good practice to answer questions that have not been asked.

Mr. Ivan Lawrence (Burton): Further to that point of order, Mr. Speaker.

Mr. Speaker: Order. I reckon that we did fairly well this afternoon. We normally get down to Question 6, but today we got down to Question 7.

Mr. Lawrence: Further to that point of order, Mr. Speaker.

Mr. Speaker: Why?

Mr. Lawrence: Could you kindly confirm, Mr. Speaker, that what the Prime Minister did this afternoon was certainly not an abuse of the procedures of the House?

Mr. Speaker: That is absolutely correct. When we have open questions and the Prime Minister answers a question that she may not have been aware she would be asked, it is equally open to other hon. Members who are called subsequently to put further questions to her on that same matter. That that seldom happens, of course, is not a matter for me.

Mr. Ian Bruce (Dorset, South): Further to that point of order, Mr. Speaker. I seek your guidance as a new Member and on behalf of many people who watch our proceedings on television or in other places who may be confused. Am I right to believe that, just as it is in order for Opposition Front-Bench spokesmen to read from a script when asking questions, my right hon. Friend the Prime Minister, who has to answer questions on so many different subjects, can have information in front of her so she can read from it to ensure greater accuracy?

Mr. Speaker: Some tolerance has always been given —the hon. Member is not all that new—to those on the Front Benches, particularly to Ministers answering from the Dispatch Box, in the interests of accuracy. But quotations from Back Benchers and others are not allowed. "Paraphrasing" is the word.

Mr. Dennis Skinner (Bolsover): But, Mr. Speaker, would you deprecate the art of using planted questions? It seems clear from some answers given recently, especially last Tuesday and again today, that Conservative Members were asking questions on two topics to which the Prime Minister had long answers. It is clear that there was collaboration at some level.

Perhaps the Prime Minister, through your good offices, Mr. Speaker, might follow the example of the Leader of the House, who today answered 20-odd questions in a little over 25 minutes—giving clean, courteous, short, if muddled, answers—thereby enabling us to ask more questions of her.

Mr. Tony Banks (Newham, North-West): On a point of order, Mr. Speaker.

Mr. Speaker: Is it on the same matter?

Mr. Banks: Yes, it is.

Mr. Speaker: Before I took the Chair in 1983 I recollect hearing, in my previous incarnation, about planted questions, but I do not know what the hon. Member for Bolsover (Mr. Skinner) is talking about in that context these days.

Mr. Banks: Has your attention been drawn to the reported remarks yesterday by the Minister of Agriculture, Fisheries and Food when he referred to vegetarianism as an unnatural thing and somehow against the teachings in the Bible? I and others know that you, Mr. Speaker, are the most eminent vegetarian in the House. Was it not folly for even a Minister to suggest that somehow Mr. Speaker would indulge in any unnatural practices whatever? How do you intend to deal with the Minister? Do you think that there might be a case for examining whether he has finally caught mad cow disease?

Mr. Speaker: I am not certain that I want to get involved in that. I have dealt with the matter to the extent that I have sent a private letter—the contents of which, of course, I could not disclose—to the Minister of Agriculture, Fisheries and Food giving him a quotation from Romans, which I think should put the matter in its proper perspective.

Mr. Archy Kirkwood (Roxburgh and Berwickshire): On a fresh point of order, Mr. Speaker. May I crave the indulgence of the House to refer to the fact that it has been pointed out that yesterday I asked the Parliamentary Under-Secretary of State for Scotland to do something that makes no sense, perhaps not for the first time? I am reported as asking:

> "Will he give an undertaking that there will be a single dual carriageway built . . . between Hawick and Carlisle?"—[*Official Report*, 2 May 1990; Vol. 171, c. 1022.]

I wish to make it clear that I uttered those words and that *Hansard* has not made a mistake. The mistake was in my head and I wish, for the avoidance of any future doubt, to delete the word "dual." I sought to ask him to make a single carriageway the length of the road between Carlisle and Hawick, and I am grateful for the opportunity to put that right.

Mr. Speaker: That can probably be permitted.

Mr. Eric S. Heffer (Liverpool, Walton): On a point of order, Mr. Speaker. Perhaps we should not worry about made cow disease but about mad heifer disease.

Mr. Speaker: The hon. Gentleman said it.

STATUTORY INSTRUMENTS, &c.

Ordered,

That European Community Documents Nos. 4020/90, 4021/90 and 4022/90 on marketing certain plants and plant propagating material be referred to a Standing Committee on European Community Documents.—*[Mr. Lightbown.]*

Orders of the Day

Australian Constitution (Public Record Copy) Bill

Order for Second Reading read.

4.19 pm

The Solicitor-General (Sir Nicholas Lyell): I beg to move, That the Bill be now read a Second time.

On 5 April this year my right hon. and learned Friend the Attorney-General informed the House that the Government intend to make it possible to hand over to the Commonwealth of Australia, as a gift, one of the two vellum copies of the Act of Parliament that brought Australia into being as an independent nation. The introduction of that Bill on ANZAC day last week was a first step towards the fulfilment of that undertaking.

The public record copy of the Commonwealth of Australia Constitution Act 1900 is already in Australia on loan. The effect of the Bill will be to release that copy from the provisions of the Public Records Act 1958, thereby enabling Her Majesty's Government to accede to the Australian Government's request that it should remain there permanently.

There are two copies of the Commonwealth of Australia Constitution Act 1900 which were printed on vellum. One is held in the record office of the House of Lords as the official record of parliamentary proceedings. The other is the Public Record Office copy, which has been on loan to Australia for the past two years. The Act established the framework for the Commonwealth of Australia, including the powers of its Government and judiciary, and its provisions have remained relatively unchanged since its enactment.

The Act was drafted by Australians and endorsed at the time by a majority of Australians and by each of the Australian Parliaments and Governments. The Australians already hold a duplicate original of the royal proclamation, signed by Queen Victoria, that brought the Act into force on 1 January 1901, and a duplicate original of the commission of Royal Assent to the Act, also signed by Queen Victoria. The provision of that copy of the Commonwealth of Australia Constitution Act on a permanent basis will, therefore, complete the trinity of documents which, taken together, represent Australia's birth certificate as a nation. Far from being a dimly remembered historic document, the Act is regarded by Australians as the embodiment of Australian nationhood, containing provisions that remain as relevant now as they were 90 years ago.

Mr. Eric S. Heffer (Liverpool, Walton): Does the Act include anything about the rights of aborigines in Australia? This matter concerns them and many other people in Australia, particularly in relation to what has happened recently. If it does not, what is the Government's attitude to that?

The Solicitor-General: I shall seek to answer the hon. Gentleman in a moment.

A great deal of interest has been shown in the document by the Australian people. Since the public record copy of the Act was loaned to Australia for the bicentennial in 1988, more than 2 million visitors have had the opportunity to see it on display in Parliament house in Canberra. There can be no doubt of the depth of feeling that lies behind the request to hold a copy of the Act permanently.

The Government recognise that the arguments against the disposal of any of our public records are also strong. Public records are an important part of this country's heritage and form an integral and unique collection which goes back a long way. We would not lightly agree to disperse material from our national archive. But in view of the special circumstances of the Australian Government's request, including the fact that the people of Australia have become accustomed to having easy access to the document and minds are presently focused on old ties between our countries, the Government have decided that it would be right to find a way to offer the document to the Commonwealth of Australia as a gift, and my right hon. and learned Friend the Attorney-General so informed the House, by written answer, on 5 April. My right hon. Friend the Prime Minister has now written to Mr. Hawke offering a gift of the document, and that offer has been warmly accepted.

As things stand, the copy of the Act is a public record selected for permanent preservation under the terms of the Public Records Act 1958. The provisions of that Act do not allow for gifts or permanent loans of records to be made. The Bill will make it possible for the document to be released to the Commonwealth of Australia by providing that this vellum copy of the Act alone ceases to be among the United Kingdom public records to which the Public Records Act applies. The Bill has been drafted in such a way as to make it clear that this change in statute refers, and is intended to refer, to this one document alone. The preamble refers to Her Majesty's Government's willingness to

"advise Her Majesty to accede"

to the Australian Government's request.

The Bill will not technically make the gift but will rather make it possible, subject to parliamentary approval for the course of action that the Bill proposes. I am pleased to be able to tell the House that there will be an ideal opportunity formally to hand over the document when my right hon. and learned Friend the Lord President visits Australia on official business this summer. To make this possible, the Bill must proceed rapidly so that Royal Assent may be obtained before the summer recess. It is also desirable that the Bill should come into force without the usual two-month interval after Royal Assent.The abbreviated timetable for the Bill will ensure that the proper arrangements are in place in time for my right hon. and learned Friend's visit.

I am looking to my left to see whether I can answer the question of the hon. Member for Liverpool, Walton (Mr. Heffer) before I conclude my initial remarks. It may be that, with some manual assistance from my hon. Friend the Member for Teignbridge (Mr. Nicholls), I shall be in a position to do so.

The position, as I expected—but I am grateful to have confirmation of it—is that the 1900 Act to which the hon. Gentleman referred does not, as far as we know, refer to the aboriginal people. If, as a result of further investigations, I receive any contra-indication during the debate, I will let the House and the hon. Gentleman know.

This short Bill will make possible a gesture which means a great deal to the people of the Commonwealth of

Australia, a nation with close and long-lasting legislative and constitutional links with our Parliament. We at Westminster should welcome this opportunity to recognise the Australian commitment to parliamentary democracy, which endures within a framework that the 1900 Act set up. The gift of a copy of the Act is a symbol of the history, heritage and traditions that we share and of our friendship, and I commend it to the House.

4.27 pm

Mr. John Morris (Aberavon): I thank the Solicitor-General for introducing the Bill and, on behalf of Opposition Members, warmly endorse its purpose. It is right also to thank my right hon. Friend and namesake the Member for Manchester, Wythenshawe (Mr. Morris) who, if not the father of this Bill—because it is the Lord Chancellor's and the Attorney-General's—is at least its stepfather. In that he was fully supported by hon. Members of all parties in the House, and the Bill is the result of his sterling work as chairman of the parliamentary ANZAC group, and with the assistance and co-operation of many people including, in particular, Mr. Doug McLelland, the Australian high commissioner in London. The House knows that once my right hon. Friend the Member for Wythenshawe has a bone between his teeth he never lets go, and it was gracious and right of Mr. Bob Hawke, the Australian Prime Minister, to thank both the Government and my right hon. Friend for their part in bringing into effect a hitherto unique event.

Mr. Hawke set out his country's case succinctly in his article in *The Times* of 22 February this year. I noticed from the tenor of the Solicitor-General's remarks that he had read this closely: many of the phrases that he used were borrowed from that article, perhaps without acknowledgment. He said:

"Australia is a young country, yet it is fast developing a sense of history."

He said that the Act which we are passing to Australia as a gift is not

"a dry and dusty piece of paper, but a. . .document which continues to have a direct and immediate impact on a vast range of Australia's affairs."

The constitution embodied in the Act has changed little since 1900. It is appropriate, therefore, that the handing over of Australia's birth certificate should coincide with the year of the centenary of the Australian Federation conference. As Mr. Hawke wrote:

"The constitution set us on a path of peaceful and ungrudging disengagement from the protection of our British founders, and led to the irresistible emergence of an independent and self-reliant Australia."

I think that the word "self-reliant" describes most of the Australians whom we know.

Together with the duplicate originals, referred to by the Solicitor-General, of the royal proclamation bringing the Act into force on 1 January 1901 and the Royal Assent, both signed by Queen Victoria, the public records original of the Act—one of only two—will comprise, as Mr. Hawke said, and as quoted by the Solicitor-General, "a trinity of documents" which Mr. Hawke described in the article in *The Times* as his nation's "birth certificate". A big country needs a birth certificate in three parts.

It would be churlish of me to comment unduly on the difficulties that were placed in the way of my right hon. Friend the Member for Wythenshawe and his supporters from all parties, but the letter from the Cabinet Secretary would provide unchallengeable material for those who write the scripts for the "Yes Minister" programme. It is right to say:

"All's well that ends well",

and I am sure that the cutting of the Gordian knot to overcome the difficulties owes a great deal to the Lord Chancellor who, I suspect, may have said in the face of the paraded and apparently insuperable difficulties, "Up with this I will not put."

Of course, in recent years our relationship with Australia, particularly in economic matters, has changed. Not unnaturally, Australia has become more and more involved in its Pacific and Asian role. Nevertheless, the steady flow of young people who come from the other end of the world to spend a few years with us and in the rest of Europe, before returning to their own land, continues unabated. I suspect that the flow has increased. In the summer months the accent of Australia's young is heard in all sorts of activity, supporting themselves before moving on to other parts of Europe. What always strikes me is the warmth of their welcome and their closeness to people wherever they find temporary work. I wish all those young people happiness and joy during their stay with us. When they go home, having seen much of this part of the world, they will return with their ancestors' ties re-established on the basis of their own experience.

We noted with pleasure that 2 million visitors have seen the Act while it was on temporary display. We noted, too, the intention to give it pride of place in the museum of political history planned for the old Parliament house in Canberra.

I had two questions to ask but one has already been answered by the Solicitor-General. First, what thought has been given by the Government to possible requests from other Commonwealth countries? It seems inevitable that such requests will be forthcoming. My second question was about how Australia and the Government would mark the unique occasion of the formal passing over of responsibility for the Act, despite the fact that it is in Australia now. I welcome very much the announcement that the opportunity will be taken to pass over the Act when the Lord President visits Australia. That will be appropriate. I am sure the Opposition will seek to expedite the passing of the Bill to ensure that it receives Royal Assent in good time.

4.34 pm

Mr. Churchill (Davyhulme): Let me congratulate the right hon. Member for Manchester, Wythenshawe (Mr. Morris)—I almost said "my right hon. Friend", because he is the friend of so many of us on both sides of the House—on conceiving and promoting a Bill which will ensure that, for the first time, Australia has one of the two original copies of the Commonwealth of Australia Constitution Act 1900. It is amazing that that was not done at the time, and that 90 years should have been allowed to pass before Australians could have a copy of their birth certificate. However, as the right hon. and learned Member for Aberavon (Mr. Morris) said, it is a case of "better late than never". The Bill will receive a warm welcome in all quarters of the House. It is appropriate that our sister legislature in Canberra should possess one of the two original documents.

Last week I had the privilege of visiting the beaches of Gallipoli on ANZAC day, on the 75th anniversary of the Dardanelles landings, with which my family was

[Mr. Churchill]

associated in no insignificant manner. There I had the opportunity of meeting some of the British and Australian veterans of that great campaign, and the Australian Prime Minister, Mr. Hawke. I can tell the House that the fellow feelings between our countries are as strong today as they have ever been.

It was at Gallipoli on that immortal day that the young men of Australia and New Zealand, by their deeds and sacrifice, demonstrated their nationhood. If the document that we are arranging to be passed over to Australia marked their birth certificate, it was ANZAC day on the Gallipoli beaches that represented their coming of age.

Let me express to the people of Australia and New Zealand the gratitude of the people of Britain for the courage and the sacrfice of the ANZACs, who fought at Britain's side in two world wars. This historic document goes from the House to the people of Australia with our gratitude and affection.

5.37 pm

Mr. Alfred Morris (Manchester, Wythenshawe): I am grateful for the kind references made to me in earlier speeches. My right hon. and learned Friend the Member for Aberavon (Mr. Morris) and the hon. Member for Davyhulme (Mr. Churchill) were extremely generous.

This important Bill—which naturally I warmly welcome—has an interesting history. As the House knows, it succeeds a Bill that I drafted to secure for the people of Australia one of the two original copies of the Commonwealth of Australia Constitution Act 1900. As has been explained by the Solicitor-General, one of the original copies is the British Parliament's own record of its proceedings; the other is the property of the Public Record Office.

My Bill, which would give the people of Australia an oiginal copy of their constitution Act, was given its First Reading on 12 February. The measure had its origin in the visit to Britain last June of the Australian Prime Minister, when Bob Hawke addressed the ANZAC group of hon. Members and peers in a Committee Room. He spoke with deep feeling, clear sincerity and eloquence about the importance to the Australian people of having an original copy of the Commonwealth of Australia Constitution Act 1900. He asked me, as chairman of the meeting and of the ANZAC group, to do whatever was possible to secure a copy for Australia.

After many representations from Canberra, over a long period, Bob Hawke had also raised the issue with the British Prime Minister during his visit last June; but it remained unresolved due to problems in meeting Australia's request which, to the British Government, seemed insurmountable. He had been told that the Act's importance to Australia was widely recognised in Britain but that, although the Government here had sympathy with Australia's position, no way of meeting it could be found.

Having promised on behalf of the ANZAC group that we would do our best to help, I sought to find out more about the problems that stood in the way of acceding to Australia's request. I did so by writing to Sir Robin Butler, Secretary to the Cabinet and head of the home civil service, who I knew to have been involved in exchanges about attempts to find a mutually satisfactory solution to the problems involved.

In a letter of 3 August last from Sir Robin, I was told that to give Australia the British Parliament's copy would require an unprecedented affirmative vote of both Houses, and that to allow the Public Record Office's copy to be permanently loaned, or given as a gift, would require legislation. Sir Robin went on to say, in his letter to me, that to give Australia either of the two copies would lead to claims from other Commonwealth countries for copies of their own constitution Acts, and that in the case of the Public Record Office's copy it would be

"inconsistent with the Public Records Act since, as a result of passing the document out of our jurisdiction, the Lord Chancellor would have no effective control over the facilities for its preservation and use as he is required to have by the terms of the Act."

He predicted "spirited resistance" if the copy held by the Clerk of the Parliaments was released, and told me that the Government had proposed to the Australians that they should have an "Exemplification of the Act" of which he said:

"The Government considers that this would be entirely suitable for display in the way proposed by the Australian Government and, in view of the difficulties in the way of making either of the original copies of the Act available to Australia on a long-term basis, hopes that they can be persuaded to give further consideration to this proposal."

Although discouraging, the Cabinet Secretary's letter was helpful to me in summarising the range and nature of the problems then preventing Ministers from meeting Australia's request for an original copy of what has been described in *The Times* as its Magna Carta. At least I now knew that legislation would be necessary to break the deadlock and that it would need not only to take account of all that Sir Robin Butler said to me in his letter, but also spirited parliamentary support.

The drafting of my Bill took particularly into account the Cabinet Secretary's point about the "floodgates" effect of meeting Australia's request. This was achieved by use of a preamble to the Bill and Sir Robin's point about the preservation and use of the document was also met—not that I had any doubt that an original copy of their own constitution Act would be treated any less carefully or with less concern for its long-term preservation by Australians that it would be here in the United Kingdom. The list of sponsors of my Bill, when it was published, also made it clear that the Bill had the support of senior representatives of every party in the House and that, given a free vote on the legislation, there could be no shadow of doubt that it would be approved.

After publication of my Bill, I had discussions about it with the Lord Chancellor in the company of the hon. Member for Holland with Boston (Sir R. Body), who is a vice-chairman of the ANZAC group. We were both deeply impressed by Lord Mackay's concern to move speedily, when consulting about the Bill, all the interests involved; and we were completely satisfied that he would help in every way possible. Lord Mackay is a firm, true and enduring friend of Australia, and quite clearly, as my right hon. and learned Friend the Member for Aberavon (Mr. Morris) agrees, today's outcome owes much to his readiness to look anew and positively at the case for the legislation that we were seeking. With all my fellow sponsors, I am most grateful to him, and to the Leader of the House of Commons for all his help at a subsequent meeting with me.

His Excellency Doug McClelland, the Australian high commissioner in London and his staff at Australia house, were continually helpful to me and my fellow sponsors. They have both my appreciation and congratulations on the now successful outcome of all their efforts to resolve a problem that has been with them and their predecessors for years. They can take pride both in what they have achieved and in the very high regard in which they are held on both sides of both Houses of Parliament here.

Doug McClelland may remember that, in jocular conversation with Bob Hawke after his request to the ANZAC group, I said that in exchange for an original of the constitution Act I would like a copy—any old copy—of Australia's parliamentary pensions Act, which is much admired by parliamentarians here. I now have to say, as chairman of the managing trustees of our parliamentary contributory pensions fund, that I have already received a copy of their Act—I hope that the Leader of the House will have had one too—and thus the sooner we pass this Bill, the better!

The Commonwealth of Australia Constitution Act is, as we have heard, a fundamental part of Australia's history. The Act represents the transition of the Australian constitution from a set of ideals, put together by the fathers of the Australian Federation—rather than being developed and imposed by Britain—to the legal and constitutional embodiment of Australian nationhood.

The importance to Australia of having an original copy of the document is illustrated by the popularity of the Public Record Office's copy while on temporary loan to Australia. As the House has heard, since being housed in the new Parliament house in Canberra, some millions of visitors have been to see the document. Currently under consideration is a proposal that the original part of the old Parliament house in Canberra, which is to be preserved, should become a constitutional museum for public enjoyment and educational purposes, and it is proposed that Australia's original copy of its constitution Act will now be the central feature.

The arguments put to me against allowing the Australians to have an original copy of their constitution Act ignored the fact that in no other Commonwealth country was there a referendum before the British statute for its constitution could become law. It is therefore as much an Australian as a British document. Again, unlike the arrangements in other comparable Commonwealth countries, amendment of the Australian constitution has always been purely an Australian process both in initiation and in execution.

No other Commonwealth country had such a dominant say in the form taken by the imperial Act conferring its constitution. The only British input was at a meeting in London of the then British Prime Minister with the premiers of the states—then the colonies—during the diamond jubilee celebrations of 1897; the subsequent provision of some legal advice on the drafted provisions by the Crown's Law Officers in this country; and the relatively small changes made by the British Parliament after negotiation with Australian leaders.

This makes Australia's position unique in terms of the status of its constitution Act, and for us now to legislate to pass one of the original copies of the Act to Australia ought not, therefore, to be seen as a precedent for others to follow. On that point—one of clear importance in Sir Robin Butler's letter to me—I can assure the House that since my Bill was published in February, although it has received wide attention abroad, I have seen no suggestion that giving Australia an original copy of its constitution Act will be used as a precedent for other countries to follow.

There will now be a wholly felicitous outcome to the Australian Prime Minister's request to the ANZAC group last June. What is happening in the House today demonstrates that very unusual things can still happen when parliamentarians work together to try to solve even the most insoluble problems. I know that right hon. and hon. Members, in all parts of the House, will act as one in giving a Second Reading to the Bill. By doing so we shall be giving great pleasure to the Government and people of Australia who, as the hon. Member for Davyhulme (Mr. Churchill) said, in war and peace have been and remain among the most steadfast friends of the British people. We shall also be further improving Anglo-Australian relations by acceding to Australia's wholly reasonable request for an original copy of the Act which, as the House has heard, is the legal and constitutional embodiment of Australia's nationhood. There has been immense change in Australia since the Act was passed, but it is now, and will ever be, a document of enormous importance to all Australians.

Finally, I must acknowledge with appreciation the Government's timing of the First Reading of the Bill. That it was timed, in keeping with my request, for ANZAC day on 25 April—a day so very important in Australia—was extremely well received both by the Australian high commission in London and in Australia. My hope now, like, I am sure, everyone else who has been involved in the long-running consideration of its important purpose, is that the Bill will pass quickly into law.

In that regard, I have one brief, concluding point. Such is the length of time that it has taken to obtain for the people of Australia an original copy of the 1900 Act, perhaps to repay them with interest the Solicitor-General could have a third copy made for Australia of the Act that this Bill will soon become. I have great pleasure in commending the Bill to the House.

4.51 pm

Mr. William Cash (Stafford): One or two coincidences have occurred in relation to the Bill, not least that the Chair on which you are sitting, Madam Deputy Speaker, is a gift of Australia. To that extent, this is a quid pro quo: we are giving back to Australia that which is rightfully hers.

Last year, with the assistance of the high commissioner, Doug McClelland, I arranged, as secretary of the Lords and Commons cricket team, for us to play a most distinguished team from Australia, which we greatly enjoyed. One of the patrons and presidents of that team is Bob Hawke, the Prime Minister of Australia, who is a member of a club of which I am a somewhat unimportant member, Vincent's club in Oxford. Sir Robin Butler is also a member of that club. I hope that those interested in these matters will agree that a Bill of this importance and significance has some anecdotal interest.

It is highly appropriate that we should give the Bill a Second Reading today because we owe much to Australia and to the Australians who fought with us in the war. I speak as one whose father was killed in Normandy fighting with Australians in that great endeavour between 1940 and 1944. I say that with all the depth of feeling that I can command.

[Mr. William Cash]

As we are now moving into a new era in Europe, we must remember the relationships that we have with our friends in the Commonwealth, and that the day must not come when Magna Carta becomes part and parcel of an Act such as this deposited in Brussels.

4.54 pm

Mr. James Molyneaux (Lagan Valley): Perhaps I should declare an interest in the debate. First, half my family live in Australia and, secondly, I hope to visit the Commonwealth of Australia later this year but not, I hope, at public expense.

On my last visit in the 1970s, I was asked by a distinguished Officer of the House to convey a personal message to his opposite number in one of the state legislatures. My call at that Parliament building coincided with the dramatic announcement of the retirement of the premier of that state. The inevitable interviewer on the steps of the building jabbed his microphone at my mouth and invited me to make a profound comment on the shock announcement, as he called it. It was such a delicate matter that any comment from me on the premier's decision was bound to cause offence. I kept a straight face and explained that I had had a tip-off and had just flown from London to lodge my application for the job and expressed my hope that the assembled press men would support my nomination.

I thought that the stunned silence that enabled me to make my escape was the last that I would hear of it, but to my horror the next morning I discovered that an enterprising young journalist from one of the local newspapers had produced the headline, "Dark horse enters race for premiership."

On behalf of my right hon. and hon. Friends, I will warmly support the Bill on Second Reading and throughout the rest of its passage. An uncle of my hon. Friend the Member for Belfast, South (Rev. Martin Smyth) served with Australians at Gallipoli. My hon. Friend was one of the sponsors of the Bill introduced by the right hon. Member for Manchester, Wythenshawe (Mr. Morris). I warmly congratulate the right hon. Gentleman and the sponsors on their initiative.

The right hon. Member for Wythenshawe said that the Act is as much an Australian as a British document. I agree, but naturally, for understandable reasons, it is regarded as far more significant and precious by Australians.

We are grateful to the Solicitor-General for explaining with much clarity, as usual, the background to the debate. We welcome his decision to avoid delay in implementing the Act when it has received Royal Assent.

The Australian Prime Minister has been generous in his remarks regarding those who smoothed the way for today's debate. Many of us who are privileged to know the present Australian high commissioner assume that he played a vital role quietly in bringing the arrangements to fruition. The Commonwealth of Australia is well served by that distinguished public representative in London.

The permanent transfer will mean much to older generations of Australians, but will have a separate meaning for younger Australians, because it will remove from their minds any impression that the United Kingdom is a far-away country about which they know little or which knows or cares little about them. Today's operations and the subsequent developments will, I hope, convince them that we care about them and wish them well in their new nation on the other side of the globe.

4.58 pm

Mr. Neil Hamilton (Tatton): I have been an hon. Member for seven years, and for six of them I have been secretary of the Australia-New Zealand parliamentary group. I can say with complete honesty that no title among the few that I hold has given me greater pleasure.

In those six years, little has given me greater pleasure in the House than to have had the closest working relationship with the right hon. Member for Manchester, Wythenshawe (Mr. Morris), who by happy coincidence is my parliamentary neighbour as our constituencies abut one another. As my hon. Friend the Member for Davyhulme (Mr. Churchill) said, only parliamentary convention precludes me from addressing him across the Floor of the Chamber as my "right hon. Friend." I should like to pay a warm tribute to him for all the work that he has done in the House not only on the Bill but on behalf of Australia, for which he has been signally rewarded by the Australian Government, who honoured him last year. I am sure that all hon. Members recognise that, in this Chamber, he is Australia personified.

This is one of the Government's most successful privatisation measures. I hope that it does not cause any difficulties for the right hon. Gentleman. However, as the Australian Labor Government are enthusiastic privatisers, I should not think that it will cause him any difficulty. I am delighted that it is one of the pieces of Government legislation that has given rise to complete unanimity. I hope that that will be followed in all other measures that they introduce.

Mr. Alfred Morris: The hon. Gentleman knows that one of my great fears is that the Government may even try to privatise the Public Record Office. I hope that there will be some assurance on that important question before the debate concludes.

Mr. Hamilton: I shall not be drawn into any controversy during this debate, but I am sure that the right hon. Gentleman's point will be well taken.

One of the least satisfactory aspects of our membership of the European Community has been the tendency of some Commonwealth countries, especially the older ones such as Australia, to take our growing and closer interests in Europe as betokening a loss of connection with or interest in Commonwealth countries. I am delighted that, today, we have an opportunity to declare to all the world that we value our continuing links with Australia—not only the friendly and diplomatic links, but the family and blood links mentioned by the right hon. Member for Lagan Valley (Mr. Molyneaux).

As years go by, it is important that we work at remembering the historical connections and cultural identities that still bind our countries together. It is more than 200 years since the American colonies severed their links with the British Crown, but we still like to think that we have a special relationship with them. We certainly have a special relationship with Australia. I hope that that will continue for many centuries and that this measure will be one way to cement that.

It was a great pleasure to attend the ANZAC day service in Westminster abbey a few days ago. British through and through as I am, it gave me a thrill to sing, with full voice, the Australian national anthem. Although Australia is increasingly a cosmopolitan country, and although inevitably as the years go by the British element in its population will be diluted and the historical connections between our two countries loosened, there will always be a special relationship. It will always give us a shared thrill to sing that national anthem.

Unlike my hon. Friend the Member for Davyhulme, I could not attend the recent celebrations in Gallipoli. However, I was in Istanbul only a short time ago and I made a special journey to the British war cemetry at Uskudar—named after the famous Skutari hospital of Florence Nightingale—where many Australians and New Zealanders are buried. It was a moving moment when I wandered among the gravestones and remembered the vast loss of life on the beaches of Gallipoli. The friendship of our two peoples all those years ago was symbolised on those beaches, and I hope that it will continue to be remembered as a symbol of connection between the two countries.

As a supporter of the original measure introduced by the right hon. Member for Wythenshawe, it gives me great pleasure to reaffirm my commitment to the friendship between our two peoples and to wish Australia well in the future.

5.3 pm

Mr. Eric S. Heffer (Liverpool, Walton): I thank my right hon. Friend the Member for Manchester, Wythenshawe (Mr. Morris), who fought so hard for this Bill. I give it my total support. I first met Australians during the last war. I was attached to an RAF camp and I shall never forget the arrival of an Australian squadron. Our cinema was in a Nissen hut and the British officers sat in the front rows, the junior officers behind them, the sergeants and corporals behind them and the rest of us behind them. The Australians arrived, and they sat anywhere. It was marvellous. It was democracy in practice. They did not care whether someone was a leading officer, or an AC2 like me.

Mr. Molyneaux: I do not think that it was entirely an operation in democracy. It is a tribute to the intelligence of the Australians to say that they know that the expensive seats are always at the back of the cinema.

Mr. Heffer: Whatever their reasons, they took no notice of rank. Our officers were somewhat shocked. I thought that it would be the end of class rule.

It was following that experience that I began to study Australian history. I soon realised that it was our people —southern Irish, northern Irish, English, Scottish and Welsh—who were transported to Australia because they were thieves, dissidents, or people with ideas. They would not just sit down and accept everything that this class-conscious country accepted. They believed in democracy, and it was wonderful.

I learned a great deal from the Australians. They are wonderful people. They have a right to the document. Indeed, they have always had that right. They have a right to their freedom. However, I have always been concerned about the fact that we have turned our backs on them. I am not a British nationalist, although I was born in England and my relatives go back to the Saxons, but it saddens me to think that we joined the EEC and turned our backs on all those people who I was with during the war—the Australians, New Zealanders, southern Irish, northern Irish, and others from all over the world. That is a shame on this country. I believe in internationalism, but we have a responsibility to those people and they have a love for us, as was shown when they joined us during those war days.

The Australians have a shame on them, too—the fact that they have never accepted the rights of the aboriginal people. I made that point at the time of the bicentennial celebrations when we sent Australia a gift. I was the dissident voice. I said, "Hang on, what about the aboriginals? They have rights, too." The Pope made it clear that he also thought that they had land rights. I certainly think that they have land rights. I say to our Australian friends——

The Solicitor-General: I gave the hon. Gentleman an incomplete answer earlier. I now have a copy of the Commonwealth of Australia Constitution Act 1900. Section 51 makes specific mention of the aboriginal peoples. It recognised that their position was already dealt with by the states. It reads:

> "The Parliament shall, subject to this Constitution, have power to make laws for the peace, order and good government of the Commonwealth with respect to:—The people of any race, other than the aboriginal race in any State, for whom it is deemed necessary to make special laws."

That means that it was a matter of law for the states in 1900.

Mr. Heffer: I am grateful for that information about this important matter. There is no doubt that the mass of Australians have tended to ignore the position of the aboriginals, and that is quite wrong. An interesting book, "The Other Shore", has been written by a man called Hughes. If one reads that, or John Pilger's book on Australia, or watches television programmes about the position of the aborigines, one knows jolly well that there is a problem. I am not saying that it is a black and white problem—nobody should ever say that. There are always problems to which we do not get the full answers. However, aborigines have rights and those rights have been trampled on for a long time.

I am not sure that nowadays I would vote for Bob Hawke. He is a bit like my Front Benchers, who seem to have forgotten what socialism is all about. The Australians argued for socialist rights long before we did. People like Tom Mann went there, came back here, and talked about socialism on the basis of what they had learnt there. Michael Davide, the Irishman, came back from Australia and argued for land rights. He had learnt from the Australians who argued for those rights long before we did. Australia had a Labour movement, a Labour party and democratic rights long before we did. Let us never forget that. We can learn from them as much as they can learn from us.

The Australians are right and we were wrong to be so unforthcoming, but they should not forget the rights of the minority. The aborigines have to be treated equally, whatever and whoever they are. Had the Europeans not gone to Australia, it would not be as it is now, but the aborigines are the original Australians and have rights. They must have those rights and Bob Hawke should not forget that. He should not listen to Murdoch and all the others with their big money. To hell with their money—

[Mr. Heffer]

what is important is the Australian democracy, for which all Australians have fought. I was brought up on it because I learnt about it as a young lad after meeting Australians in the RAF. I was proud to meet them because they are great people. We are right to support them, but also to tell them that they should give the aborigines every right to which they are entitled.

5.12 pm

The Solicitor-General: With the leave of the House, I shall draw together this helpful debate in which the view of those who have spoken has been unanimously in favour of the Bill, starting with the right hon. and learned Member for Aberavon (Mr. Morris). He asked whether there might be other requests and, if so, how they would be dealt with. The answer could not have been put better than it was by the right hon. Member for Manchester, Wythenshawe (Mr. Morris) who is a progenitor of the Bill. He explained what a unique occasion this is, and how what is being given —to pick up the words of my hon. Friend the Member for Davyhulme (Mr. Churchill)—is not a copy of the Act. We are talking not about a copy of a birth certificate but about an original of the birth certificate, which will go to Australia with our full-hearted consent. That is what makes it so unusual and that is why it is the subject of primary legislation which is confined to that document going to that country. Such legislation will not normally be repeated. We do not expect this to become a precedent —it is a unique occasion.

I welcome the comments made by the right hon. Member for Lagan Valley (Mr. Molyneaux) and by my hon. Friends the Members for Stafford (Mr. Cash) and for Tatton (Mr. Hamilton). I have mentioned my hon. Friend the Member for Davyhulme who, like other hon. Members, attended the ANZAC ceremony last week. We all have that deeply moving occasion in mind and it is highly appropriate that we should be having this debate so soon after that occasion.

I have answered the hon. Member for Liverpool, Walton (Mr. Heffer) and shown that, even back in 1900, the aborigines were specifically mentioned in the Act, an original of which we are about to hand over. It is delightful to find unanimity on that point. If it had a carefully thought out provenance, it is all the better and more valuable as a gift in friendship for that. I commend it to the House.

Question put and agreed to.

Bill committed to a Committee of the whole House. —*[Mr. Patnick.]*

Bill immediately considered in Committee; reported, without amendment.

Motion made, and Question, That the Bill be now read the Third time, *put and agreed to.*

Bill accordingly read the Third time, and passed.

Education and Training

5.17 pm

The Parliamentary Under-Secretary of State for Employment (Mr. Patrick Nicholls): I beg to move,

That this House takes note of European Community Documents Nos. 4431/1/90 and the proposal described in the un-numbered Explanatory Memorandum submitted by the Department of Employment on 30th April 1990 relating to the establishment of a European Training Foundation, and 4432/90 and the proposal described in the un-numbered Explanatory Memorandum submitted by the Department of Education and Science on 30th April 1990 relating to the establishment of a Trans European Mobility Programme for University Studies (TEMPUS); and supports the Government's view that these European Community initiatives will provide an appropriate means of providing assistance to the countries of Central and Eastern Europe in the areas of vocational training, higher education and youth exchanges.

The European Council at Strasbourg in December 1989 recognised the importance of training. It called upon the Community to establish a European training foundation for central and eastern Europe. I am sure the House appreciates the reasons for the Heads of States' enthusiasm for the principle of such a foundation.

Countries emerging from the stagnation of central bureaucratic control need help in defining their training needs. We must avoid assistance from the west being fragmented or overlapping. The recipient countries should not be flooded with offers of help in some areas to the possible detriment of others.

The Commission's proposal for the foundation started with Poland and Hungary because the Community's aid package covers only those countries at present. As other central and eastern European countries progress towards democracy, and become covered by the aid package, they may also benefit from the work of the foundation.

The arrangements for extension, as our initial explanatory memorandum and the Scrutiny Committee's reports pointed out, were unclear. We have therefore pursued these concerns in negotiations, with the results described in our latest memoranda. The intention is that the foundation will contribute assistance in initial and continuing vocational training and retraining, including management training.

The foundation works by providing assistance to the eligible countries in the definition of training needs and priorities. It will act as a clearing house to provide information on current initiatives and future needs in the training field, and provide a framework through which offers of assistance can be channelled. On the basis of this information, it will identify, and where necessary develop and support, specific projects in conjunction with member states and private organisations.

The December European Council also asked the Commission to bring forward a proposal for an exchange programme similar in character to those available for Community citizens. This is now known as the trans-European mobility programme for university studies, or TEMPUS to give it its more user-friendly acronym.

TEMPUS acknowledges that it has often been young people in the forefront of the pro-democracy demonstrations. They will also need to be at the forefront of the economic changes. TEMPUS will enable students from central and eastern European countries to study at a university or undertake a university placement within the

Community. There will be a small element of exchange, but most traffic is expected to be in the east-west direction. TEMPUS is modelled on the Community's ERASMUS programme, the European Community action scheme for the mobility of university students.

The Community will support activities which link universities and enterprises in central and eastern Europe with partners in the Community, such as retraining of language teachers and the development of short intensive courses and distance learning. That element of the programme is modelled on the Community's community action programme in education and training for technology—the COMETT programme. The likely demand for TEMPUS places within the United Kingdom is not yet known, but there is already much interest in English language training and for courses based in English.

The United Kingdom began negotiations on the foundation and TEMPUS with a number of concerns. These were set out in explanatory memoranda Nos. 4431/90 and 4432/90. In the 12th and 13th reports on the proceedings of the Select Committee on European Legislation, the Government were invited to make available further explanatory memoranda about those issues on which they are seeking clarification in Brussels. These memoranda set out progress to date and deal with the specific points in the Scrutiny Committee reports.

As negotiations have progressed, the links between the proposals to set up the foundation and TEMPUS and the objectives of the European Community treaty have, at our insistence, been made clearer. It is important to remember that the latest presidency text, on which our supplementary memoranda are based, makes it clear that the foundation and TEMPUS are two of the mechanisms by which aid to Poland and Hungary will be achieved. The preambles are based on the preambles already adopted for regulation 3906, which makes clear the Council's view that intensified relationships brought about by such aid will contribute to a harmonious development of economic activities within the Community, and so achieve one of the objectives of the treaty.

I am sure that it will be common ground on both sides of the House that both measures will amount to a worthwhile contribution to the end which we would all share. In that light, I commend them to the House.

5.22 pm

Mr. Derek Fatchett (Leeds, Central): I thank the Minister for the way in which he has introduced the documents. I agree with his final comment that there is no disagreement on either side of the House about the overall value of the programmes. I agree with many of the Minister's comments this evening, including his commitment to investment in education and skills. I agree also with his comment that, to help central and eastern European economies to develop, it is necessary to develop those skills at all levels. The Minister was right to say that there is a need to develop managerial skills as well as the need to develop what I shall describe as middle-level skills, which are those that apply to technicians and vocational training that are important in terms of economic development.

The Opposition welcome both of the programmes. They are important contributions to the development of eastern Europe and to links between eastern Europe and the European Community. I shall put three specific questions to the Minister about the programmes in the hope that he will be able to answer them. The explanatory memorandum supplied by the Department of Education and Science says in the 10th paragraph on the third page that the flow of students—this point has been made by the Minister this evening—is much more likely to be from east to west. I am, of course, referring to the TEMPUS programme. It is important that British universities, polytechnics and colleges play their full part in the process. We should not be squeezed out of it so as to become second-class contributors to the programme.

The problem highlighted in the 10th paragraph is that students coming from central and eastern European countries would normally be charged full-cost fees. It is important that students are not prevented from participating in the scheme because the British Government charge full-cost fees. I shall welcome the Minister's comments. If we charge full-cost fees, there is a real danger that students from central and eastern Europe will decide to go to Germany, France or other European Community countries and not come to the United Kingdom. It would be a shame if Britain were excluded from TEMPUS on that basis.

When the Minister was talking about the establishment of the European training foundation, he referred to the possibilities for exchange as part of the development of vocational skills. Again, I suspect that the traffic will be mostly one way, from east to west. There may be a good deal of profit in a number of senses for some of that traffic to be from west to east, so that British youngsters and British workers of more mature age have the opportunity to develop certain skills in other countries and building up economic and cultural links on that basis. I hope that the Minister will give some reassurance that it may be possible for British youngsters to participate on that basis and to use the exchange mechanism in that sense to go to either Poland or Hungary.

The Minister rightly said that the two schemes are limited to two eastern European countries, Poland and Hungary. It is clear that there is a need for similar developments and exchanges with other eastern European countries. What criteria will be used when considering whether other countries should become part of the process? It is not unlikely that, before too long, countries such as Czechoslovakia will want to participate. How might they be included in the programme, what criteria will be used, and what are the cost implications of such a development for other countries?

The Opposition approve of the proposals, which build links across Europe. They help in the development of eastern European countries. It is important that the European Community plays its part in that development. On this one occasion we can say to the Minister and his colleagues that we support some of the activities of the European Community. We support the positive way in which they have made a contribution to the schemes.

5.27 pm

Mr. Willian Cash (Stafford): I think that this is the first time that I have addressed the House when I have been the only Back-Bench Member on either side of the Chamber. It is important, however, to debate matters that stem from Europe when points of principle are involved.

[Mr. Willian Cash]

The Select Committee on European Legislation, of which I am a member, considered the relevant document yesterday. Hon. Members will note that it is dated 2 May 1990. Some hon. Members may have noted the early-day motion which I tabled this morning, which refers to new Treasury memoranda on economic and monetary union. The motion refers to the report of the Commission on that subject and the important memorandum of the Treasury of 23 April, which is available to hon. Members in the Vote Office.

We are discussing an issue which arose during the sitting of the Select Committee on European Legislation yesterday in respect of training and management, which is of immense importance to the people of Europe, including Poland and Hungary, and of especial importance to the future prospects of Britain if it is to catch up with Germany, which now has a 70 per cent. trade surplus with the rest of the European Community put together. That issue is related to the future economy of Europe, including this country. I feel that we should debate economic and monetary union, as well as the issues that are before us, as early as possible. You may not want me to go down that path now, Madam Deputy Speaker, but you may allow me to do so on a future occasion.

There was a time when we were in danger of being somewhat pedantic about the treaty base of EC legislation. This proposal is based on article 235, which deals with proposals for which no explicit powers are set out in the treaty. But there are occasions—this is one of them—when it is clear that, in the interests of a wider Europe, that flexible association of states which, in combination with the EC—I hope that it will not become federal in the sense in which I have described it on many occasions—we can build on matters such as education and training a new, prosperous and freer Europe which will benefit all the people of Europe and bring peace and prosperity to all the people within that common home.

5.30 pm

Mr. Nicholls: I am grateful to the hon. Member for Leeds, Central (Mr. Fatchett) for the way in which he responded to my initial comments. It seems to be one of those days when there is amity throughout the House. Our colleagues in the outside world should be looking to see what we, on both sides of the House, can do when we are left to it.

The hon. Gentleman properly touched on a particular point of concern relating to tuition fees, for which our structures tend to be different from those of our partners in the EC. The Government, in conjunction with EC officials, are considering how to proceed. It would be unrealistic for me to try to work out exactly how that will be resolved, but it would be anomalous if a programme which we thoroughly and wholeheartedly welcome foundered on what is essentially an important point of detail which we must get right. I acknowledge the hon. Gentleman's concern, and the Government are actively considering how to take the idea forward.

Mr. Fatchett: Can the Minister give us the likely time scale of those deliberations? There are clearly implications not just for the TEMPUS programme but in other directions as well. The Minister said that it would be anomalous to favour a programme and then create difficulties in relation to TEMPUS, but presumably other countries with which Britain has certain relationships, particularly bilateral aid relationships, will be looking at the outcome of the deliberations.

I realise that it is not the Minister's direct responsibility, but I hope that he will tell his colleagues in the Department of Education and Science that the decision must be taken within a broader framework. It would be useful if we could have some idea when the deliberations will be completed.

Mr. Nicholls: The hon. Gentleman is right to highlight that point. The Civil Service has a number of helpful phrases, many of which will strike doom into the hearts of hon. Members—words such as "shortly" and "in due course". We want to make progress as soon as possible. This is an outstanding detail—not an issue—which we must resolve, and I shall make sure that the hon. Gentleman's point is drawn to the attention of my right hon. Friend the Secretary of State for Education and Science. The matter must obviously be dealt with as soon as possible.

The hon. Gentleman also asked for an assurance that an exchange from west to east would be possible. That is an important point which we have taken on board. There is no doubt that the structures allow for that, but, as I understand it, eastern countries feel that they cannot handle large numbers from the west at present. Without dwelling on their difficulties, one can understand the reason for that. It is anticipated that there will be such an exchange, but we must bear in mind the response from the eastern bloc countries.

Finally, the hon. Gentleman asked about extending the programme beyond Poland and Hungary—a point raised by the Scrutiny Committee in its 12th report, when it sought clarification of the procedure to extend the foundation's work beyond Hungary and Poland. It felt that it should reflect the need of the Council of Ministers to control that process.

To some extent, we have tried to reflect the concerns about that in the original explanatory memorandum, because we share the Scrutiny Committee's views. Procedures for extending the work of the foundation beyond Poland and Hungary have been clarified; and that is described in my Department's unnumbered explanatory memorandum of 30 April. They are linked to the council designation of

"such a country as is eligible for economic aid".

That extension would require a further Community legal act, such as that in relation to regulation 3906, which underpins the original package. Progress can clearly be made there. These matters have a momentum of their own.

My hon. Friend the Member for Stafford (Mr. Cash) reminded us with fast footwork and his customary elegance that there are other matters that he would like to be debating. Were I to attempt to do so, since my footwork is not as fast as that of my hon. Friend, I suspect that I would be pulled up quickly. I shall simply say that I shall bear in mind what he says. He is right to draw attention to the fact that article 235 underpins this matter and that, to use a polite phrase, as one lawyer to another, it is a catch-all provision to take account of things which might not otherwise be thought of.

Mr. Cash: If I may be allowed to use another language, c'est le blancmanger qui mange-tout.

Mr. Nicholls: I was recently reproached in a Standing Committee for saying in Latin that I did not understand Latin, but that I was prepared to use the vernacular. As I was responding to a Latin tag from another lawyer, I thought that that was appropriate. On that occasion, I was properly reprimanded by the Chair for responding in a foreign language, so I had better not do so today.

Article 235 is there to ensure that there is harmonious economic development and so on. Inevitably, catch-all provisions have to be looked at with some care to make sure they are not catching more than all. However, we can be satisfied that this is a worthwhile initiative to take forward.

Question put and agreed to.

Resolved,

That this House takes note of European Community Documents Nos. 4431/1/90 and the proposal described in the un-numbered Explanatory Memorandum submitted by the Department of Employment on 30th April 1990 relating to the establishment of a European Training Foundation, and 4432/90 and the proposal described in the un-numbered Explanatory Memorandum submitted by the Department of Education and Science on 30th April 1990 relating to the establishment of a Trans European Mobility Programme for University Studies (TEMPUS); and supports the Government's view that these European Community initiatives will provide an appropriate means of providing assistance to the countries of Central and Eastern Europe in the areas of vocational training, higher education and youth exchanges.

STATUTORY INSTRUMENTS, &c.

Motion made, and Question put forthwith pursuant to Standing Order No. 101(5) (Standing Committees on Statutory Instruments, &c.),

VALUE ADDED TAX

That the Value Added Tax (Transport) Order 1990 (S.I., 1990, No. 752), dated 26th March 1990, a copy of which was laid before this House on 28th March, be approved.—*[Mr. Patnick.]*

Question agreed to.

5.37 pm

Sitting suspended.

London Local Authorities (No. 2) Bill

[Lords] (By Order)

Order for Second Reading read.

7 pm

Mr. Jeremy Hanley (Richmond and Barnes): I beg to move, That the Bill be now read a Second time.

I am grateful that you, Mr. Deputy Speaker, are present to assume your august responsibilities in connection with the Bill. I apologise, though not on behalf of the Bill's promoters, to right hon. and hon. Members for the fact that we are here all together at this time. It is an exciting time politically in the country, but particularly in respect of London elections. I know that you, Mr. Deputy Speaker, in your capacity as Chairman of Ways and Means, had a difficult task in selecting the business to be considered tonight. I understand that there are four London-related Bills in the pipeline, so it seems that any choice that you made would include a London Bill.

The London Local Authorities (No. 2) Bill is important, and although it is being promoted by Westminster city council, it is on behalf of and at the request of the London Boroughs Association and the Association of London Authorities jointly. Section 87 of the Local Government Act 1985 states that a London borough may promote a Bill for its own borough or for another borough. Schedule 1 to the Bill lists all the 31 participating councils promoting the Bill out of a total of 33. The two exceptions are the City of London, which usually has its own legislation, and Camden, where I believe there was some problem with the passing of a resolution to include that authority in the statute because there was insufficient time to do so. I have since been told that two of the remaining 31 boroughs wish to be dissociated from clause 4 of the Bill, so 29 London boroughs—comprising a mammoth population represented democratically by councillors—have asked for the Bill to be presented in its entirety.

I have been surprised at the way in which the arguments encapsulated in the Bill have developed over the past few weeks, but only clause 4 gives rise to any aggravation. I draw to the attention of the House an instruction that I tabled yesterday, and which appears on today's Order Paper:

"After Second Reading of the London Local Authorities (No. 2) Bill [*Lords*], to move, That it be an Instruction to the Committee on the Bill that they do not allow Clause 4 (Private Hire Vehicles) unless they are satisfied that it will not jeopardise the unique and valuable position of the licensed Hackney Carriage trade within London."

I understand that that instruction has not been called, and I ask you, Mr. Deputy Speaker, for clarification.

Mr. Deputy Speaker (Mr. Harold Walker): It may be for the convenience of the hon. Gentleman and the House if I say that, although Mr. Speaker has not selected the instruction, it will be in order for hon. Members to refer to it in the course of the Second Reading debate.

Mr. Hanley: It is not for right hon. and hon. Members to question why an instruction has not been called, but I understand that that usually occurs if it is believed that the issue enclosed by the instruction will be fully debated by the Committee when it seeks evidence from the various

[Mr. Hanley]

petitioners. I shall explain later the purpose of the instruction, but first I wish to dispose of those clauses which are not at all contentious.

The Bill before the House is the second of its type to be promoted. The first received Royal Assent in February. Like the Bill now under consideration, that measure conferred a variety of general powers on London boroughs. One of its most significant provisions related to improvements in the street trading code.

The Bill now before us was deposited in November 1988 and was allocated by the House authorities to originate in the House of Lords. Several petitions against the Bill were received in another place and hefty negotiations followed. The Bill went before a Committee of the Lords in October 1989, and subsequently was carried over to the present Session.

Apart from procedural provisions, the Bill contains five substantive clauses. Clause 5 concerns the restoration of water, gas and electricity services. It slightly amends existing legislation to enable a participating council to arrange, where appropriate, the reinstatement also of water supplies when they have been cut off. It is a social clause, and all the participating boroughs believe that it would be useful.

Clause 6 relates to crime prevention, and I am sure that no right hon. or hon. Member disagrees with its intention, which has been welcomed in principle by the Government. It will allow a participating council to engage in various activities described in the clause for the purpose of crime prevention. The Government expressed some reservations about certain details and negotiations are continuing. I am pleased to see my hon. Friend the Member for Epping Forest (Mr. Norris) in his place as he is a leading authority on the subject of crime prevention.

Mr. James Arbuthnot (Wanstead and Woodford): Clause 6 appears to be an excellent provision, but perhaps my hon. Friend will explain certain of its features in more detail. Clause 6(5) states:

"Before exercising the powers of this section, a participating council shall consult the Commissioner of Police for the Metropolis."

My reading of that, having studied the rest of clause 6, is that the Commissioner of Police of the Metropolis will have to be consulted before any spyhole is fitted in a door or any grille fitted to a basement window. That seems a little excessive.

Mr. Hanley: I am grateful for my hon. Friend's intervention. I had expected it as he is an expert at intervening and asking for explanations of greater length. My hon. Friend regularly requires lengthy explanations and very great patience needs to be shown to answer his questions. I will therefore accommodate him and speak as slowly as may be necessary.

London local authorities currently have no powers to undertake crime prevention activities other than incidentally through their housing, social services, and environmental health functions. As a consequence, they have relied on section 137 of the Local Government Act 1972 to finance many crime prevention schemes. London boroughs have many calls on the funds available under that provision. As a result of that competition for finance, crime prevention measures have suffered from a lack of funding in a number of London local authorities.

The problem has been exacerbated by the proposed changes to spending limits for section 137 funding brought about by the Local Government and Housing Act 1989. Those changes, which will come into effect later this year, impose a ceiling on such funding of £5 per head of population. The effect will be that boroughs with small populations will have significantly less funding available. It is now proposed that London local authorities will have powers, including the power to spend money, to take measures conducive or incidental to the prevention of crime or to helping to alleviate its effects.

Clause 6 will enable local authorities to spend money on items such as security marking of belongings, the provision of locks and alarms for the elderly or disabled living in private accommodation and the improvement of lighting in buildings. There are also powers to provide counselling and compensation for victims where there is inadequate provision. In addition to spending money directly on crime prevention measures, local authorities will be able to make grants to voluntary organisations to carry out similar functions. I hope that that explains adequately some of the provisions, although my hon. Friend may wish to make a speech later.

Clause 7 is on liquor licensing. The clause has powerful support from the police. It will stop up a loophole in the liquor licensing laws. The details are rather complicated, but they involve a careful distinction between wholesale and retail selling.

Clause 8 amends the Croydon Corporation Act 1960. Under section 159 of that Act, Croydon borough council is limited to an expenditure of £500 a year for various activities, the principal of which is functions associated with town twinning. The limit, which may have been appropriate in 1960, is now unduly restrictive on the borough council and 30 years later it seems that the section should be removed.

I am a great advocate of twinning. My borough is twinned with the lovely towns of Konstanz in Germany and Fontainebleau in France. I am sure that £500 would not go far towards returning the excellent hospitality and friendship that we receive when we visit those two excellent towns. Croydon, too, should be twinned. The 1960 Act relates only to Croydon and I am sure that the twinning would be sensible and not over-expensive. I doubt whether there would be twinning with central American towns or even Soviet ones. Nevertheless, it would certainly help European friendship.

I congratulate my hon. Friend the Minister for Public Transport on his future position as Minister for Local Government and Inner Cities. That is a tremendous honour and he is exactly the right man for the job. His presence and that of the hon. Member for Lewisham, Deptford (Ms. Ruddock), who speaks for the Opposition, show that public transport is important in the Bill.

There are three petitions against the Bill, all relating to clause 4 which deals with private hire vehicles. If the Bill is given a Second Reading, the petitions will be referred to an Opposed Private Bill Committee which will have the opportunity to hear evidence from the promoters and the petitioners and to judge with the benefit of that evidence. The Committee will have the opportunity to consider the other provisions of the Bill and to require the promoters to justify them, if appropriate.

I have already read out the instruction to the Committee which I tabled but which was not called because it seemed superfluous to the activities of the

Committee. I tabled it because I did not want anybody to believe that the Bill was intended to be harmful to the licensed hackney carriage trade in London. The black taxi trade is part of London—for many, it is London. Its quality is unique. Neither I nor the promoters intend to harm it and 29 London boroughs believe that the clause will not harm it.

There are many reasons for clause 4, but first I shall state my credentials for moving it because recently there has been some black propaganda about why I am moving the Bill. Some have said that it is a case of tail-end Charlie, that everyone else recognised the strength of the black cab trade and declined the job and I was the only one who did not. For the past three years I have been trying to promote a private Member's Bill on behalf of the Suzy Lamplugh Trust. Many hon. Members are patrons of that trust, which is based in the middle of my constituency. Diana Lamplugh, whose energy, enthusiasm, good will and good works are known to many right hon. and hon. Members, has been trying to introduce legislation to tighten the laws on minicab drivers. I know that many hon. Members refuse to understand the clause, but in the past week when I have been talking on television and radio many people outside have begun to understand that the clause is not anti-black-cab. If anything, it is anti-unlicensed-minicab. If people believe that the one follows the other, I should like to hear their arguments.

Of the many cases, I shall cite one in the *Evening Standard* which starts with a telling word:

"Another woman has been abducted, raped and assaulted after being taken for a five-hour ordeal by a bogus mini-cab driver."

The clause would merely bring London into line with the rest of England and, for all I know, further afield—no more and no less. In London anybody, even a Member of this House, so long as he declared it in the Register of Members' Interests, could get an "A to Z", although that seems to be a luxury for some minicab drivers, get an old banger or even use an existing private car and set up as a minicab driver. All one needs is a few cards with a telephone number and one is away.

Not long ago I was provided with a minicab by a company in north Kensington which I was visiting. This is not apocryphal—it is an exact case. The driver, who seemed Nigerian or Ghanaian—later he confirmed that he was Ghanaian—asked me where I wanted to go. When I said that I wanted to go to the House of Commons, he asked what was my favourite route. I told him not to worry about that but just to take me there. He then explained that what he was trying to find out was what the route was. It turned out during our interesting conversation that he had been in this country for seven days as a holidaymaker and was earning a little money on the side. He could drive and the car was provided by his employers. He did not know London, although occasionally during his student days he had acted as a part-time taxi driver. He claimed to be a barrister.

That experience is all too common. It is almost comical. What is not comical is the type of example set out in the *Evening Standard* article and many others. Hon. Members may remember the case which darkened Christmas two years ago. A young girl with two companions left a pub in north London and asked a minicab driver outside whether his was the cab that they had ordered. He said yes. He took the two friends home and then made as if to take the young girl to her house, but did not do so. Over the following days the papers and television were full of the fact that the girl was repeatedly raped by the man who was described as a body builder. Eventually, three days later the case ended in a fatal crash in East Anglia. Over Christmas the public had little to think about but the fate of that poor girl, who was lucky to be alive at the end of her ordeal.

The sole reason why that happened was that the apparent minicab outside the pub had no plate. It was not a minicab, but posed as one. London is not in line with the rest of the country as London minicabs have no identifying plate. Indeed, they are not allowed an identifying plate. No woman can check to see whether there is a plate. Diana Lamplugh has tried consistently to change that. The article in the *Evening Standard* quotes her as saying:

"There's absolutely no way of telling an honest mini-cab driver from a bogus one, or one with a criminal record. There is no proper licensing of these people and attacks of this kind are bound to carry on. The driver should be vetted and there should be a sign so that people can see if a car approaching them is a cab."

Clause 4 brings London into line with the rest of the country. The black cab trade, which has been vociferous in its publicity, has said that the Bill will do nothing to help and that there are many deficiencies in the legislation governing areas outside London. I agree wholeheartedly. The main publicity published by the Licensed Taxi Drivers Association states:

"Stop the minicab cowboys getting a licence to cheat".

The black cab trade also states:

"The Bill does nothing to stop kerb crawling touts".

No, it does not: there is already a law to stop such touts, but we have to start somewhere. My hon. Friend the Minister will be able to confirm that the Home Office, through the Suzy Lamplugh Trust, is currently sponsoring an investigation into the activities of minicab drivers and the safety or otherwise of their passengers, particularly women and children. That investigation is costing the Home Office in excess of £20,000 and the objective is to introduce legislation to tighten up the activity of minicab drivers throughout the country.

In 1976 the rules which currently govern minicabs throughout the country were introduced, but at the direct request of the black cab trade those rules excluded London. In London minicab vehicles do not have plates on the back because the black cab trade did not want that. If the recommendations of the Suzy Lamplugh Trust are acceptable to the Government and to the Transport and General Workers Union and their representatives in Parliament, which basically means the Labour party, any Bill designed to cater for the entire country will be hybrid until we have a level playing field and London is in line with the rest of the country.

Mr. Patrick Ground (Feltham and Heston): My hon. Friend probably knows more than most of us about the Suzy Lamplugh Trust and the research that is being undertaken, about which I have read something, but how far has that research gone? Is work at the Home Office still in train? If so, when will the results be published?

Mr. Hanley: The research is still in train, at a total cost of £41,000. I have some of the earlier findings with me but I shall not delay the House by reading them out. I also have correspondence between the Suzy Lamplugh Trust and the Home Office sent in the course of that research. It is expected that it will be finalised towards the end of the summer or by early winter so that legislation can be introduced next year.

[Mr. Hanley]

What we are introducing is not the be all and end all, but the provisions contained in clause 4 must be introduced before the recommendations of the Suzy Lamplugh Trust, which will cover all the country, can be introduced. Perhaps the House will decide that tonight is not the night to introduce the clause. Perhaps we shall have another year of delay and the rules that the House deemed suitable for the rest of the country in 1976 will not be extended to London. Perhaps some hon. Members believe that mincabs should remain without any identification on them, but that means that attacks similar to the one that I described will occur next year, the year after and even beyond.

I asked the Licensed Taxi Drivers Association what recommendations from the Suzy Lamplugh Trust it would accept. A letter sent by the LTDA says that this is not the right time to produce clause 4 because the trust is still carrying out its investigations. I therefore asked LTDA representatives what recommendations they would accept, but they said that they could not say what they would accept because they had not seen the recommendations. Such prevarication has been displayed for understandable commercial reasons, and it is born of the fear that trade will be lost as a result of the clause and the trust's recommendations. That understandable fear is groundless and regrettable.

I accept that clause 4 does nothing, as the LTDA has already pointed out, to stop "kerb crawling touts". It does not stop those who illegally ply for hire and stop for those who hail them. We cannot blame the clause for not stopping those practices—they are illegal, but that does not stop people breaking the law. It is for other authorities to arrest such people.

The LTDA has also said:

"The Bill will not control minicab fares".

It will, however, ensure that taxi meters are used. In 1976 meters were thought necessary as it was felt that market forces would force out of business someone who charged extravagant fares on their taxi meter. I agree with the LTDA that the possession of a meter will give a veneer of respectability and value for money. No one can guarantee that a driver will not cheat on a taxi meter, but I will explain what local authorities will be able to do in relation to those meters. I appreciate that local authorities will be unable to fix fares, but we must hope that the Suzy Lamplugh Trust recommendations will do something about that.

Mr. Steve Norris (Epping Forest): Central to my hon. Friend's argument is the proposition that before we can deal with the problem of the unlicensed trade we must have universal standards throughout the country. What advantages does my hon. Friend see in the regime operating under the Local Government (Miscellaneous Provisions) Act 1976, which governs the rest of the country, against the regime operated by the Metropolitan police, which governs black cabs in London? What elements in the scheme which operates elsewhere in the country are superior to those which operate in London under Metropolitan police control?

Mr. Hanley: That is an interesting point. Nothing is superior to the training, experience, standards of quality and service and quality of vehicles of the black cab trade in London. It is possible, however, for certain unlicensed minicabs to offer supreme quality and service. I should hate people to think that the whole trade is dissolute. There are people of the highest quality who are not drivers of black cabs but have wonderful minicabs of supreme quality and comfort and their services are used because of that. They are not always more expensive than black cabs. There are many honest people offering quality trade in the unlicensed minicab business, but in the general cab trade there is nothing superior to black cab training.

I understand that there are about 20,000 black cabs in London and 40,000 minicabs. I wish that there were 60,000 black cabs in London. Unfortunately, some people found that they could not operate black cabs in their area. After all, there would not be 40,000 minicabs in London if there was no need for them. Nevertheless, the House must understand that in my view the training that we give to drivers of black cabs is the best available in the world. I hope that when the Suzy Lamplugh Trust reports, something will be done about the training of minicab drivers. Does the Minister believe that there is room in London for minicabs as well as black cabs?

It is sad to think that the black cab trade does not want to see any improvement in the minicab trade because it fears that people might then choose minicabs, believing them to be as acceptable as black cabs. That argument has been put forward, although members of the black cab trade say, "That is not the position. We are not frightened of the minicab trade." Yet they resist the improvements of which I have been speaking.

They say that such improvements would not prevent women from being preyed on by bogus minicab drivers —simply because minicabs would have plates on the backs of their vehicles—even though people would know they were minicabs. While that would be an advance on the present situation, the black cab trade does not want that improvement to occur and would prefer the minicab trade to remain as it is. Nor does the black cab trade specify under what conditions it would allow changes to take place.

It is important for the House to consider just what restrictions do not apply to minicabs in London now. I accept that our proposals may not be perfect, but those who believe that the changes we propose should not be made must thereby disagree with the provisions of the Local Government (Miscellaneous Provisions) Act 1976.

For a start, if a licence were granted, it would be good in any of the participating boroughs. In other words, a person licensed in Richmond to drive a minicab could drive in any of the other boroughs. Apart from two hon. Members of whom I am aware, all other hon. Members who represent London boroughs—Conservative, Labour and Liberal—accept that their councils have asked for the introduction of these provisions. Yet strangely, because they believe that they are under the instructions of, or are expressing the interests of, drivers of black cabs, they believe that their councils are wrong. Redbridge has disagreed and wishes to be dissociated, as does Greenwich, for different reasons.

I shall detail the restrictions that the measure would impose on minicab drivers in London, and the public may think it remarkable that they do not already apply. Section 46 of the Local Government (Miscellaneous Provisions) Act 1976 says that the owner of a private hire vehicle

requires a licence, as does the driver and the operator. So the owner, driver and operator require a licence from the local authority.

Section 48 says that the licensing of private hire vehicles shall be authorised by the council so long as

"they are satisfied . . . that the vehicle is . . . suitable in type, size and design for use as a private hire vehicle"

and shall not be

"of such design and appearance as to lead any person to believe that"

it is a black cab. If hon. Members believe that any of those restrictions are undesirable, let them say so. The vehicle should be desirable for the purpose for which it is being used. The vehicle should be

"in a suitable mechanical condition . . . safe; and . . . comfortable."

That is a requirement of the 1976 Act.

The drivers of black cabs say that minicabs are not inspected to the same rigorous degree as are black cabs. I accept that. I wish that they were inspected to such a high degree. I am asking, however, that their condition be brought up to the conditions at least required by the local authority so that they are fit for the purpose. At present, any old banger can be brought on to the road as a minicab. Will my hon. Friends who object to the course that is being proposed say why they will not force minicabs in their areas to be fit for the purpose? Why will they continue to allow their constituents to drive unlicensed cars?

Under section 48 of the Act, a council may require signs to be displayed or prohibit signs from being displayed on vehicles. Although signs might be prohibited, there would almost certainly be a plaque on the vehicle, and should the licence be removed, the plaque would have to be returned to the council. There might also be an identifying badge for the driver, and that badge would have to be available and be seen by the passenger at all times.

I wonder whether the girl who was raped three Christmases ago, and her friends, had they seen the number of the driver or known the borough from which the minicab came, would have taken a different view. Indeed, had they known for certain that it was a minicab, they might have felt more secure. They might have remembered the number of the driver and of the cab or the name of the licensing authority. Because it did not have a disc, they might not have got into the car and that girl might not have met such a terrible fate.

Section 49 says that if the owner of a private hire vehicle transfers his interest to somebody else, he must notify the council of that. That seems fair. Section 50 says that the owner of a private hire vehicle must take it for inspection by the council when required, although the council may not require inspection more than three times a year. In other words, inspection could take place three times a year.

Hon. Members who are perhaps voicing the views of other interests say, "We do not believe that minicabs in London should have any restrictions in respect of quality and inspection. Let us wait until a more perfect law is available." They are saying, "Let us wait until more minicabs cause damage on our roads." Indeed, black cab drivers have told me that if a girl is raped after the Bill becomes law it will be my fault. That makes me anxious to push the measure even harder because I believe strongly that when my constituents telephone for a minicab they should get one that is fit for the purpose and know that the driver and owner are fit people and that the vehicle has been inspected.

Not only should minicabs be inspected to ensure their quality, but the places where they are kept should be inspected. Further, if a minicab is damaged in such a way that its safety, performance or appearance is suspect, it should be repaired.

The owner of a minicab should have to provide a certificate of insurance. Incredibly, even that is not required at present before a person can become a minicab driver. The only requirement concerning insurance is the general one that applies to an ordinary car driver. Despite that, minicab drivers carry passengers for years, and if those passengers are injured they may not be covered.

Section 51 says that the district council will license anyone who applies to be licensed to drive a private hire vehicle unless he is not

"a fit and proper person to hold a driver's licence"

or he has not held a full driving licence for at least 12 months. The council can attach conditions to the grant of a driver's licence.

The Metropolitan police computer is valuable in weeding out unfit people—people with sex offences recorded against them, for example, and people who might put the public at risk. The LTDA has said that the Bill would not improve Metropolitan police checks on driver criminal records. How could it? The Metropolitan police runs black cabs in London and owns the computer. Local authorities have no right to look at the computer. I wish that they could. I would like to see the establishment of a central authority with power to examine the computer, and put names through it, to see who has committed crimes. It might discover those who could be a danger to the public and who, therefore, should not be given approval.

Follow-up procedures should take place. If a person is found to be an "unreliable source", something could be done about it. Let us remember that at present that line of responsibility does not exist. The line of responsibility is first to the licensing body. Being the local authority, those who are licensed will be accountable to it.

Section 53 of the 1976 Act says that a licence shall be valid for up to three years and that the driver of a private hire vehicle shall produce his driver's licence for inspection if required. That seems a sensible provision, but it should apply before a driver goes on the road. At present, his driving licence need be produced only if he is stopped by a policeman and asked to produce it. But he could have been carrying passengers for years, perhaps even on a provisional licence.

Section 54 concerns the issue of drivers' badges, a subject with which I have dealt. I agree that a driver should wear a badge at all times and that it should be plainly and distinctly visible when he is driving a private hire vehicle.

Section 55 deals with the licensing of operators of private hire vehicles. It says that if it is believed that an operator is not a fit and proper person, he shall not be licensed, and conditions can be attached to the licence.

Section 56 concerns the booking of private hire vehicles. It says that a licensed operator must keep a record of all bookings that are accepted, that those bookings should be entered before the commencement of each journey and that the records must be available to the council or police on demand. In other words, it will be known where a car is, where it is going and what it has done. That will control many aspects of the minicab trade. I fear, however, that hon. Members will say that that would be undesirable.

[Mr. Hanley]

Section 57 states that applicants for those licences must submit certain information, and I have mentioned references. Many other items can be put on the application form to weed out those who are unfit to carry the public. Section 60 involves the suspension and revocation of vehicle licences, and says that the council can suspend, revoke or refuse to renew a vehicle licence. Section 61 relates to the suspension and revocation of drivers' licences and there is a similar provision for operators' licences under section 62.

In the last small batch of sections, section 68 states that an authorised officer of the council and a policeman may inspect and test a private hire vehicle that is licensed. Under existing legislation, they do not have to test them for the purpose of carrying passengers, but merely for normal roadworthiness, as with an MOT. Section 69 states that it is a criminal offence for the driver of a licensed private hire vehicle to prolong a journey unnecessarily either in distance or time. It is an offence for a person to drive too far or too long, and can result in a licence being removed. Hon. Members and licensed taxi drivers may say that that still does not stop fraud because taxi meters have a veneer of authority about them.

I recall the case of a Japanese business man arriving at Heathrow. This tale is not apocryphal, but true. He drove from there, in a licensed black cab, to the centre of London, where all three Japanese passengers were asked for the amount on the taxi meter. Not only minicab drivers are crooks. They exist in all walks of life. There are crooks in the House—*[Interruption.]*—perhaps. It has been rumoured that in the past, many years ago, there might have——

Mr. Deputy Speaker: Order. I am sure that the hon. Gentleman did not mean that there were crooks among hon. Members.

Mr. Hanley: I am grateful to you, Mr. Deputy Speaker, for that intervention, and I unreservedly withdraw my remark. In all walks of life there are those who may carry out their tasks dishonestly, even drivers of black cabs. Those who would carry out such crimes and elongate journeys, either through mileage or time, are a tiny proportion of the minicab trade and an even tinier proportion of the black cab trade, which is the best taxi trade in the world, and I would do nothing to harm it. I do not believe that the clause will harm them, and nor do the 29 local authorities promoting clause 4.

I have set out the requirements for carrying out business as a licensed minicab driver in the rest of the country, but not London. Will my hon. Friends say why introducing that legislation now is undesirable? Why is it undesirable for women to feel more secure because at least there is a licence disc on the back of a cab? Why is it undesirable to introduce legislation to provide that a minicab is fit for the purpose? Why is it undesirable to take references for minicab drivers? Why is it undesirable that, following an offence, a minicab driver, operator or owner should be taken off the road? I ask those questions time and time again, because the legislation, warts and all and imperfect though it is, should be introduced so that the law is consistent throughout the nation. Improvements to bring up to the standard of black cabs those minicabs that are not should be brought into line following the Home Office research.

My instruction on the Order Paper asks that the Committee should not allow clause 4 unless it is

"satisfied that it will not jeopardise the unique and valuable position of the licensed Hackney Carriage trade within London."

What greater bona fides could I give than the fact that the promoters believe that if the black cab trade is harmed we should not proceed with clause 4? However, the Licensed Taxi Drivers Association has rejected that statement of intention. I wonder why. Is it because it fears that if people feel that minicabs are slightly more respectable, less of a danger to women and children, less disreputable because the quality and state of their vehicles and their reputation is better they may choose to use minicabs, rather than be forced, scared, into black cabs? If that is the sort of confidence that the black cab trade needs for its business, I am ashamed of those in it who feel that.

People have come to my office during the past week and written me letters. There has been hysteria about clause 4. Hon. Members have talked to me in the strongest terms, and when I have explained exactly what is being introduced they have been aghast and said that they did not realise. I ask my hon. Friends present today to consider what clause 4 means and what rejecting it means.

If the speeches following mine show that hon. Members want to stop elderly and poor people from having their gas and water reconnected, delay crime prevention and victim support, not clear up vehicle licensing laws and allow Croydon only £500 for the purpose of twinning, hon. Members should say so. I ask the hon. Member for Deptford to take that point to heart. If hon. Members would like the parts of the Bill relating to those matters to continue, I ask them to allow me to listen to their speeches and make their decisions later.

Mr. Michael Colvin (Romsey and Waterside): My hon. Friend mentioned vehicle licensing. He must be the first to confess that clause 7 is pretty short. From what it says, it appears that it proposes to extend off-licence sales in London. As the House will be only too aware, one problem we face today is too many off-licence sales for liquor consumption in the street. The purpose of the Licensing (Amendment) Act 1989, which Parliament in its wisdom passed last Session, was to introduce more flexible hours for on-licences to get liquor drinkers off the streets, and back into pubs where they rightly belong and can be supervised by a publican, who risks losing his licence, livelihood and even his home if he does not supervise drinking properly. That would appear to be an extension of off-licence drinking, which has serious——

Mr. Deputy Speaker: Order. Interventions must be brief.

Mr. Hanley: I doubt that any contributions will be brief this evening.

The clause is powerfully supported by the Metropolitan police and tightens up a loophole in the law. If my hon. Friend the Member for Romsey and Waterside (Mr. Colvin) wishes to know anything further—I have always wanted to say this to an hon. Friend—I shall write to him.

Mr. Hugo Summerson (Walthamstow) *rose*——

Mr. Hanley: I shall not give way as I am just about to end. I know that my hon. Friend, who is always present on such occasions, will want to make his own exhaustive speech. The debate would not be the same without him.

The promoters and I will willingly listen to the arguments. However, the people listening to the speeches following mine will hear that it is not just me, the so-called tailend Charlie, who has been mugged by private hire car vehicle operators to introduce a clause to give them total respectability. My speech represents the interests of 31 London boroughs for most of the Bill and those of 29 boroughs for all but clause 4. The people of those boroughs elected the councils that have approved a Bill for women in London who do not want to fall prey to bogus taxis and minicabs, children who have to be picked up from school by minicab and all those who, although they wish that a black cab would take them, find that it is difficult to get one. I ask hon. Members to explain carefully why they do not want what has been passed by Parliament for the rest of the country. If you seek to do away with this for London, you should seek to repeal the legislation in the rest of the country, and seek to explain why you believe that women——

Mr. Deputy Speaker: Order. My beliefs do not enter into it.

Mr. Hanley: I fully accept your stricture, Mr. Deputy Speaker. I hope that we may privately discuss your thoughts on this, and I am sure that you will agree with me wholeheartedly.

Suffice it to say that I will listen to all the contributions which follow. If I feel that hon. Members are likely to put in jeopardy those parts of the Bill which I have explained and with which all hon. Members must agree, I will ask if they will allow me to intervene.

7.50 pm

Mr. Vivian Bendall (Ilford, North): I should explain to the House that I represent the Licensed Taxi Drivers Association. My representation is listed in the Register of Members' Interests.

This subject is very emotive and has been for a number of years. I oppose clause 4. I assure my hon. Friend the Member for Richmond and Barnes (Mr. Hanley) that I am not against the rest of the Bill. The criminal clause is very helpful to boroughs all over London, and there is no doubt that the other parts of the Bill will be helpful for London as a whole; but I am concerned particularly about clause 4—so concerned that I put down a blocking motion.

Before I give reasons for my opposition, I would just like to look at what has happened to the Bill. It started off with 52 clauses and has arrived here with a mere eight left. Much of it was taken out in the House of Lords.

Last year, the Government produced a Green Paper —or, at least, it was rumoured that they would produce one; it never actually arrived. Rumour had it that the Green Paper might contain some provision for the licensing of minicabs, but the Government in their wisdom decided to withdraw it. I believe that we heard no more about the licensing of minicabs because, back in 1976, the Government decided that the licensing of minicabs would be inappropriate in London because of the special situation of the black cab.

London is very different from the rest of the country. Without doubt, it is a special case. In other large cities —Birmingham, Manchester and so on—one will see black cabs, but not in anything like the numbers that one finds in London. I believe that the Government decided at that time that, although it was right to license minicabs in other areas, if they were to bring in the type of legislation that my hon. Friend the Member for Richmond and Barnes has described, the Local Government (Miscellaneous Provisions) Act 1976, for London, it would have a dramatic effect on the whole of the black cab trade. As a result, we have seen an increase in the number of black cabs in London, and we shall see an even greater increase as time goes on. The provisions in the 1976 Act as described by my hon. Friend would be dangerous for London, and I want to explain why.

Let us take the taxi meter first. We have heard that drivers of minicabs will have to register with the local authority in order to have a meter but that they will be able to charge whatever they like, as long as that charge has been registered with the local authority. In the black cab, however, the prices on the meter are governed by legislation. The Government decide each year what the fare to be charged in a black cab will be. This will cause a difference in fare structure, and people with minicabs will be able to charge whatever they like.

What about tourists? London has an abundance of attractions for the tourist—the Palace of Westminster, Buckingham palace, the Tower of London and all the others; indeed, the black cab itself is a great tourist feature. The many thousands of tourists will be charged exactly what the minicab driver wants to register with the local authority and charge per mile. There have been many cases of tourists arriving at Heathrow and travelling by minicab to central London and being charged something like £100. That is well known to the black cab trade, to the Department of Transport and to the Metropolitan police. It is very difficult to catch such people. It means that we can never compare like with like, because minicabs will charge one amount which they can choose and register, and black cabs will be charging an amount which is controlled by Government.

Let us now look at safety and the danger of a woman being raped by a minicab driver. I accept what my hon. Friend the Member for Richmond has said about the tragic cases that he has described, but the problem is that, when those cab drivers register with a local authority, their backgrounds will not be investigated. In the black cab trade, before a licence is granted, the background of a driver is investigated and he is checked for a possible criminal record. This means that, although minicabs may carry a plate, we will be unable to stop undesirable people driving minicabs.

This legislation, therefore, is not a vast improvement. In many ways, we would all like to see a much greater tightening up and improvement, but this is not happening. This Bill will not lead to any more investigation of drivers' backgrounds——

Mr. Hanley: My hon. Friend is very patient and did not intervene in my speech, and I will try to resist intervening in his, but, under the private hire vehicle provisions of the 1976 Act, section 57 has the power to require applicants to submit information and references. I have answered the point about the police computer. If any of that information were found to be inaccurate, the licence could

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be revoked. As regards the airport, my hon. Friend must recognise that minicabs have restrictions on plying for hire at such places.

I am grateful to my hon. Friend, but I feel that I have answered those points.

Mr. Bendall: I do not think that the points have been answered. The point I am trying to make is that, if a minicab driver goes to register with the local authority, under the provisions of the 1976 Act his background cannot be investigated in the same way as that of a black cab driver. My hon. Friend referred to a minicab driver who did not know the route. Black cab drivers in central London have to spend two years "on the knowledge" to gain a green badge.

If a black cab driver charges the wrong fare or refuses to take a passenger, he can be reported to the Metropolitan police. For some offences, the driver would lose his licence for a considerable time. In fact, I have known black cab drivers to lose their licences for ever if the offence was very serious. Therefore, the regulation of black cab drivers in London is stringent. I should like the provisions of the 1976 Act to be strengthened outside London, because people are far from happy about some of the things that are going on.

The black cab is unique to London. The laws to regulate and control black cabs have stood the test of time. Many of them go back to the days of the hackney carriage. They have evolved over many years. It would be tragic if there was to be a decline in the black cab trade, which might happen with the piecemeal legislation which is proposed. The Bill would lower standards.

Black cabs have to be inspected twice a year. My hon. Friend referred to vehicles in the provinces being inspected three times a year under the 1976 Act. If they were, it would be all right, but that does not happen. Black cabs in London are inspected twice a year by the Public Carriage Office. I cannot see 32 London boroughs setting up individual inspection areas and making their own arrangements for the licensing of minicabs. There might be different rules and regulations in each of the 32 boroughs. Nothing in the Bill provides for the overall registration or inspection of vehicles. It would be disastrous if different arrangements applied in the 32 boroughs.

Mr. Arbuthnot: Is my hon. Friend suggesting that the standards applicable to maintenance might be different in each London borough? If that were the case, there would be a hotch-potch of regulations which it would be impossible to enforce.

Mr. Bendall: Although certain standards are set out in the Bill, I find it difficult to believe that all 32 London boroughs will set up inspection arrangements to ensure that cabs are roadworthy. Inspection will be costly. Appointments have to be made. Sometimes there are long queues of black cabs waiting to be inspected, and the carriage office cannot get through all the work. If it is difficult to get through the inspections at the moment, what would happen if an additional 60,000 vehicles had to be inspected? I do not think that the Bill would lead to an improvement in vehicle maintenance. The only slight improvement is that the driver would have a badge and there would be a plate on his vehicle.

In regard to kerb crawling and touting, we all know that for many years it has been illegal for minicab drivers to ply for hire, but the drivers take no notice of that. If we go to Charing Cross or any London station on a Saturday night, or to the west end when the theatres and cinemas close, we see many mini-cabs plying illegally for hire. The Bill will not stop that. If mini-cabs are licensed, they will be given an air of respectability. The public will think that it is legal for them to ply for hire. When that happens, where will the black cab trade go?

Mr. Summerson: Down the drain.

Mr. Bendall: My hon. Friend has put the words in my mouth. It will go down the drain. What is the point of a black cab driver spending two years on the knowledge, which is very costly, if a minicab driver can ply for hire? I am sure hon. Members have seen people with little maps in front of them riding motor cycles around London; they are learning the routes. It takes enormous concentration and time for someone to learn the knowledge. Who will bother doing that if people in minicabs can charge more? People will not take the trouble to learn the knowledge if they think that they will not get a square deal. Kerb crawling will continue, and more and more minicab drivers will ply illegally for hire. The Bill will not stop that.

Mr. Hanley: My hon. Friend is expressing a genuine fear of hackney cab drivers. I am a great fan of the black cab trade, and I would not advise anyone to travel any other way. But if a minicab touts for business currently, there is no way he can be stopped unless he is arrested on the spot, because it is an arrestable offence. At the moment, all one has is his number plate.

If a person touts for business after clause 4 becomes law, there will be an identifying mark on the back of the cab. It will carry the name of the licensing authority and a member of the public could say, "I saw that cab stopping when someone put up his hand. That is an offence and his licence should be taken away." The licensing authority could do that. If clause 4 becomes law, it will be easier to catch up with drivers who tout for trade.

Mr. Bendall: I am sorry to disappoint my hon. Friend, but I do not think that that would happen. Often people are happy to get a minicab late at night when they come out of a theatre or a club. The Bill would give minicabs an air of respectability, and as a result they will tout and kerb-crawl more than they do now. There is no way in which that can be stopped, because there are only five enforcement officers in Greater London, and—given the number of minicabs in London—that would be a joke.

I do not want to see the destruction of the black cab trade. That could happen if we do not compare like with like, and the black cab is given a rough deal compared with the minicab.

There are other consequences of the Bill that my colleagues have not thought about. The unique black cab produced in England comes in two forms: the Metro and the Fairway—the 4X—which is a famous cab produced in Coventry. Large numbers of those cabs are now exported to, for instance, Japan and Kenya. In the event of a reduction in the number of people purchasing black cabs and not prepared to do the knowledge, our export industry would suffer. If black cabs were not produced in great numbers, people would not buy them, because they would no longer be able to compete: they would be downtrodden,

as it were, by minicabs crawling along and touting for business. Eventually, our export industry could be destroyed, as no one would be buying black cabs for home use.

Another problem is the enormous number of fleet cabs. If the black cabs were to disappear, there would be unemployment in the factories producing them, and among drivers. The back-up servicing would also be hit. I do not know if any of my hon. Friends are aware of it, but behind the black cab trade there is an enormous back-up service in little railway arches. If there were no black cabs to service, what would happen to those firms? That would start up a continuous problem, and I do not know where it would end.

I agree with my hon. Friend the Member for Richmond and Barnes that there are not enough cabs in outer London. Whereas inner London is called the green badge area, outer London is the yellow badge area. In outer London, drivers used to have to train for two years or so. Outer London is split up into geographical areas, and the number of those areas has now increased. The Public Carriage Office and the Government are trying to reduce the time for the knowledge training in outer London, which in due course should increase the number of black cabs available in outer London.

As my hon. Friend the Member for Richmond and Barnes said, the public feel safer in a black cab. Those cabs are purpose-built for safety. They have been specially designed over the years to be used in large cities and conurbations such as London. The cab has a first-class turning circle, which other vehicles such as minicabs do not have. Surely we should be encouraging those black cabs in our cities, as we already have enough transport problems in London. The black cabs are part of the co-ordinated transport system of London. They are purpose-built vehicles with the right turning circle, the right safety and the right insurance. We should be discouraging the wrong vehicles, such as the minicabs——

Mr. Dennis Skinner (Bolsover): The Japanese minicab.

Mr. Bendall: As the hon. Member for Bolsover (Mr. Skinner) points out, someone will soon try to step into our export markets. Japan and Germany are already working on a cab. It would be tragic if something that is unique to Britain, which is helping our exports, were ruined.

Let me say a few words about the Suzy Lamplugh Trust. I must say to my hon. Friend the Member for Richmond and Barnes that I admire what it is trying to achieve, and in no way do I want to stop those achievements; however, I do not want to see those achievements used to the detriment of others. The black cab trade has been built up since the early 1900s. It would be tragic if taxi drivers asked what was the point of paying £18,000 or £19,000—with hire purchase—to buy a specialised black cab when they could buy an old banger to do the job. There would then be a lowering of standards and the ruination of the taxi trade. While I sympathise with what my hon. Friend is trying to achieve, I think that it would be tragic if, as a result of the Bill, the black cab trade in London was ruined.

Black-cab drivers are highly intelligent people, interesting and well read in politics and other matters. They are always happy to discuss politics, and no doubt many hon. Members in the past few weeks have been tapped up about the Bill, as they are concerned about its possible effects. I hope that my hon. Friend does not think that he is being got at too harshly.

In the years that I have represented taxi drivers in my constituency, I have always found them generous and kind people. My hon. Friend may not be aware of the amount of charitable work that they do, such as arranging visits to coastal resorts for disabled children. That takes place because of the closeness of the trade and the uniqueness of the black cab. We do not want to lose the black cab: that would be a tragedy for London, and a tragedy in general.

I am not attempting to stop the progress of the Suzy Lamplugh Trust, but the black cab must be preserved in the years ahead.

Although they seem to be staying neutral tonight, last year the Government seemed quite happy for many cabs not to be licensed, but they have tried to help by improving the yellow badge area outside London and in a number of other areas which will be added to the scheme. I learn from my friends in the trade that that improvement has already started. Many more people have applied for yellow badges in those areas, and I am sure that all this will help to build up the black cab trade, not hasten its decline. That is why I am worried that, even before the improvement gathers momentum, the laws for London might be changed. If we were talking about somewhere outside London where there was no black cab trade, I should have no hesitation in supporting the Bill, although I should like more stringent controls applied outside London.

One of the greatest anxieties of the black cab drivers is to do with minicabs being able to charge whatever they like, and being able to ply for hire. One night in Birmingham recently, the police decided to purge illegal minicabs that were plying for hire. A great deal of police time and a great many police were involved in the exercise, and they caught about 45 people that evening.

More recently still, there have been many similar problems in Reading. I quote, for example, from the *Bracknell Post,* which, in an article headlined "Unsafe scandal of town cabbies", states:

"A major crackdown on Reading's private hire minicabs has revealed 40 per cent. have been carrying passengers in cars branded unsafe".

That is covered by the 1976 Act.

"An investigation by Reading Borough Council and police has revealed some drivers have been carrying passengers without proper insurance".

That too is covered by the 1976 Act.

"A borough council spokesman said: 'If they were involved in an accident these passengers would not have been able to claim a penny'. In the past five months, 19 drivers have lost their licences because they did not have passenger liability insurance."

These people have been caught, but many are not caught, and the article goes on to prove that the 1976 Act is not working properly because it is not being properly enforced by local authorities.

If we introduce measures similar to the Act in London, we shall be in danger of ruining our entire black cab trade, and that would be an utter disaster for London.

8.24 pm

Ms. Joan Ruddock (Lewisham, Deptford): It is irritating enough to find oneself on the Front Bench on the evening of the local government elections but it is even more so to find oneself here to discuss a private Bill which, although undoubtedly well intentioned, signally fails to

[Ms. Joan Ruddock]

live up to the claims made for it in clause 4. The hon. Member for Richmond and Barnes (Mr. Hanley) said that the promoters did not intend clause 4 to harm the black cab trade. We accept that assurance of intent, but the effects that are anticipated are a matter of judgment and opinion. That is why the instruction to the Committee tabled by the hon. Gentleman is no guarantee of a satisfactory outcome to the differences between us.

We accept that the promoters' intention is to use clause 4 against the disreputable part of the minicab trade, but our concern is that the clause cannot achieve the objectives of safe and fair travel—objectives which I believe we all support for the taxi trade.

Over the past few weeks we have made our position clear to the Labour-controlled Association of London Authorities, and we understand that it now accepts the need for reconsideration. We further understand that both Labour-controlled and the Tory-controlled associations have sought to control minicabs because of the problems which are clear to all of us who live or work in London. We sympathise entirely with their concerns.

Of course, there are legitimate operators who try to offer a fair service, but there are many who are disreputable. All too often, minicab vehicles are in a bad condition, dirty and unsafe. All too often, the drivers have little knowledge of the routes, and some of them are unsafe drivers. I am especially aware of the dangers that women riding in minicabs face in a capital city. A recent survey for London Weekend Television revealed that 4 per cent. of women questioned said that they had been attacked by drivers when travelling home at night. Obviously, action is required.

There is an unmet demand for taxis in London and it is women, particularly, who increasingly seek safe transport after dark and in suburban areas, where other form of public transport may be infrequent or even non-existent at night. Hiring a minicab is often the only solution to getting home for a person without a car or for a driver who has sensibly left the car at home when attending a social function.

We in the Labour party are clear about the need for the taxi trade as a vital supplement to other forms of public transport in London. The problem is that the best service in the world—the black cab trade—has not been able or allowed to keep up with growing public demand. That is Labour's starting point—the recognition of a public need and of an existing service with the highest possible public standards. The challenge for all of us—politicians, local authorities and the cab trade—is how to raise the standards of all who would ply for hire, and how to satisfy the increased demand for taxi travel.

Would clause 4 meet our aims? The answer is a definitive no. We accept the case that has been pressed upon us, particularly by the Transport and General Workers Union. I acknowledge an interest, albeit not a personal financial interest, in that I am sponsored by that union. I wish to rehearse the critique of clause 4 put to us by Peter Martindale of the TGWU. First, no uniform or minimal training standard for drivers is required in the clause. Evidence given to the Lords in Committee shows that even the most enthusiastic councils do not propose to provide training but propose only to test topographical knowledge of their own boroughs. It is therefore possible that a person who is licensed will know one borough but will not know the next into which he frequently moves.

No uniform or minimum vehicle standard is required in the clause, which is appalling given that these cars will travel about 100,000 miles a year. The vehicles will not be required to have a partition fitted for driver protection or for the passenger privacy which a GLC survey showed women preferred in cabs. The vehicles will not be required to be wheelchair accessible. Wheelchair accessibility is one of the radical and progressive steps that have been taken by the taxicab trade in London and for which all travellers with disabilities are deeply grateful.

Worst of all, the lack of access to police records means that there would be no certainty that drivers licensed under clause 4 would not have a record of criminal personal assault or even rape. Clause 4 lays down no means of vehicle recognition or identification, and the absence of unified standards will make recognition of licensed vehicles impossible. London's many visitors will be particularly vulnerable to "licensed minicabs", as opposed to "licensed cabs".

Residents of London will also be confused by the use of standard saloon cars. A third tier will arise illegally, as it has elsewhere, and will find it easier to work where it can masquerade as legally licensed vehicles. No borough would be able to tackle vehicle recognition because it would not be able to exclude vehicles which had been registered elsewhere.

The Bill does nothing to tackle the problem of the many people working in the minicab sector who have little commitment to the industry. Therefore, the sanctions imposed by the Bill in terms of the removal of licences would be ineffective.

Mr. Hanley: If legislation were introduced to tighten the points that the Transport and General Workers Union has made—and if a clause similar to clause 4 were introduced to bring London into line with the rest of the country before that legislation was introduced—would the hon. Lady and her party support it?

Ms. Ruddock: The hon. Gentleman presents a hypothetical case. More important, he fails to acknowledge that London is quite different from the rest of the country. Black cabs operate to extremely high standards which do not exist elsewhere. London's high standards should be observed by the rest of the trade. We should not seek to introduce a two-tier system which, where it exists, has immense problems.

The Minister for Public Transport (Mr. Michael Portillo): The House will be interested by the hon. Lady's speech. It sounds as though she is in favour of minicab licensing in the circumstances that she has described. She is making an important statement on behalf of her party. The House would appreciate her confirmation that she is in favour of minicab licensing if those conditions can be achieved——

Mr. Deputy Speaker: Order. I think that it would be in order to concentrate on the Bill.

Ms. Ruddock: As you suggest, Mr. Deputy Speaker, I should proceed. I will make it absolutely clear to the Minister and his colleagues exactly where the Labour party stands on the issue.

Mr. Hanley: Is the hon. Lady saying that, even if legislation were introduced to tighten the deficiencies of the minicab trade in London along the lines recommended by the Transport and General Workers Union, it would be unacceptable to the Labour party as it would refer to minicabs in London? Is the Labour party's intention that there should be only black cabs in London and not minicabs? I am seeking clarification from the hon. Lady.

Ms. Ruddock: The hon. Gentleman is seeking not clarification but to put words into my mouth. The standards that should be met by the cab trade already exist in London—those to which black cabs are subject.

I said how local authorities would not be able to deal with the difficulties of vehicle recognition. The Bill does nothing to tackle the problem of the many working in the minicab sector who have little commitment to the industry. Therefore, the sanctions that the Bill provides would be ineffective. The loss of a licence in one borough would not preclude the driver from working in another borough.

As the hon. Member for Richmond and Barnes acknowledged, the Bill provides no powers for boroughs to set fare levels within their own area, let alone within London; nor does it require meters to be fitted to the vehicles that they license. Experience from outside London shows that there are many difficulties with legislation such as this, and there is a case for tightening the legislation which applies to other parts of the country. The recent "Operation Cinderella", which has already been referred to and which was carried out by the police and trading standards authority in Birmingham, showed how acute the problems are.

We believe that the Bill is incapable of reforming the fly-by-night nature of minicabs. At best, it might provide a veneer of respectability. Its failure to lay down training for drivers, design and maintenance of vehicles and methods of operation will not develop the commitment to the taxi industry that is shown by London cabbies.

London's cabs are acknowledged to be the best in the world. It is our contention, therefore, that we should first consider providing all the public with a first-class taxi service by extending the regulation of the best system in the world while phasing out minicabs, which are agreed to be unsatisfactory. In other words, we should base London's future cab service on what is good rather than what is bad.

That is the policy of the London Taxi Board, which is made up, I remind hon. Members, of the following cab trade representative bodies: the London Motor Cab Proprietors Association, the Cab Fleet Owners, the Joint Radio Taxis Association, Taxi Radio Circuits, the Licensed Taxi Drivers Association, the Owner Drivers Society and the cab section of the Transport and General Workers Union.

The Labour party is not arguing a protectionist case. Indeed, we believe that at times cab drivers have been their own worst enemies. It is not difficult to find a Member of Parliament who can testify to the number of refusals by black cabs to accept his or her fare home after a late-night sitting.

There must be reforms in the licensing and training of black cab drivers to achieve expansion of their numbers and greater flexibility in the hours that they are prepared to work, while still maintaining the same high standards.

I am delighted to learn of the changes that are already under way, to which the hon. Member for Ilford, North (Mr. Bendall) referred. The London Taxi Board has negotiated a change in the knowledge of London training with the Public Carriage Office to allow new cab drivers to obtain a licence for a sector of suburban London in approximately four months. The scheme has been implemented since last September, and in January there were 990 participants who, after a high standard of training, will get a first-class job. The new scheme is capable of rapidly expanding London's cab trade to the suburbs, where it is most needed.

The taxi board has published draft proposals which, when adopted, will apply the most up-to-date techniques to the knowledge and, with the adoption of computerised radio systems in cabs, will facilitate further expansion in the cab trade to provide thousands of first-class jobs and a first-class service for all, particularly for those with disabilities and for women. Cabs are wheelchair-accessible and have an internal partition between driver and passengers for discretion and safety, which women acknowledge that they particularly want.

The Labour party supports the London Taxi Board's plan to reform the knowledge training. Standards will be maintained, but the time taken to complete it will be reduced. I believe that that is the key to making more cabs available.

I have no doubt that the travelling public want a safe, recognisable vehicle with a meter showing a regulated fare driven by a well trained and vetted driver. Those standards are available within the black cab trade, and they are the standards for which we should aim, but they are not met by clause 4 of the Bill.

Labour's opposition is not a case for inaction or an acceptance that London should continue to play host to a huge, unregulated sector of minicab businesses. We accept the need for urgent action. To that end, we are setting up a working party to include trade and local authority representatives. We will publish a plan through which, we believe, the problem can be solved. It will bring into being sufficient numbers of cabs of sufficiently high standards —the black cabs—to meet the need. It will take time, but we will outline the programme and recommend it to the Minister and Conservative Members. It will be consistent with our overall plan for an integrated and co-ordinated public transport system, under the auspices of a strategic authority for London. Planning for London, especially in transport, must be on a London-wide basis. We know that the two London boroughs associations support that general view. We hope very much that through our working party we can point the way towards solving what we acknowledge to be a very serious problem.

I am happy to support other clauses in the Bill, which provide a number of sensible measures. As a London Member with an inner-city constituency, I welcome all reasonable measures for crime prevention and the means afforded to local authorities to take those measures. I also welcome the proposal to reinstate essential supplies. My constituents, who are among the poorest in London, are the most likely to find themselves facing debt and the misery and insecurity of cut-offs under this Government's policies.

8.41 pm

The Minister for Public Transport (Mr. Michael Portillo): It may be for the convenience of the House if I intervene now to give the Government's view. I shall be brief as I know that many hon. Members wish to speak.

I pay tribute to my hon. Friend the Member for Richmond and Barnes (Mr. Hanley) for the way in which he so helpfully introduced the Bill. I thank him for his kind words about me, but must emphasise that they were based merely on newspaper rumours. I have the greatest sympathy for him, because his motives for introducing the Bill have come under attack. I have no doubt that his motives were excellent, as was made quite clear in his speech. My hon. Friend the Member for Ilford, North (Mr. Bendall) put the contrary view with equal skill. That has led to an interesting debate.

I am pleased that all hon. Members who have spoken have paid tribute to the taxi trade in London. I shall remind the House of the view that I gave on 11 May 1989, when we concluded the review of taxis in London:

"In the case of London, it has become clear that the high standards of service and propriety offered by taxis are highly valued by . . . the public. London passengers enjoy a quality of service based on purpose-built vehicles developed to enhance driver and passenger comfort. Their roadworthiness and cleanliness are ensured by standards set by the Public Carriage Office, and drivers must pass through rigorous driver testing."—[*Official Report*, 11 May 1989; Vol. 152, c. *486*.]

I announced at that time that the Government had no intention to legislate.

Before I deal with clause 4, which is central to the debate, I shall comment on the other clauses. In general, the Government have no objection to the principle of London local authorities, as they are empowered to do by statute, promoting a Bill seeking additional general powers for the London area. With one exception—clause 6—all the provisions in the Bill to which Government Departments objected have been either withdrawn or disallowed by Committees in the other place. On clause 6, my right hon. Friend the Secretary of State for the Environment, while having no objection to the purpose of the clause, considers that the powers are too widely drawn. Negotiations are continuing with the promoters to provide a more tightly drawn provision. I hope that the issue can be resolved satisfactorily if the Bill proceeds to Committee.

On the provision for licensing minicabs, when the Bill was introduced, the Government's response to what has since become clause 4 was that it seemed impracticable and that the case for licensing was not proven. The matter of practicability has since been addressed to some extent by the Bill's promoters, but I have to say that nothing has emerged greatly to strengthen the case for licensing.

With regard to practicability, the Government were concerned that simply extending the private hire licensing provisions of the Local Government (Miscellaneous Provisions) Act 1976 would create 31 separate licensing authorities and consequent scope for the cross-border hiring confusion that sometimes exists outside the capital. The amendment since tabled by the Bill's promoters making vehicle, driver and operator licences issued by one London council valid in any other participating borough should ease much of the cross-border problem.

However, we are still concerned that confusion may arise about the public's expectations of control stringency compared with that actually applied by individual licensing boroughs. For example, it is possible that licence applicants will migrate to particular boroughs where the most minimal standards required by the clause are applied, but then concentrate operations in more restrictive boroughs. No doubt such confusion could be overcome by the boroughs agreeing common licensing conditions, but it is only right to point out that there are still potential practical difficulties with the provision.

We considered the need to legislate on London's minicabs. Hon. Members may recall that the Department of Transport conducted a fundamental review of all taxi and private hire vehicle licensing legislation, which was completed in May of last year. During the review, reactions were obtained from the public, from licensing authorities and from those within the trades on the absence of minicab licensing in London. Allegations of malpractice in the trade were made then, as they are often made, but they were rarely supported by hard evidence. I was not content at that time to propose changes on the basis of the limited facts that I had before me. I felt that I did not have enough evidence about the extent of the problem, or sufficient evidence to suggest that licensing would deal with it. It was not clear in what way we could bring criminal record examination into play. For all those reasons, I decided against legislation.

Hon. Members have alluded to the Government's funding to the Suzy Lamplugh Trust, which is conducting research into passenger experiences with and perceptions of the London minicab trade to determine whether licensing is likely to make any difference to safety. The results of that research should be available 12 months from when it began, which was last January. Perhaps I should remind the House of what I said when I announced the Government's participation in that research:

"I believe that taxis in London provide a safe and reliable service, and that the same is generally true of minicabs too. However, I am aware that some people feel anxious about travelling in unlicensed vehicles. There is, at present, very little firm evidence to establish whether this anxiety is justified and I welcome the proposal to gather evidence on this point."

There is a consideration, which some hon. Members have already touched upon, relating to the ability of licensing authorities to check on driver integrity. Complaints have recently been made to me by members of the licensed taxi trade, and in particular the Licensed Taxi Drivers Association, about the alleged criminal element in the minicab trade and about the lack of provision for checks on drivers' police records in clause 4. It is right to point out that the Local Government (Miscellaneous Provisions) Act 1976 does not give provincial licensing authorities automatic access to the police records of licence applicants either for minicab drivers or taxi drivers, and that consequently clause 4 cannot give such access to London authorities.

Hon. Members will appreciate that this is neither the time nor the place to address the broader question of disclosure of information from police records. It is an issue that I know the Home Office has been reviewing. Suffice it to say that, while some hon. Members might consider that the fact that clause 4 does not offer criminal record checks is a reason to oppose it, others might, on balance, support the principle of extending to London the controls available to councils in the rest of the country.

Those are the Government's views on what we consider to be the main implications of clause 4. I should stress, as was said when the Government's view was given in another place, that, overall, the Government's opinion on clause 4 remains neutral.

I note that there are three petitioners against clause 4, and they will have the opportunity to present their objections to the Select Committee if the House passes the Bill. The Committee will be in a good position to examine in detail the issues involved and will have the added advantage of hearing expert evidence.

8.50 pm

Mr. John Cartwright (Woolwich): The hon. Member for Richmond and Barnes (Mr. Hanley) made a powerful case for the principle of regulating the private hire trade in London, and particularly the minicab end of the trade. I was surprised that the Minister did not seem to have the same experience as many of us of the deficiences of the less reputable minicab operators. Many of us have had experience of drivers who do not know the basic elements of London geography. A year or so ago, I had the misfortune to be collected by a minicab that had been sent by a London radio station, which should have known better. After five minutes going in the wrong direction, it became clear that the driver had no idea how to get to the radio station. I had to direct him to the radio station, from there to Broadcasting house and then back to Westminster. That is not an unusual experience with such drivers.

We have all had experience of rusting vehicles with bits falling off them that are both unsafe and unsavoury in which to travel. There is also legitimate concern about the standard of drivers. I used to be a magistrate in the east end of London. A distressing number of offenders who appeared before me gave as their occupation either company director of minicab driver.

Mr. Norris: Or both.

Mr. Cartwright: Yes, or both. That underlines the problems about which we are concerned.

I have had experience of another problem in the past year or so. That is the mushrooming of 24-hour a day minicab offices in residential areas, which set up without the benefit of planning permission. My constituents have all the noise of cars arriving, doors slamming, drivers shouting and radios blaring 24 hours a day. Although planning permission has not been granted, it takes local authorities a long time to sort out such problems. If they cannot enforce the planning regulations, there must be a question mark over whether they can enforce the powers given in clause 4.

The hon. Member for Richmond and Barnes made a powerful case for the principle of regulation and the most stringent enforcement of high standards on the minicab trade. However, he did not persuade me, or other hon. Members, that clause 4 is the right way to achieve that objective. It is clear that the reputable end of the private hire trade wants some system of regulation, but it is also clear that it has reservations about clause 4. A number of us have received a letter from the London Private Hire Car Association dated 1 May. It says:

"Our reservations about implementation arise out of the problems that have occurred in putting into effect the 1976 Act outside London and the proposals that implementation within London should be by the 32 London Boroughs allowing for wide differences in requirements."

Other hon. Members, including the Minister, have referred to that point.

It is ridiculous that 32 boroughs should apply different standards and introduce different systems and procedures. London is an entity. It is not a collection of 32 self-governing islands. It needs a uniform system and, if such a system is to be brought in, it should come after the most careful investigation by the Department of Transport and through Government legislation rather than legislation from the boroughs.

I am somewhat surprised that the London boroughs should be seeking these additional powers. Most local authorities are busy telling us with every breath that they can muster that they cannot use the powers they have because they do not have enough resources. Here they are in London, apparently looking for new powers—powers that need resources. We have already heard that they will not have access to criminal records so as to carry out the careful scrutiny of minicab drivers that many of us think is essential in any system of regulation.

Mr. Skinner: The hon. Gentleman said that he finds it strange that the 32 London boroughs are asking for extra powers, and I agree. However, there is a possible reason why they have been driven that way—the absence of a Greater London council. We have all agreed—even the hon. Member for Richmond and Barnes (Mr. Hanley)—that there is something wrong with the minicab trade in London. It is conceivable that the authorities, also agreeing, thought that somebody had to find some method of control and have come up with this, which is little more than a dog's dinner. They are trying to make a seven-course dinner out of a pan of boiling water. They are searching for some control, but that control should be exercised by a Greater London authority.

Mr. Cartwright: The hon. Member makes a fair case. It would have been a more persuasive case had the boroughs concerned been willing to agree to a standard system that each would have operated on a voluntary basis. It may have been easier to have it imposed by a supra-London authority, but if the 32 boroughs had wanted an effective system, it would have been better if they had got together and agreed that they would do it the same way. Sadly, that has not happened.

If the boroughs are to do the job effectively, they will need resources. They will have to take on staff, set up administrations and check vehicles. I doubt whether they will check them three times a year, which is what the Bill provides for, but if they are to do the job properly, duties will fall on them and extra costs will be incurred. We know that the boroughs will not get extra money from the Government, and I find it hard to believe that they have the money already. My local authority—poll tax-capped as it is—will have to cut its spending in the current financial year by £10 million. I cannot believe that it will have enough spare resources to take on this additional responsibility. We may be told that this scheme will be self-financing and that the income from licences will be sufficient to meet all the costs involved. Having been in local government for quite a few years, I am suspicious of anything presented as self-financing, because nine times out of 10 it turns out to be nothing of the sort.

Although this proposal is well meaning, it will create the impression of regulation whereas any system that flows from clause 4 will not provide the stringent and effective enforcement for which the public has every right to look. Therefore, I urge the sponsor of the Bill to withdraw clause 4.

8.58 pm

Mr. Steve Norris (Epping Forest): I begin by echoing the commendation of my hon. Friend the Minister for Public Transport to my hon. Friend the Member for Richmond and Barnes (Mr. Hanley). My hon. Friend the Member for Richmond and Barnes has had to plough a difficult furrow in sponsoring the Bill. Much of the Bill is unexceptionable, however, and there is no doubt about his bona fides when it comes to clause 4, which has detained us this evening. It would be churlish not to admit that one of the greatest mistakes that one can make in politics is to let the perfect be the enemy of the good. My hon. Friend presented an interesting case that suggested exactly that —he said that we should allow some change to be made to the regulations on minicabs in London but less than that which many of us who intend to oppose clause 4 would wish. His intentions are clearly honourable and commend him greatly to all those who are concerned about the safety and regulation of the cab trade in London.

The rumours about the imminent move of my hon. Friend the Minister from one tower of Marsham street to another are rife. This evening, he handled the "on the one hand, on the other hand" argument with great dexterity. He proved the greatest of all adages in politics, which is that if someone cannot ride two horses at the same time he should not be in the circus. I have no doubt that on his move to the Department of the Environment to take up new duties, he will, if the appointment is confirmed, demonstrate dexterity as a bareback rider comparable to that of my right hon. Friend the Chancellor of the Exchequer as a trapeze artist.

The title of the Bill is the London Local Authorities (No. 2) Bill, not the London taxi Bill. I say that because I am especially interested, as my hon. Friend the Member for Richmond and Barnes is, in clause 6, which relates to the crime prevention powers of local authorities. There is a respectable pedigree for the inclusion of the clause in the Bill by the authorities, not least the eighth Home Office circular of 1984. That circular stressed that the police alone could not be expected to be responsible for preventing crime in the community. It stated, in effect, that crime in the community could be prevented only when the community as a whole accepted that crime is its problem. As part of that, everyone has a responsibility, personal and corporate in his individual life and business life, to do something about crime.

The most telling illustration was that even the Department of Energy is responsible in part for the prevention of crime. In many London estates, the most frequently committed crime is that of breaking into utility meters. Coinless meters eliminate that offence, but the speed with which that sort of meter is installed is, or has been in the past, the responsibility of my right hon. Friend the Secretary of State for Energy. There is a link with crime, even with a Department that is as far removed from it, ostensibly, as the Department of Energy. With local authorities, the link is even more powerful. The authorities have a key role in the prevention of crime, and one of my greatest regrets is that in general debate we do not recognise that local authorities, whether or not they are guilty of mini-imperialism, and whether or not it is right to restrict them to the provision of a number of basic services or to regard them as having a more general duty, have a unique status as enablers in the community to ensure that effective crime prevention measures are developed to the benefit of everyone.

Crime Concern is the charitable trust that I established in 1988, with Home Office support, to promote voluntary crime prevention. I am delighted by the interest that is being shown by my hon. Friend the Member for Dorset, North (Mr. Baker), who is a Government Whip. The trust has been working with many local authorities on the establishment of area crime reduction programmes, which are an effective implementation of the safer cities initiative. There are co-ordinators in post in Luton, Sandwell and Solihull, and recruitments are in hand in Kirklees, Halton, and Suffolk. Programmes are agreed in Peterborough, Plymouth, Walsall and elsewhere. It is being demonstrated in all these places that local authorities, hand-in-hand with voluntary organisations, and with the co-operation of the police, can be effective focal points for crime prevention initiatives.

My hon. Friend the Minister talked about the reservations that have been expressed by the Department of the Environment about the necessity of clause 6, and in some ways I share those reservations. The work to private dwellings and commercial premises described in clause 6(2) could be carried out by a housing authority, facilities for self-defence classes could be provided under education or social services powers, facilities for vocational training courses could be provided under education powers, facilities for counselling victims of crime could be, and frequently are, undertaken by local authorities or sponsored by local authorities under their social services powers, and many of the facilities necessary for the undertaking of research to aid crime prevention do not require particular funding. Many in the Home Office would argue that we suffer from a plethora rather than a dearth of research and that that is not a priority for crime prevention work.

There can be no great objection to the general move to put local authorities in the centre of the frame on crime prevention, as the hon. Member for Lewisham, Deptford (Ms. Ruddock) said, but I share the reservations of my right hon. Friend the Secretary of State for the Environment on whether the particular form of words in the Bill is necessary for the advancement of that objective.

Let me deal now with the notorious clause 4—words which must be strangely redolent to Labour Members, not to mention the hon. Member for Woolwich (Mr. Cartwright) who will in his time have entered into the odd debate on the significance of clause 4. However, I shall not embarrass him further. Suffice it to say that my hon. Friend the Member for Ilford, North (Mr. Bendall), who represents a substantial number of London black cab drivers, did an excellent job in cogently explaining why clause 4 is deficient. He was ably supported by the hon. Members for Deptford and for Woolwich.

I do not doubt that the London cab system is the best in the world. I know of no other system which provides the breadth of security, safety and reassurance to the casual user that is provided by the London taxi system. Not only is it a tourist attraction in itself, it is an ambassador at home for those here on holiday.

With some honourable and often hilarious exceptions, cab drivers are, in the main, as my hon. Friend the Member for Ilford, North said, charming, generous, witty,

friendly, amusing and, most of all, they get to where they have to go honourably by the quickest route whether or not the passenger's first language is English.

Epping Forest is a far cry from Oxford, East where such was the surprise at my election that when I went to the drinks party afterwards my supporters said they they were delighted that I had won but that they never thought I would do it, implying that if they had thought so they would have been much more careful in selecting their candidate. At Epping Forest I learnt quickly that the constituency slogan was, "Tax are things for keeping down the stair carpet." I thought that that referred to income tax, but I later found that it had a more general application. My constituents are vigorous in their defence of free enterprise and a low taxation economy. As such, I value their opinions.

My hon. Friend the Member for Richmond and Barnes referred to his Ghanaian barrister who, after a week in Britain, decided to become a minicab driver without knowing the way to the House of Commons. I was surprised that my hon. Friend the Minister was unable to obtain sufficient evidence of the deficiencies of the minicab trade. I share the casual experience of my hon. Friend the Member for Richmond and Barnes, which I venture to suggest will be familiar to most other people who have used them.

The operation of the Local Government (Miscellaneous Provisions) Act 1976 has been less than adequate. Although well intentioned, sadly, that Act led to the creation of no fewer than three tiers of operation. The first is the London black cab. Beneath that comes the regulated minicab, and the third tier is the unregulated minicab. It is not exceptional to find a minicab driver who does not have a clue where he is going and who charges whatever fare he thinks one can stand according to the cut of one's suit—it is more likely to be the rule. The more that I speak to people about the Bill and about minicabs in general, the clearer it becomes that the experience I describe is the norm throughout the country. It goes beyond the instances recounted by my hon. Friend the Member for Richmond and Barnes.

When there is a system of using ordinary cars to which minimal alterations are made, and subject only to minimal servicing, a sub-culture is created—and that is where the danger lies. As to the attitude of the Suzy Lamplugh Trust to the Bill, my hon. Friend the Member for Torridge and Devon, West (Miss Nicholson), who could not be present this evening, asked me specifically to make it clear that she, as a trustee of that trust, is very concerned about the operation of clause 4. As she points out, the woman who enters a minicab alone, and perhaps at night, is confronted by someone who she has never met before in her life. One can stop right there—one need not elaborate on that statement. The attendant risks if one cannot be sure that the person driving that cab is not someone whose criminal record has been examined, whose general bona fides have been scrutinised, and whose general temperament has also been tested by an examination process, are self-evident.

I move on from the assertion that one advantage of the well-regulated London cab system is that its drivers know where they are going to make the point that London cabs are safe in terms of the stringent standards applied by the Public Carriage Office. It is always amusing to hear cabbies complain in vitriolic terms about the scrupulous standards applied, but no doubt those standards operate in the interests of the general public—and they are certainly higher than the standards anticipated by the Bill.

I do not share the view that applicants for licences would flood to those boroughs where the minimal knowledge requirements applied. My belief is that they would flood to those where the least stringent servicing requirements were enforced. There certainly would be a minimum standard of minicabs—the standard of the least stringent borough in terms of inspection and servicing, which would be highly undesirable.

Not only are London cabs safe, but London cabbies are vetted.

Mr. Gerald Bermingham (St. Helens, South): Does the hon. Gentleman agree that there is a growing practice in the west end late at night of private cars plying for hire, and that to allow clause 4 to reach the statute book would exacerbate that situation? Given the incidence of attacks with which we are already familiar, a considerable number of Londoners, never mind tourists, would be placed at considerable risk if we were to permit a badly drafted Bill and an ill-advised clause to pass into law.

Mr. Norris: I agree with the broad thrust of the hon. Gentleman's remarks. I think it was my hon. Friend the Member for Ilford, North who made the telling observation that one usually needs a cab just at the very moment when they all seem to disappear. In those circumstances, any port is welcome in a storm. If a cab or what purports to be a cab pulls up late at night, the human reaction is to leap aboard. That is the danger and the nub of the matter.

I now return to the way in which cabbies are vetted because some elements have not yet been mentioned. First, we have heard about the requirement that they should be knowledgeable about the routes that they will ply. I take that as a sine qua non. There is every intention of referring to that requirement in clause 4. Secondly, as I remember vividly from that wonderfully amusing play by Jack Rosenthal called "The Knowledge", part of the tortuous process which the cabbie must undergo to obtain knowledge is a personality test. An endeavour is made to ascertain whether those who wish to ply for hire as a driver have the temperament appropriate to an extremely stressful job. That is an important requirement which we should not overlook.

The third and most important requirement is the thorough vetting of the applicant's criminal record to ensure, rightly—we cannot stress this too much—that whoever holds one of those prized green or yellow badges is fit to take not only a person whom he or she has never met but property to a distant location. The present facilities in London allow for that. It is common for cab drivers to be entrusted with property to be conveyed from one point to another without the consignor having to worry about the bona fides of the driver. I have known of young children being entrusted to cab drivers to be taken from one address in London to another. That is the most marvellous commendation and one of which to be proud.

The crux of the argument is whether we should allow the perfect to be the enemy of the good. A contrary principle is also involved. It is that if we allow clause 4 into law—it would effectively mean that the standards of the 1976 Act would also apply in London—we shall live with it for many years to come. That is the reality of legislation.

[Mr. Norris]

We would deem ourselves to have dealt with the problem. That simply would not be good enough because the problem, as evidenced elsewhere in the country, and as many hon. Members know, is that the standards laid down by that Act, albeit with good intentions, simply have not created the right conditions. It is no exaggeration to say that people are less safe outside London in areas where the black cab system does not operate than they are in London when they use black cabs.

I notice the hon. Member for Holborn and St. Pancras (Mr. Dobson) in his place and attentive as ever. He, too, has drivers as constituents and shares my experience and that of all London Members and London regional Members that that is undoubtedly the case. One of the greatest assets of our transport infrastructure is that we can rely on standards applied by the Metropolitan police in the licensing of London cabs. Sadly, that facility is not available to those who pick up a cab, for example, at a station in most of the major termini in Britain.

Mr. Arbuthnot *rose*——

Mr. Norris: I note that my hon. Friend, who has several interested constituents and who is my distinguished neighbour in Wanstead and Woodford, wishes to intervene.

Mr. Arbuthnot: Is the problem partly that we would deem ourselves to have dealt with the problem and that many female passengers travelling in London now would also believe that? They would be lulled into a sense of security that would be illusory and false.

Mr. Norris: That is absolutely correct and my hon. Friend expresses the problem well. The veneer of respectability—a phrase used by other hon. Members—would apply to minicabs if the clause was passed into law and that is the precise danger to which my hon. Friends have alluded.

The dilemma is whether we allow the perfect to be the enemy of the good and oppose the clause or accept that we cannot allow a deficient principle to pass into law. There is ample evidence elsewhere in the country to suggest that the principle is deficient. With the greatest regret and with the greatest respect for the arguments advanced by my hon. Friend the Member for Richmond and Barnes, I believe that we must reject the clause.

The clause does not relate to competition and it is not a proposal designed to extend a great free-market principle to the carriage of persons about London. My hon. Friend the Member for Ilford, North said that between 800 and 1,000 new licences are issued every year and that the new system of licensing those from outer London in more zones than hitherto is likely to lead to an increase in the number of those licences issued. The hon. Member for Deptford also said that something is being done about that problem. We are making progress to help those who cannot currently obtain a black cab licence.

One may argue that competitive forces may, on occasions, drive down the cost of a minicab, but that is not surprising when one considers the investment required for safety in the proper London cab and the investment required in terms of time to acquire the "knowledge"—cab drivers estimate that it takes up to 650 hours. In terms of a reasonable rate of pay, the time spent to acquire it represents an investment of about £4,000.

A minicab can be cheaper than a black cab, but is it like for like? I am afraid the answer is no and my hon. Friend the Member for Wanstead and Woodford has not accurately observed that we would still be offering London people a two-tier system, if not a three-tier system—one which operates dangerously elsewhere. Sadly, the lower two tiers would be deficient.

I hope that many of the Bill's provisions can be retained, but, if necessary, my hon. Friends and I who live with this problem in London will be obliged to oppose its further passage. In many ways I regret that decision, but I hope that the House will accept that the price we are being asked to pay in terms of clause 4 is too high.

9.22 pm

Mr. Paul Boateng (Brent, South): This is a modest but nevertheless important Bill of a completely uncontroversial nature except in one respect.

One gives wholehearted support to the provisions in the Bill which deal with the restoration of water, gas and electricity services. Such restoration will be of concern to many of our constituents who are confronted with that problem. I welcome all that is said about crime prevention. It is vital that we should spend more time and money on counselling the victims of crime and on the other laudable crime prevention measures outlined in the Bill. I hope that all those measures will proceed—but not clause 4, which is of a different ilk. It has been hastily brought to the House, it is ill-conceived and I fear that it would have the reverse effect of that intended by the hon. Member for Richmond and Barnes (Mr. Hanley).

Mr. Hanley *rose*——

Mr. Boateng: I will give way in due course, I have a great deal of respect for the hon. Gentleman, but I fear that he has erred in this respect.

Mr. Hanley *rose*——

Mr. Boateng: I will give way to the hon. Gentleman in a moment. Considering that good is being held back by the presence of clause 4, that clause should be allowed to disappear quietly so that the good may proceed. I commend that course to the hon. Gentleman. I give way to him in the hope that he will accept my advice, in which case I need speak no more.

Mr. Hanley: I rise simply to explain to the hon. Gentleman, who was not here earlier, that this is not a private Member's Bill. I am not its promoter. I am merely introducing it on behalf of 31 London boroughs, including all the Labour London boroughs. The hon. Gentleman should therefore not blame me for any aspects of the measure of which he disapproves. He must blame his own council, which is a sponsor of the Bill, including clause 4.

Mr. Boateng: The hon. Gentleman doth protest too much. I was not for one moment blaming him for doing what he feels that he must do.

Mr. Chris Smith (Islington, South and Finsbury): The hon. Member for Richmond and Barnes (Mr. Hanley) is being somewhat disingenuous. If in the course of this debate he would tell the sponsors of the Bill, who are usually present at such discussions, that to hon. Members

who represent London constituencies—including myself—clause 4 is totally unacceptable and must be removed from the measure, he could report their view to the House before the conclusion of the debate.

Mr. Boateng: My hon. Friend is as perceptive as ever. The hon. Member for Richmond and Barnes is being somewhat disingenuous, though not for the first time.

Mr. Hanley: Perhaps the hon. Gentleman is himself being disingenuous in view of the fact that the sponsors include his local authority and that of the hon. Member for Islington, South and Finsbury (Mr. Smith).

The Suzy Lamplugh Trust is conducting research with a grant of up to £20,500 from the Department of Transport and is endeavouring, with the Police Foundation, to raise a matching sum. I hope that that research will continue in the coming year and will result in legislation which the hon. Members for Brent, South (Mr. Boateng) and for Islington, South and Finsbury will be able to support.

It is with regret, in view of their remarks, that I give an undertaking that the promoters, including the hon. Gentleman's local authority, will ask in Committee that the clause, together with schedule 2, be withdrawn.

Mr. Boateng: One welcomes those occasions when good sense prevails, particularly in the case of one's own local authority. I am delighted to hear the hon. Member for Richmond and Barnes promoting the cause of my local authority so ably and effectively, and I hope that he will promote the welfare of my area on other occasions, too.

We must not overlook the serious point that is raised. I am a patron of the Suzy Lamplugh Trust, which does much good and important work, but that has not stopped me opposing clause 4 root and branch. Because I support the work of the trust and because safety and security, particularly for women, are vital, we must nurture, enhance and extend the role of the black cab rather than do anything to diminish it.

The House must review carefully the results of the research being undertaken and it may be necessary for legislation to be introduced in due course. I am sure that that will be welcomed by hon. Members in all parts of the House when it comes forward. For enabling the debate to take place, those who promote the Bill deserve our thanks.

I want us to bear in mind one fact that was put most cogently by a constituent, Mrs. Elsie Dellar of Kensal Rise, who wrote to me. The House will need to consider what she said when it considers legislation once the results of the research currently commissioned are available. She asked me and my colleagues to answer the following few, but vital, questions. First, she asked whether the licensed minicab drivers would have to give up two years to do the knowledge. She further asked:

"Would their vehicles have to have a complete overhaul once a year? Would their meters be sealed and checked? Would they be checked for any criminal offence or record? Would they have medical checks? Would they use vehicles specified by the carriage office? If to all these questions the answer is yes then by all means license them because they would be what they should be—a London cabbie."

That says it all.

Mrs. Dellar continues that if the answers are no and my colleagues and I vote for minicabs to be licensed, we will be giving the public over to any person who wants to drive a car without any effective control whatsoever over the circumstances in which they drive it and the peril that they may cause to the public. Such people must be viewed with a great deal of circumspection.

It is impossible to water down the qualities that need to be possessed by London cabbies, who are the pride not only of our nation, but of all those from wherever in the world who care about how these tasks are performed. Cab systems in the rest of the world are deficient in every respect when compared with ours. We must build on the useful debate that we have had today and of which we shall no doubt hear more so as to strengthen the black cab's position and not diminish it.

9.32 pm

Mr. Patrick Ground (Feltham and Heston): I shall make two short points because I know that many other hon. Members want to speak. First, I am not convinced of the need for a separate licensing system for private hire vehicles in London. I have used minicabs and black cabs for many years, and my experience of both has been satisfactory. I endorse everything that has been said about the standards of black cabs and accept that that is the standard for which to aim. However, I am not satisfied, from the anecdotes that have been told and the results of the review carried out by the Department of Transport, that there is sufficient hard evidence to justify the sort of system that we are being asked to consider tonight. I want to see much more hard evidence before I am prepared to be convinced about that. My hon. Friend the Member for Richmond and Barnes (Mr. Hanley) complained about being in a minicab with a driver who did not know the way to the House of Commons. That may happen with minicabs, but I do not regard that as sufficient hardship to require an elaborate licensing system for minicabs.

The review being undertaken by the Home Office and the Suzy Lamplugh Trust has plainly not yet finished. It appears that it will not be completed until later this year, possibly next. The case put forward by my hon. Friend the Member for Richmond and Barnes shows that the consideration of the need for such legislation should await the conclusion of research that establishes the need for such a system.

Secondly, I am not convinced that, if the licensing of private hire vehicles in London is needed, individual London boroughs are the right bodies to exercise that control. We are down to 29 London boroughs now and it is very unsatisfactory to have a secondary system for London supported by only 29 boroughs. If I am right in detecting what has been said by Opposition Members, that number is likely to fall pretty quickly, so it is even more unsatisfactory that the system should enjoy such piecemeal support.

I am struck by the fact that there was no consultation between the London boroughs and the Licensed Taxi Drivers Association or the formal associations and trade representatives of the private vehicle trade in London before this legislation was begun. It is a sign of inadequate consideration and preparation. After the House had decided in 1976 not to have this particular form of control for London, surely substantial study, consultation and consideration were required before attempting to change the position which Parliament had established by a deliberate act some 14 or 15 years earlier.

I strongly oppose clause 4, and I am delighted to hear that, on the strength of tonight's debate, my hon. Friend

[Mr. Patrick Ground]

the Member for Richmond and Barnes has committed himself to withdrawing the clause in Committee; retention of the clause would have made it extremely difficult for me to support the Bill.

9.36 pm

Mr. Hugo Summerson (Walthamstow): Ambrose Bierce, the late 19th century American satirist, defined a taxi as a tormenting vehicle in which a pirate jolts you through devious ways to the wrong place, where he robs you. That is not a description which I would like to apply to all minicab drivers, but some of them certainly come into that category. I must be a little careful in what I say about minicab drivers because I have several minicab firms in my constituency which, being in outer London, is not very well served by the black cab. On the whole, they do an excellent job, but there are pirates among them.

I have been extremely worried about the effect that clause 4 would have had on the black cab system which is well proved, well tried and excellent—a system without peer in the world and one at which people from other countries look with envy, wishing that they had something like it.

I congratulate my hon. Friend the Member for Richmond and Barnes (Mr. Hanley) on the way in which he introduced the Bill this evening, and I congratulate him warmly on the way in which he realised what hon. Members thought about clause 4 and decided to withdraw it. He has conducted himself extremely well tonight, and the whole House will be grateful to him.

9.39 pm

Mr. Chris Smith (Islington, South and Finsbury): I join the hon. Member for Walthamstow (Mr. Summerson) in welcoming the important statement of the hon. Member for Richmond and Barnes (Mr. Hanley) in an intervention in the speech of my hon. Friend the Member for Brent, South (Mr. Boateng). The decision of the hon. Gentleman and of the sponsors of the Bill to seek in Committee to withdraw clause 4 is welcome and means that we can allow the Bill to receive its Second Reading.

Some provisions in the Bill, especially in relation to the restoration of water, gas and electricity services, and to crime prevention, are welcome and we wish them good speed on to the statute book.

Clause 4 concerned me greatly. Many of my constituents drive black cabs and clause 4 represented a real threat to the black cab service in London. That threat has been effectively removed by the statement of the hon. Member for Richmond and Barnes. We will want to see what happens to the Bill in Committee, but the hon. Gentleman will stand by his word and we will have seen the last of clause 4. Perhaps more considered measures can be brought before us later which will pose less of a threat to the invaluable service which black cabs provide in our capital city.

9.41 pm

Mr. Neil Thorne (Ilford, South): The Bill has very few of its original clauses. When it started its life in the other place it had 58 clauses, but only eight are left. Some are very important and we wish to see them pass into law. Clause 4 has caused many of us difficulty. I welcome the agreement of my hon. Friend the Member for Richmond and Barnes (Mr. Hanley) to seek the withdrawal of the clause in Committee. It was ill-advised to include it in the Bill for the simple reason that we are very fortunate in London to have such an excellent taxi service. The black cab system is the envy of the world and it would be wrong to undermine it in any way. Where it is competing with minicabs it is subject to unfair competition.

I am in favour of the law descending upon minicab firms and drivers who do not conduct their business properly, but it is not right to do it in the way suggested in the Bill. Some months ago a constituent of mine who was riding in a minicab found herself in an accident in which she was injured. The driver managed to take her out of the cab, put her on the roadside and drove off. She later contacted the office where she had made the booking but the people in the office denied any knowledge of the booking. That is typical of many minicab firms. I hope that the Government will consider requiring minicab drivers to have proper commercial insurance. They should suffer hefty fines if they fail to comply with the requirements.

I am convinced that clause 4 was the wrong way to approach the problem in the centre of London. There are not so many drivers of black cabs living in my constituency as in Ilford, North, but there are a considerable number and they have expressed concern about the measure. We have to ensure that they are properly looked after and that their taxi system is not undermined. I should be the last to say that we should not have ample competition, but certain standards must be met. Women need a safe and reliable form of transport, especially late at night. They need to know that they can get home without being molested, and that they can rely on the driver to have integrity, not to have a criminal record, to have adequate insurance and to be properly qualified in driving skills, so that they know where they are being taken. The black cab service is second to none.

I am delighted to welcome the Bill, and I wish the remainder of it a successful passage through the House.

9.44 pm

Mr. Jacques Arnold (Gravesham): As a provincial Member, I had not intended to barge in on the cosy deliberations of London Members. However, I am increasingly alarmed at the terms of clause 4. Anything up to half my constituents come to London every day to work, and they are proud of the standard of service provided by the black cabs in our great capital city, but clause 4 would undermine that service.

As a west Kent Member, I have many constituents who serve as licensed black cab drivers in London. They are alarmed at clause 4. Their concern can best be summed up by a letter that I received from Mr. J. L. Rogers of Istead rise in my constituency:

> "In London we already have a licensing authority, the Metropolitan police, which produces the most envied taxi service in the world. This Bill will completely undermine this service, as people who would want to sign on to do 'the knowledge', could see a much easier option to become 'legal'.

Clearly, whether or not the promoters intended it, clause 4 would do much to destroy the quality of the taxi service in London. Therefore, I was reassured to hear from the sponsor of the Bill—my hon. Friend the Member for Richmond and Barnes (Mr. Hanley)—that he intends to

recommend that, in Committee, clause 4 and its attachments be withdrawn. On that basis, I do not intend to oppose the Bill.

9.46 pm

Mr. Gerald Bermingham (St. Helens, South): As another outsider, I came back from my constituency tonight, as I am worried about clause 4. It must be said to the House that clause 4 must go. Anything less would not be acceptable. I must declare an interest as a member of the Transport and General Workers Union and as a practising barrister, but I have also drawn experience from my days as a member of Sheffield city council. Unfortunately, in Sheffield we did not have a large number of black cab drivers, so we had the minicab problem.

The hon. Member for Epping Forest (Mr. Norris) spoke about clause 6. When I served as deputy chairman of a licensing committee many years ago, I experienced the problem that it was not possible to place restrictions on where drivers went. We did not have enough knowledge about them, and, more important, we could not control their vehicles. The black cabs meet those criteria. As I said earlier, I am worried about carriage—especially at night—by persons who are not vetted in vehicles that may not be of the right standard and quality. That is a matter for further concern, and we should examine it in the near future in a wider area than London.

I see that the Minister for Public Transport is in his place. I have heard horrible rumours that he is about to move, but most Ministers are about to move in the near future, so it matters not. If he does move, perhaps his successor will mark my words: there is a considerable feeling in the House that we should examine licensing, vehicle structure and control, as it is causing increasing concern. One reads and hears of attacks on innocent members of the public by minicab drivers who adopt a "here today, gone tomorrow" approach, whose names are sometimes unknown, and whose vehicles are sometimes uninsured and probably began their first journey of the day from the scrap yard and returned to it on their last journey of the evening. Throughout the day, they place the lives of human beings at risk.

As for clause 6, I welcome the idea of crime prevention, but I do not think that the clause goes far enough. Its wording is very loose and, in Committee, I should like the Minister to reassure London local authorities that he will help to fund crime prevention. We have all been faced with rate capping in the past; my own local authority has just been poll tax-capped.

When deciding how to spend money—for instance, on supporting bodies that give assistance to victims, on neighbourhood watch schemes and so on—local authorities, when capped and when their standard spending assessments do not include money for crime prevention, cannot encourage it. I gently suggest that money is necessary for preventing crime. The Home Office does its bit for crime research, but local authorities have an enormous part to play in bringing home good crime prevention ideas locally; they in turn might just bring down the crime rate and that would enhance the quality of our lives.

However, all this requires money. Clause 6 is not broad or detailed enough, and perhaps it needs tidying up in Committee. On this important night, when local authorities are being elected and re-elected, I suggest that, before the Minister departs for other shores, he might persuade his colleagues that there could be some mileage in putting a little Government money into helping local authorities with crime prevention.

I apologise for trespassing on the affairs of London, but as an outsider who lives and works in London occasionally, I thought that some things had to be said.

9.52 pm

Mr. Hanley: The whole House has given a vote of confidence tonight to the licensed hackney carriage trade. I repeat what I said earlier: it is the best carriage trade in the world. The promoters—the 31 London boroughs—did not and do not intend any harm or insult to that trade; they merely wanted to protect the public from the deficiencies in the London minicab trade and in the minicab trade throughout the country by bringing into London legislation exactly the same as that which has served the rest of the country for the past 14 years. This legislation was perhaps to be a precursor of tougher legislation, following important research by the Suzy Lamplugh Trust.

There are many other important clauses in the Bill and it is clear from the thoughtful contributions by hon. Members on both sides of the House that people would be sad if the other clauses failed. So the promoters have reluctantly—but understanding the feelings of the House—given a firm instruction to the Committee to withdraw clause 4 and schedule 2. I hope that, in return, those who have petitioned the Committee will feel that they can withdraw their petitions so that the Bill can become an unopposed measure in Committee. I know that I have the assurance of the licensed taxi drivers' trade; I do not yet have the assurance of the TGWU——

Ms. Ruddock: I cannot give an instruction for the withdrawal of the petition, but I will certainly recommend it and expect that it will be accepted.

Mr. Hanley: I am grateful to the hon. Lady for her constructive intervention.

Mr. Bendall: I do not want to delay the House, but the LTDA will do likewise. It cannot speak for others, of course. I believe that there is a third petition.

Mr Hanley: There is a third petition. As it was only on clause 4 and schedule 2, the House would appreciate it if the petitioner would think carefully, read tonight's debate and act accordingly.

Mr. Bendall: I have had the nod from the Strangers' Gallery to withdraw the other petition.

Mr Hanley: This is a most happy but strange occasion. I am acting on behalf of 31 London boroughs and I find myself thrilled to have failed so magnificently but achieved the withdrawal of the three petitions.

The House will welcome the fact that the Bill is now an unopposed private Bill. In that spirit, may I ask that it be given a Second Reading?

Question put and agreed to.

Bill read a Second time and committed.

Railway Line (North Wales Coast)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Nicholas Baker.]*

9.55 pm

Mr. Ieuan Wyn Jones (Ynys Môn): This is the second Adjournment debate that I have been fortunate enough to secure. On the first occasion, I referred to the town of Holyhead and its importance as a port linking Ireland with Wales, England and mainland Europe. The fact that in this debate I will concentrate my remarks on railway links, which form an integral part of the transport network linking Ireland and Europe, shows the continuing importance of the topic to my constituents and to the people of north-west Wales.

The town and port of Holyhead prospered when strategic decisions were made about the A5 across to the island over Telford's bridge and the railway link built over the Britannia bridge. In the 19th century, the Holyhead to Dun Laoghaire and Dublin link became the premier route for Irish traffic.

Almost two centuries later, Holyhead once again assumes central importance as new links are opened for European traffic. The position of Ireland and Wales on the Community's periphery makes good road and railway communications vital to our prosperity. As the House knows, our economy in north-west Wales has a weak base and in recent years has been buffeted by the economic downturn and recession, but to enable us to fight back, as we will, and to compete effectively in the Europe of big companies and financial battalions, an integrated transport network is essential.

The opening of the channel tunnel later this decade and the introduction of the open market in 1992 bring into focus the need for early decisions, as we are in the process of setting a European network of communications to serve us for the next 100 years. Any area that has no link in that network will be severely disadvantaged and in danger of becoming an economic backwater. The gap between the rich and poor regions will become even wider.

My view, which is shared by many others, as I will explain, is that the north Wales coast railway line between Holyhead and Crewe must be upgraded and electrified as part of the process of improving our communications. British Rail's current position is that the line does not have priority in its strategic planning and it is not prepared to commit itself to the investment necessary for such a scheme, although European Community funds could be available for the project. Indeed, although it has upgraded part of the line between Bangor and Crewe, it is not prepared to upgrade the section across the island of Anglesey. On parts of that section, trains are reduced to low speeds because of the condition of the track. I ask the Minister to have talks with British Rail officials on that specific issue.

Upgrading the line is a prerequisite of any electrification scheme. The track must be suitable to take the high speeds that trains can achieve on an electrified network. When the channel tunnel opens, apart from the sea crossing between Holyhead and Ireland, a passenger travelling from Dublin to either Brussels or Paris will have the benefit of an electrified line right across the system, apart from the Holyhead to Crewe section. We will be the weak link in the chain——

It being Ten o'clock, the motion for the Adjournment of the House lapsed, without Question put.

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Nicholas Baker.]*

Mr. Jones: The campaign to have the rail link electrified has received a significant boost in recent months. The Dublin chamber of commerce, which represents the Irish Republic's main business community, believes that the bulk of Ireland's container loads should be carried via Dublin to Holyhead and then onwards. Currently, that route is losing business to the more circuitous routes through Larne and Belfast, at an estimated cost to the Irish economy of £56 million a year.

I ask the Minister to consider the recommendations in the report of the Dublin chamber of commerce, entitled "Corridor to Competitiveness", where many of the arguments are set out in detail. The report argues that the Holyhead to Dublin route, which is referred to as the central corridor, should become the premier route for Irish commercial traffic, both for roll-on, roll-off and for lift-on, lift-off traffic. That is ro-ro for roads and lo-lo for trains. Combined, they account for 58 per cent. of Ireland's external trade, 80 per cent. of which is destined for the United Kingdom market and the balance for the continent.

For most traffic, the central corridor offers the most potential as a reliable and efficient route, providing a short sea crossing to Holyhead and the shortest door-to-door mileage. Of the total number of units emanating from the Irish Republic, a further 125,000 could be accommodated through the central corridor given better facilities both at Holyhead and Dublin, better communications, and certain other factors. There is enormous potential for Holyhead, but clearly we must become more competitive in journey times and more efficient in port handling facilities and we must secure more frequent sailings.

The Irish business community is seeking its Government's backing for the development of a central corridor on the Irish side, with better links to Dublin and better facilities in the port. That backing will almost certainly be given, but it will be meaningless in practical terms unless both the Welsh Office and the Department of Transport are equally committed to securing developments at Holyhead and improvements in the rail network. Only 65,000 units are currently transported by rail through that central corridor. If we are to maximise Holyhead's true potential, that figure must increase significantly.

I readily acknowledge the large investment already undertaken by the Government to dual the A55 across north Wales and the recent announcement to dual the A5 across the island, which is most welcome. That will increase Holyhead's competitiveness. The shipping companies that operate from the ports, Sealink and B and I Line, estimate that those improvements will enable them to carry more commercial traffic.

However, in the end, the road could become the victim of its own success. Even now, we expect it to carry more traffic than was ever envisaged. That is why it is essential to have a rail link as an alternative, but it must be good, efficient and provide a quick service. Once the road is complete, the rail service must retain its competitive edge; unless it does so, it will lose out dramatically.

The campaign to secure the electrification of the line has, in the main, been taken on by the so-called three counties committee, representing the counties of

Gwynedd, Clwyd and Cheshire. I place on record my compliments for the tremendous work done by this team in keeping the issue in the public eye and campaigning vigorously. It began its work in 1985, and subsequently commissioned a report, backed by European Community funding and the British Government, to look at the case for electrifying the line, with particular regard to the benefits for inter-city and freight traffic.

The consultants' report shows that, even by the United Kingdom investment criteria, a conditional case could be made for electrification at a cost of about £50 million. It also said that further work needed to be done to establish the opportunity for developing the Holyhead route as a principal freight route between Europe, Britain and Ireland and including an electrified link to Manchester.

The consultants' evaluation has already identified that the concentration of international freight on the line would improve the viability of electrification. The Crewe-Holyhead railway link would, after the opening of the channel tunnel, be the most direct and quick surface route between most of Europe and Ireland. It establishes further that the upgrading of the Crewe to Holyhead line is probably one of the most effective ways to reduce the peripheral status of Ireland and Wales in the post-1992 European Community.

We need to consider the prospects for that line if it is electrified. The overall market for which rail competes in the commercial sector is growing rapidly, at a rate of 5 per cent. per annum. The rail route captures 10 per cent. of the Irish-Great Britain market and a direct route from Ireland to the continent is not available realistically until the channel tunnel opens. However, the potential for increase is substantial when the current Ireland-Europe traffic is brought into the equation, and that will be the case when the channel tunnel is operational. This accounts for 25 per cent. of the total. To attract more traffic or to persuade shippers to diverge from other routes, its use must be effective in terms of cost and transit time.

The overall growth in the total market has been estimated by consultants as 33 per cent. by 1993 if present trends continue and the forecast growth estimated by the single European A is realised. Total markets will be as much as 1 million units by the late 1990s. Therefore, we must look at the potential to increase the current 65,000 units carried by rail through Holyhead, and the consultants estimate that this could increase to over 100,000 if the line is electrified. I acknowledge that this depends on better handling facilities at the port of Holyhead and more frequent sailings.

The representatives of the three counties met the European Transport Commissioner, Karel Van Miert, in October 1989 to ascertain whether European Community funding for the project would be available. The three counties' representatives asked the Commission what assistance could be made available. The Commissioner, fully appreciating the force of the European argument in relation to Ireland, was sympathetic to the electrification proposal. It appears that the Commission would be keen to promote this line as one of European significance and support it by transportation funds when they become available. However, the Commissioner pointed out that it would be possible for that European support to be secured only if an application was made by Governments, and in this case that includes both the British and Irish Governments.

The three counties committee was so encouraged by the response in Brussels that it arranged a further series of meetings with the Irish Government and representatives of the Irish business community to discuss the plan. I was fortunate enough to be able recently to join the delegation for part of its deliberations in Dublin. At a meeting with the Irish Transport Minister, the local authorities were encouraged by his response. He seemed to be an enthusiastic supporter of the project. He suggested that he was prepared to discuss the matter with his counterpart, the Secretary of State for Transport, and I ask the Minister to tell us whether any communication has been received from the Irish Government on the issue and whether the United Kingdom Government are ready to respond, or to tell us how far matters have progressed.

I have read a report by Mr. Tom Ferris, the head of the planning unit of the Department of Transport and Tourism in the Irish Republic, on the implications of the channel tunnel for Ireland. He makes it clear that for Ireland to benefit from the channel tunnel link there must be significant improvements in the quality of service from ports such as Holyhead. He reports that for rail passengers, good train communications from ports such as Holyhead are essential.

Any switch from road to rail traffic carries significant environmental benefits. Indeed, any such switch is likely to confer environmental benefits through reductions in air pollution and noise. Those benefits are unlikely to be significant, however, unless the development of the railway is accompanied by other initiatives, especially those designed to capture container traffic. I believe—I am sure that the House will accept this—that a switch to rail would also reduce accidents. British Rail's accident record is excellent. Another advantage would be a reduction in our dependence upon oil.

It is important—this is an aside from the main thrust of the debate—that consideration should be given to better rail links between north and south Wales. It causes some irritation and anger to people in north Wales that it is far easier to travel to London by train than to our own capital city of Cardiff. I ask the Minister to impress upon British Rail the need to introduce a good, fast and efficient inter-city service between north and south Wales to reduce the noisy, tacky and unacceptable sprinter trains which currently service the route.

Mr. Martyn Jones (Clwyd South-West): I thank my hon. Friend for allowing me to intervene in his precious Adjournment debate. I support everything that he said about the electrification of the north Wales line. I say as a Clwyd Member that this case is well put. He referred to a link between north and south Wales, but also to be considered is the electrification of the Crewe-Wolverhampton line via Shrewsbury. That would lead to better communications with the channel tunnel south, which is important. I shall be interested to hear what the Minister has to say in reply to that as well as to my hon. Friend's submissions.

Mr. Jones: I am grateful to my hon. Friend for making that intervention. I am sure that the Minister will have heard it.

The Minister will appreciate that I have set out the argument for electrifying the north Wales line in a European context. That electrification, however, would have enormous economic spin-offs for the economy of

[Mr. Jones]

north Wales generally. It would go a substantial way towards providing us with an essential ingredient of economic regeneration of the area, which is that of good transport communications. To my constituency, of course, Holyhead is the beginning of the line, not the end of it. I believe that the case for electrification has now been set out fully. I urge the Minister to respond positively, to say that the Government are prepared to consider the matter constructively and that the Department of Transport should arrange an urgent meeting with British Rail and the three counties committee to ascertain how best the plan can be funded. With such a commitment, I am sure that British Rail would also come out in favour of the plan.

The plan is supported by the Irish Government, the Irish business community, Irish local authorities, the Welsh business community and Welsh local authorities. The European Commission is also prepared to entertain an application. All that I need to say to the Minister tonight is: join the club and invest in a worthwhile project.

10.14 pm

The Minister for Public Transport (Mr. Michael Portillo): That is a beguiling invitation from the hon. Member for Ynys Môn (Mr. Jones), and I congratulate him on securing the debate. I thank him most warmly for his courtesy to me before the debate, which will enable us to have a more worthwhile debate than we might otherwise have had.

I am also grateful to the hon. Gentleman for the tribute that he paid to the work that is under way on the roads programme, which has been taken seriously. To date, 50 of the 60 miles of the A55 between Chester and Holyhead have been improved to dual carriageway standard at a cost of £327 million. The three improvement schemes currently under construction are expected to cost about £269 million, and the two final schemes in preparation a further £21 million. Therefore, total expenditure on the A55 will approach £620 million, and work is expected to be completed by the end of 1993. As the hon. Gentleman said, plans to upgrade to dual carriageway standard the A55 between Holyhead and the existing dual carriageway were announced by my right hon. Friend the Secretary of State for Wales, and I am pleased that that, too, was welcomed by the hon. Gentleman.

My right hon. Friend the Member for City of Chester (Mr. Morrison) and my hon. Friend the Member for Conwy (Mr. Roberts), through whose constituencies the north Wales coast railway line passes, would have wished to be present for this debate, but due to their ministerial duties they cannot be here. Fortunately, my hon. Friend the Member for Eddisbury (Mr. Goodlad) is here, and I am delighted to see him. However, those of my right hon. and hon. Friends who cannot be here have expressed to me their interest on behalf of their constituents in this important subject. The hon. Member for Clwyd, South-West (Mr. Jones) intervened in the debate, an opportunity unfortunately not open to my hon. Friend the Member for Eddisbury. Some of the remarks that I am about to make are of general application and will help the hon. Member for Clwyd, South-West.

Improvement of railway routes, and particularly electrification, is an emotive subject on which a few outside commentators sometimes generate more heat than light. The question of the best means of traction on a particular route is, first and foremost, a matter of operational and economic significance which should be determined by BR. On some routes, the operational and economic arguments point to electrification, and on others to using diesels. The notion that somehow a non-electrified line is a poor relation—almost something to be ashamed of—is wrong, but I am aware that that feeling exists. Often, higher speeds can be achieved on some diesel-hauled lines than are achieved on other lines where electrification has taken place.

The Government are happy to give approval to railway investment wherever it makes commercial sense. Our record speaks for itself. In the past two years alone we have approved four electrification schemes totalling £90 million, and in the past 10 years 12 schemes totalling £780 million, including the largest-ever single electrification scheme—the east coast main line—costing £460 million. Electrification takes place where a case can be made for it to the Government.

I understand that BR currently sees no reason to electrify the Crewe to Holyhead line. That view is based in part on the joint study carried out with BR's co-operation by Clwyd, Gwynedd and Cheshire county councils, which so far has failed to demonstrate an economic case, but I understand that further work is being carried out to see whether other, non-user benefits can be identified. However, British Rail has plans to upgrade the line from Chester to Bangor by straightening the worst of the curves, thereby improving line speeds so as to take full advantage of the 90 mph class 158 express trains due to come into operation in the next two to three years. Those new trains will provide smoother, more comfortable rides, with air-conditioning, luggage space and tables at each seat. But perhaps the greatest benefit will be a reduction in the journey time of up to 18 minutes—another demonstration that journey times can be improved without electrification.

To answer the hon. Gentleman's specific question, I understand that on the Holyhead to Bangor section of the line, because of prevailing geological conditions, there will always be difficulties in running at very high speeds on some sectors. However, it is hoped that upgrading the line will result in an average speed of 60 mph—a considerable improvement.

I recognise that the channel tunnel is a new ingredient, and I should say something about that. As far as channel tunnel passenger traffic is concerned, British Rail's current intention is to link services from north Wales into the trains from Manchester to Paris and Brussels. It does not believe at this stage that there is a commercial case—in the short to medium term at least—for operating through services, but it will be keeping its planned services under constant review, both up to the opening of the tunnel and thereafter. It will revise its plans as appropriate, as the pattern of demand for international services and the associated commercial opportunities become clearer. It is some years before the channel tunnel will be open, and none of us really knows what opportunities it will create.

The Irish Government made the point to us that the north Wales railway to Holyhead is of great significance to Ireland in the wider European context. Correspondence has been exchanged between the relevant Irish Minister and my right hon. Friend the Secretary of State for Transport. The Irish Government are anxious to ensure that inadequate infrastructure or services on the line do

not inhibit Ireland's ability to take advantage of the channel tunnel to facilitate speedier access, particularly for freight, to continental Europe.

We have made it clear that we are happy for British Rail to examine that aspect, to see whether any extra international traffic arising as a result of the opening of the channel tunnel would justify upgrading or electrification of the route. I am sure that British Rail welcomes the prospect of any additional freight traffic—which can, of course, be hauled perfectly well without electrification of the line.

British Rail's plans for freight are based on daily services operated from three "train operating centres" at which wagons from private sidings and freight terminals can be sorted into complete trainloads for common destinations. By those means, daily services could be provided from all over the United Kingdom to many continental centres. One of the facilities is likely to be at Crewe. Therefore, whether or not the north Wales line is electrified, all channel tunnel freight movement on the line is likely to enter the system at Crewe, and a change of locomotive traction at that point would not represent a penalty on movements.

I know that there are some Governments and important voices in the European Commission who believe that the Community should establish a large transport infrastructure fund to pay for improvements to such lines. I have to say that the Government have reservations about that approach. From the point of view of narrow national self-interest, the United Kingdom would certainly have to pay more into such a fund than it would get out of it. In effect, there is a risk that the British taxpayer would be subsidising uneconomic projects elsewhere in the Community. A quick look at the map of the Community would show that that is likely to be the case.

More importantly, projects which would not be cost-effective should not, in the Government's view, be subsidised—whatever the source of the funds. We are very happy that the line should be looked at in the wider European context, but I must sound a note of caution to any in our fellow EC countries who believe that there is, or should be, a pot of gold available to satisfy everyone's wishes.

In the same vein, it has been suggested that the European regional development fund or the existing transport infrastructure programme are appropriate sources of money. However, the sums available under either are substantially smaller than even the amount required for an electrification scheme of the type being proposed today. In the case of the ERDF, this seems to be the result of a self-denying ordinance that the Commission itself has applied to the use of those funds.

While it is true that the Community has a role in developing European transport in preparation for 1992, its role is very much one of opening up barriers to trade and facilitating access between member states. We should not be distracting ourselves with setting up unnecessary new funding mechanisms when existing institutions such as the European regional development fund or the European investment bank can perform perfectly well in those areas. Instead, we should be concentrating on the benefits to be gained in making further progress with liberalisation, technical harmonisation, and deregulation—which will themselves encourage both the efficiency of transport operations and the development of infrastructure.

Perhaps I may conclude the debate by emphasising again the need for a sense of proportion when talking about electrification of railway lines. The large costs of electrification are justified only if they produce worthwhile results. The main benefits are operational—normally in terms of reduced maintenance and operating costs to the railway operator. The direct benefit to passengers in terms of speed and comfort can be negligible—possibly a small decrease in journey time from faster acceleration. High-speed journeys, air conditioning and comfortable vehicles can be achieved with diesel rolling stock.

Whether a line will benefit from electrification depends on trends in costs, including fuel prices, and on the density of use. If an equally good service can be provided more economically by diesel traction, that is the right course. What matters is quality, reliability and journey times, and I am sure that British Rail's large investment programme is starting to produce the results that all of us wish to see, not only in north Wales, but throughout the country.

I fully understand the hon. Gentleman's anxieties about good links to and through his constituency. The Government have shown clearly their commitment to that in the road programme that I described, with its substantial investment in providing dual carriageway through to the hon. Gentleman's constituency. It is clear that British Rail, too, is intent on making improvements.

Many improvements can be made other than electrification. Electrification is not the be-all and end-all. At present British Rail does not see the case for electrification, but it is happy to continue studying it in conjunction with the councils that the hon. Gentleman mentioned.

The Government's attitude remains that if a worthwhile case is presented to us we shall be happy to approve it, just as we have been happy to approve so many cases in the past.

Question put and agreed to.

Adjourned accordingly at twenty-six minutes past Ten o'clock.

House of Commons

Friday 4 May 1990

The House met at half-past Nine o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Orders of the Day

Computer Misuse Bill

As amended (in the Standing Committee), considered.

New Clause 2

SEARCH WARRANTS FOR OFFENCES UNDER SECTION 3

To move the following Clause:—

'(1) Where a justice of the peace is satisfied by information on oath given by a constable that there are reasonable grounds for believing—

(a) that an offence under section 3 above has been, is in the process of being, or is about to be committed in any premises; and

(b) there is reasonable cause to believe that any person has in his custody or under his control or on his premises anything which there is reasonable cause to believe has been used, is being used, or is intended to be used to commit an offence under section 3 of this Act;

he may issue a warrant authorising a constable to enter and search the premises, using such reasonable force as is necessary.

(2) A warrant under this section—

(a) may authorise persons to accompany any constable executing the warrant; and

(b) remains in force for twenty-eight days from the date of its issue.

(3) In executing a warrant issued under this section a constable may seize an article if he reasonably believes that it is evidence as aforesaid.

(4) In this section "premises" includes land, buildings, moveable structures, vehicles, vessels, aircraft and hovercraft.'.—*[Miss Emma Nicholson.]*

9.35 am

Miss Emma Nicholson (Torridge and Devon, West): I beg to move, That the clause be read a Second time.

Mr. Speaker: With this it will be convenient to discuss the following: New clause 3—*Warrants for the surveillance of telecommunication traffic*—

'(1) A justice of the peace may issue a warrant requiring the person to whom it is addressed to mount surveillance of public telecommunication traffic as described in the warrant, and to record its contents; and such warrant shall require the person to whom it is addressed to disclose all the recorded material to police in such manner as described in the warrant.

(2) A warrant may only be issued by a justice of the peace:

(a) after an application supported by an information in writing, has been made by a constable, and

(b) in pursuit of sections 2 and 3 only of this Act, and

(c) a warrant issued by a justice of the peace shall be restricted to the surveillance and recording of computer transmissions only.'.

Amendment No. 9, in clause 14, page 8, line 36, at beginning insert

'Subject to subsection (1A) below,'.

Amendment No. 3, in line 36, leave out 'justice of the peace' and insert 'circuit judge'.

Amendment No. 5, in line 38, leave out

'or is about to be'.

Amendment No. 6, in line 40, leave out

'or is about to be'.

Amendment No. 10, in line 43, at end insert—

'(1A) The power conferred by subsection (1) above may be used only in circumstances in which—

(a) The nature of any material or signal transmitted from or to the premises in respect of which the warrant is sought gives reasonable grounds for believing that an offence under section 1 above has been committed in the premises in respect of which the warrant is sought; and

(b) more than one person resides or is employed at the premises in respect of which the warrant is sought.'.

Amendment No. 18, in line 47, at end insert—

'but does extend to searching the contents of a computer for evidence of the offence aforesaid, albeit that evidence may be amongst material of the kinds mentioned in section 9(2) of the Police and Criminal Evidence Act 1984.'.

Amendment No. 16, in clause 16, page 11, line 4, leave out 'The reference in section 14(2)' and insert—

'In section 14—

(a) the reference in subsection (1) to a circuit judge shall be read as a reference to a county court judge; and

(b) the reference in subsection (2).'.

Amendment No. 7, in clause 17, page 11, line 37, at end insert—

'; and an individual cannot be authorised to access a computer by a warrent served under section 3 of the Security Services Act 1989'.

Miss Nicholson: I shall speak to new clauses 2 and 3 amendment No. 18, which stand in my name. That does not reflect upon the other amendments which have been grouped with my new clauses and amendment, which have been tabled by other hon. Members.

New clause 2 seeks to place a provision in the Bill for search warrants for viruses and for other amusingly named irritants which can be put into computer systems and which, as we all know, can cause considerable problems for their users. Current legislation has not yet caught up with the age of information technology. That is why the Bill is so welcome. I congratulate the promoter—my hon. Friend the Member for Romsey and Waterside (Mr. Colvin)—on the excellence of the work that he has already done. I shall make my contribution in the spirit of getting the Bill through the House on Report this morning so that it may make its way to another place. I do not do so in any delaying sense.

It would be wrong for me, however, to miss the chance of warning the House of the deficiencies of the Bill and about the concerns which Scotland Yard and I have that the Bill as it stands will be unenforceable in any practical sense of the word, and may turn out to be a short-term measure unless it is amended rapidly. Alternatively, there will have to be a follow-up Bill, which I hope will come from the Government, to put this Bill right.

As we know, the police have been struggling for a long time to combat computer-related crime with existing legislation. There has been some success under the Criminal Damage Bill 1971. Perhaps one good reason for the Bill coming before the House is the failure of the Forgery and Counterfeiting Act 1981 to offer the police any help. Large losses due to computer fraud have been reported by the CBI and the City. Although those figures cannot be verified—the police cannot keep proper records, as so much of computer fraud does not come within

[Miss Nicholson]

current criminal legislation—the number of cases being reported to the police is increasing all the time. Weapons are badly needed to combat new forms of crime.

Having set the scene, I turn directly to new clause 2. I shall give a typical example of why it is badly needed. Let us imagine that the owner of a small shop employs three staff to look after his customers and to control the stock records. All the stock records are on a computer system and the staff have authorised access to the computer. The three staff naturally use it daily. Let us suppose that one of them does not have the salary that he believes he should enjoy, and he therefore becomes disgruntled.

Unknown to the rest of the staff, but in a normal scenario in today's world, he has a small computer of his own at home, and on that machine the creates a "time bomb". That is a small piece of programme and a few instructions that are destructive of his employer's system. The term "time bomb" is used to describe a piece of destructive programming which takes effect on a particular date.

The employee, in this context, copies the time bomb on a floppy diskette, takes it to his place of work and inserts it on to the hard disk of his employer's computer. That is not a difficult thing to do. On a pre-set date, his small piece of programme is triggered and it wipes out all the records on the employer's computer. Of course, the employer has a back-up for his data in the grandfather-father-son sequence, but the employee uses his employer's computer to delete that as well.

There is a financial loss to the shopowner, who must revert to his paper records for his stock keeping. He has to call in an outside computer programmer, who discovers the time bomb, disposes of it and inputs the paper into the computer to restore its files to the orginal condition. If it is a small shop, it would cost the shopkeeper the fees for couple of day's work for a computer programmer—perhaps £480. Programmers are quite cheap, at about £30 an hour, and he would need to do 15 or 16 hours work. The loss is equivalent to about a half-day's taking. However, it has caused the shop owner great anxiety and he is concerned that it might happen again.

The shop owner calls in the police to discover which member of staff is responsible so that he can be prosecuted. Of course, the police also do not know who is responsible, and they mount an investigation. None of the staff has a criminal conviction. They all have track records as reliable and trustworthy employees. The police interview the three members of staff, who all deny the offence. The police later discover that one member of staff is attending an evening course on computer programming. They then receive an anonymous telephone call from a man claiming that that same member of staff has a computer at his home address. The next day, that same member of staff complains that his salary is not high enough, and he asks for a rise.

It is obvious that one of the three staff has committed the offence. One of them is attending a computer course, but although the police have been told that he has a computer at home, that cannot be verified. He has denied the offence, but he is a suspect. It is probable that evidence of a time bomb would be found on his home computer. The police decide that they have reasonable grounds to believe that they would find that evidence if they searched his home address.

Of course, this is a hypothetical case. Let us assume that the Bill has already become an Act. The police look to the Act for the power to obtain a search warrant. Under section 14, they can apply for a search warrant if unauthorised access has been gained to the computer—but the employee in question is authorised to use his employer's computer. In addition, the power of search is restricted to searching the place where the offence took place, which is the shop. The police can find no power in the Act to search the suspect's home address to find evidence of a time bomb.

The police look to other legislation for the power to search, because without a search warrant they cannot succeed. Section 6 of the Criminal Damage Act 1971 would have given the police the power of search, but section 3(6) of the Computer Misuse Act has removed that power as the offence is no longer construed as criminal damage. The Police and Criminal Evidence Act 1984 does not provide the power of search, because no serious arrestable offence has been committed.

The police could search the home address if they first arrested the employee. However, the employee has denied the offence and the police have no evidence to the contrary. They are unhappy about arresting the employee in the hope of finding the necessary evidence later to justify the arrest. That is a perfectly proper stance for the police to take. It would not be proper for the Computer Misuse Act to encourage the police to arrest someone purely because they believed that there might be a possibility of finding evidence. However, the Act offers them no other route. Faced with that problem, the police might write to their local Member of Parliament asking his advice about whether they should make the arrest. After all, it is the House that has given the police that ethical and moral problem. It is difficult to know what advice the local Member of Parliament should give the police.

9.45 am

Do we really want to encourage the police to arrest someone on flimsy grounds of suspicion, so that they might later obtain the necessary evidence? The evidence might not be found. The police suspicions may be incorrect. New clause 2 would solve the problem and provide the police with a lawful and proper means to obtain a search warrant. The home address could be searched without having first to make an arrest. Evidence might then be found to justify making an arrest that deprives the suspect of his liberty.

Would not that be a more appropriate way to deal with the matter? I accept that this House does not want to offer the police further search powers—or, indeed, any powers—unless it is absolutely necessary, but the alternative is even more worrying. It may not impinge upon our consciences today, but it will impinge heavily upon the police if they do not have the additional power of search at the home address because, if they wish to pursue the crime, as we have asked them to do, they will be forced to make unnecessary arrests on flimsy grounds. It is a matter of some gravity that I believe is best addressed by new clause 2.

New clause 3 deals not with the powers of physical search, but with the powers of electronic search. It seeks the power to obtain warrants for surveillance. It is a difficult and troublesome matter. I draw the attention of my hon. and learned Friend the Minister to the Council of

Europe Legal Affairs Committee directive "Computer-related crime", which will come into effect in 1992. It contains the recommendation adopted by the Committee of Ministers of the Council of Europe on 13 September 1989 and the report by the European Committee on Crime Problems, Strasbourg, 1990.

The problem may well come before the Minister, even if he and the House do not wish to examine it properly within the context of this Bill, although that is exactly where it should be examined. I accept that the vehicle of a private Member's Bill is fragile, and perhaps this heavyweight debate is too much for it to bear. That strengthens the view of myself and many others that this should be a Government Bill, so that we could discuss all related matters freely and easily. It is a highly related matter and an acutely difficult topic, but we should not duck it in the Bill.

No one would deny that cases of tapping are notoriously difficult to investigate. Scotland Yard's computer crime unit has been attempting to investigate such offences since the unit's inception in 1985. Its experience has been that the hacker often works alone—perhaps from his bedroom at home—on a personal computer, using the telephone line to communicate with other computers. The hacker can also use the international telephone network—but because that is expensive, he usually gains access first to a local computer, from which to bounce off his transmissions to other computers, which keeps his own telephone bill to a minimum. The hacker often makes his overseas telephone calls through a third party's computer line, whose owner then incurs the call costs.

The evidence of any offence that is committed travels along the telephone wires. The problem confronting the police is how to recover that evidence. The Strasbourg directive points out that there are problems in respect of

"the powers of entry and search premises, the powers of seizure, the duty of witnesses to testify, the duty of witnesses to produce evidence, and the problems of wire tapping . . . In most countries it is questionable whether or not the above-mentioned traditional coercive powers are adequate for all aspects of investigations in computerised environments, since most of the traditional provisions . . . were created with respect to tangible property or telephone communications between human beings and not expressly designed for intangibles and the special needs of the computerised information society."

The fuss and bother, and the fears and concerns rightly expressed by right hon. and hon. Members in respect of freedom of information and personal privacy, do not apply to digital transmissions of computer data, which merely happen to use the same route. It is not at all the same thing as settling down to listen in to a personal telephone conversation. If the House is as concerned about the tapping of telephone conversations as the Committee considering the Bill was led to believe, surely it should address itself to the prevalence and ease of purchase of tiny devices with which any member of the public can tap into virtually any unscrambled telephone conversation in the United Kingdom.

If we are not fussed about that form of listening in to our fellow citizens' telephone conversations, why are we ultra-sensitive and over-concerned about monitoring digital transmissions of computer data, which are totally and wholly incomprehensible to any human ear? I suggest that it is merely because computer data employ as their transmission medium the same telephone lines that the rest of us use to exchange knowledge. It is the monitoring of human conversation that should concern us, not that of computer data.

The stance may be taken by my right hon. Friend the Minister, by the Bill's promoter and by other right hon. and hon. Members—though it is not my stance—that we need not worry about monitoring telephone data transmissions at this time—but if we duck that issue today, it will be put back on our plates tomorrow by the European Community, which considers it of immense importance, particularly in relation to the European convention on human rights, to monitor developments and an issue that should be considered further with a view to harmonising the various coercive powers that exist.

Mr. Michael Colvin (Romsey and Waterside): My hon. Friend referred earlier to the Council of Europe. Was that a slip of the tongue? Did she really mean the European Commission?

Miss Nicholson: I was referring to both bodies, in respect of a joint initiative. The issue is one that concerns all countries of Europe, North America, Australia, and many others throughout the world—including the USSR, which now has its own hackers club.

In the United Kingdom, it is possible to monitor digital transmissions and capture evidence only with the use of a data monitoring cartridge. It is specially designed to record computer data, not human speech—hence the validity of my point that there is an enormous difference of perception as to whether the police should be given monitoring powers in relation to digital transmissions. The data monitoring cartridge identifies and records only computer data, not human speech.

It was strongly argued in Committee that the police can already obtain the permission of a victim to trace incoming calls and to install a data monitoring cartridge on his line. That is comparable to the arrangements relating to obscene telephone calls. If I were the victim of such calls, I could ask the police to tap my line. The problem for the police in respect of digital transmissions is proving the source of the calls. In the case of international data transmissions, are the police to request the international call carrier to trace calls made to the United Kingdom, and then the carrier in this country to complete the trace to the call's origin?

Unfortunately, that is technically impossible. Britain has two main types of telephone exchange, Strowger and system X, of which the first is the older version that uses non-automatic switching. One encounters vast problems in respect of that type of exchange. Another problem is that detection relies on the carrier agreeing to assist the police. The major telephone communications carrier in this country is British Telecom plc, but now we also have Mercury—and I am personally in favour of breaking up that duopoly, but that is by the bye.

Unfortunately, British Telecom has often proved unwilling to assist the police in computer cases, despite comments to the contrary, I justify British Telecom's stance on the ground that it is a private company and no longer a state monopoly, so it is entirely within British Telecom's capacity and good judgment whether or not it wishes to assist the police. Why should it do so, when it can no longer be coerced into co-operating because it is a state monopoly?

[Miss Nicholson]

The corollary is that British Telecom often does not assist the police, and that causes the authorities great problems if they are not given powers of search and monitoring of transmission lines by this Bill or by any other legislation. I believe that British Telecom's reluctance to co-operate is due not least to the cost incurred in mounting such an exercise, with no prospect of financial recompense.

I give an example of the difficulties that British Telecom's intransigence—understandable though it may be—cause to the police. In respect of an investigation that is currently under way at New Scotland Yard, the solicitor of the victim concerned is even now seeking an audience with the Home Secretary to discuss the appalling situation in which the police find themselves because, over a period of months, British Telecom plc has not bothered to reply to police requests for assistance.

It is often known who hackers are and where they live, but it is never know who will be their next victim. In those cases, the victim cannot authorise the police to monitor his telephone line because he does not know whether he will be, or has been, attacked.

The proper place for the data monitor cartridge is on the hacker's telephone line, as it would give crucial evidence about the hacker's activities, recording the date, time, length and duration of the call and who the victim is. Without that method of gathering evidence, the police have little, if any, chance to catch those responsible.

Let us consider the cuckoo's egg. Dr. Clifford Stoll, who met me in my constituency the other day, told me that, when he started to track the West German hackers who got into at least 20,000 security computers in NATO and into many other industrial secret places, the Federal Bureau of Investigation told him that, if the hackers came from the United Kingdom, he would have no chance of tracking them down because he would not get the required co-operation.

10. am

We live and trade in the 20th century. In this fast-moving age of information technology, we need to track down criminals who use 20th-century methods. The personal computer was invented in 1984—the computer was probably a British invention—and it is a sadness to me that we lag so far behind in methods of computer surveillance. Millions of people now own and use personal computers. Computers are on the increase. It is a sunrise industry, and hardware and software costs are dropping all the time. In a free-market system, more and more people—thousands of millions—are beginning to use computers. It is logical to infer that computer crime will increase in proportion to the number of computers in use.

If the Bill is a serious piece of legislation, the basic principle of gathering evidence must be examined in detail. If computer hacking is to be an offence, we need to allow the police a method of enforcing such legislation. In the United Kingdom, the only realistic way to do so is to allow them to be granted a warrant from a court to allow such evidence to be obtained.

If a serious crime, as defined under the Interception of Communications Act 1985, is committed, it is true that, despite the Computer Misuse Bill's weaknesses, the police can already make an application to the Secretary of State for a warrant. Does the House not realise that evidence thus obtained cannot be used in court, because the 1985 Act was not designed to capture digitalised data transmissions for computer crime? It was designed for security purposes. Thus, the 1985 Act puts the police in a hopeless situation if they want to make the Bill stick. The paper produced by the Council of Europe, related to the European Community's work on the subject, also discusses the procedural law problems in full.

New clause 3 offers the police a practical method of obtaining evidence. The courts will be able to ensure that the law is not abused, because they will decide whether to grant a warrant to obtain the evidence that they will hear in future prosecutions.

Does the House not wish that the courts—the heart of British justice—should decide rather, than that the police should have to go continually to the Home Secretary? The latter procedure is invisible to the public. That is an important point.

Mr. James Arbuthnot (Wanstead and Woodford): Is my hon. Friend suggesting that the issue of warrants in such circumstances will be open and visible to the public?

Miss Nicholson: Yes. I believe that applying for a warrant will be, as my hon. Friend says, open and visible to the public and that that is the right and proper way forward, whereas seeking an application for a warrant from the Home Secretary is slow and invisible to the public. Was that my hon. Friend's point?

Mr. Arbuthnot: Yes, although I am surprised to hear my hon. Friend's answer.

Miss Nicholson: I am aware that I have been on my feet for a long time, and I do not want to take too much time which other hon. Members may wish to use. Amendment No. 18 is designed to write into the Bill the ability to search a computer which contains confidential information. That sounds a little esoteric, but at the moment the police are properly constrained from searching through data which include confidential information.

Let us postulate that the police have received a complaint from a research establishment which says that someone has gained unauthorised access to its computer system and has deleted some of the research data. That is a common scenario. Those responsible have sent the research establishment an electronic mail message which reads, "We are the super-hackers and we'll get you again soon." That scenario is similar to the case of the university hacker who is being prosecuted at the moment, whose activities I referred to in an article in *The Times* last year. It is true that the research establishment has not lost any money. It has a back-up of its data, and it takes perhaps three hours of the system manager's time to restore it. Although that is time wasted, the real worry is that the establishment has no idea how the hackers managed to crack its efficient computer security, and it is immensely concerned about the possibility of another attack which would unnecessarily delay the research project.

In the same article in *The Times*, I referred to the CERN establishment on the borders of France and Switzerland, where security has been massive, yet hackers have planted a virus.

In our smaller British example, the systems monitor would provide the police with computer logs to show where the hacking call originated. The research establishment has a dedicated line to a local computer

bureau which processes some of its data. The computer logs show that the hacking call originated from the bureau, so the police would investigate the bureau and find that it has six employees and processes data for a number of clients, including banks, solicitors, a local supermarket and a number of accountancy firms. The majority of the data held by the computer bureau is highly confidential.

The police cannot ask permission from anyone at the bureau to search the computer for evidence, because they do not know who committed the offence and they are worried that, if they ask for the search, the evidence may be destroyed immediately. As the hacker sent an electronic mail message, the police have reasonable grounds to assume that the message may still be in the bureau's computer, with other evidence of the attack—electronic fingerprinting. They look to the Computer Misuse Bill for powers to obtain a search warrant.

Clause 14 gives a power of search at the bureau because unauthorised access has been gained from those premises, but that power of search would not extend to authorising a search for materials of the kind mentioned in section 9(2) of the Police and Criminal Evidence Act 1984. Remember that that Act was not designed with computer crime in mind, and that the type of crime that the Computer Misuse Bill seeks to identify was not a crime then.

The police know that they have to search the bureau for computer evidence, but they will clearly come up against a mass of confidential information during their search. They realise that the evidence that they require is bound to be mixed up inextricably with confidential data, because the hacker will have used a disk on which client data are already stored—that is known as free parking. No serious arrestable offence has been committed, and the police cannot use the powers under the Police and Criminal Evidence Act.

I refer again to the fact that, without new clause 2 the police lose their powers of search under the the Criminal Damage Act 1971. How can they search for evidence that leads to the making of an arrest? They cannot. Another crime will therefore not be solved, and the criminals will not be prosecuted.

My amendment solves the problem by allowing a search to be made of the contents of the computer system, despite the fact that the evidence may be contained within or held alongside confidential material. In the two new clauses and the amendment, I seek to make the point that the Bill will be only a slight vehicle without them. Unless the police have the powers contained in the new clauses and the amendment, they will be unable to identify or prosecute 99 per cent. of those whose activities will be unlawful under the Bill.

Mr. Harry Cohen (Leyton): I congratulate the hon. Member for Romsey and Waterside (Mr. Colvin) on promoting the Bill and on having provided answers and explanations for the difficult and important questions that were put to him in Committee.

The hon. Member for Torridge and Devon, West (Miss Nicholson) spoke eloquently to new clauses 2 and 3, both of which contain search powers that could be authorised by a justice of the peace. However, my amendment No. 3 would transfer that search power authorisation from a justice of the peace to a circuit judge. I believe that that would strengthen the Bill.

I shall not rehearse our debates in Committee on the extent of search powers by the police. If the Bill had contained on Second Reading the search powers that were incorporated in Committee, I suspect that there would have been much stronger opposition to it. There would have been great concern about the civil liberty implications of those search powers. Anyone who owns a computer would be open to such action and his computer could be seized. I hope that the House will decide to amend those search powers so that they can be authorised only by a circuit judge, rather than by a justice of the peace.

As clause 14 now stands, any home owner with a telephone is now under threat. There could be a knock on the door at midnight. Even if the offence of computer trespass and unauthorised access has not been committed, a search warrant could be obtained from a justice of the peace, based on the belief that an offence will be committed. The search warrant would allow search and seizure to take place within a month of that belief having been formulated. It would allow for the breaking down of a front door, under the guise of reasonable force.

I do not like that approach, and the Law Commission was unhappy about it. It referred to the need for strong evidence of the practical need for any extension of those powers. The Law Commission was not in favour of the Police and Criminal Evidence Act 1984 being used in these cases. In paragraph 4.11 of its report, it said:

> "We have already pointed out that even within the confines of the present law there are substantial and effective methods of identifying and apprehending both outside hackers and internal misusers of computers. In addition, if our recommendation is accepted that the 'ulterior intent'" hacking offence should carry a maximum penalty of five years' imprisonment, that will be an arrestable offence which, in a case where there is reasonable suspicion that the offence is being committed, will under the present law attract powers of arrest, entry in order to arrest, and search of the arrested person's premises. These are substantial weapons. To go further, as some have urged, and create powers of search before arrest, even in the case of suspected basic hacking, would be in effect to extend the search provisions of Part II of PACE to cases far different from the serious arrestable offences for which that regime was designed. For such a step to be contemplated there would, in our view, have to be as a minimum requirement very strong evidence of practical necessity, which evidence has not been provided by the, admittedly limited, submissions made to the Commission."

10.15 am

Amendment No. 3 would remove the authorisation of search powers by justices of the peace and transfer it to a circuit judge. Amendment No. 16 deals with the position in Northern Ireland, where authorisation would be by a county court judge. I consider that judges would be much more rigorous than justices of the peace in examining whether the police belief that a crime had been committed had any foundation.

Justices of the peace are unpaid, they have no technical knowledge, they are often elderly and perhaps it is easier for the police to convince them than it is to convince circuit judges. There are many more justices of the peace, so the police could choose one who might be more compliant. Authorisation by circuit judges rather than by justices of the peace would ensure that the search and seizure powers in the Bill are less open to abuse. The need to convince a circuit judge rather than a justice of the peace would probably lead to the evidence presented in support of a search warrant being of a much better quality.

It would not be unusual to seek authorisation from a circuit judge. Under section 4 of the Data Protection Act 1984, when the Data Protection Registrar seeks a warrant, he has to convince a judge that it is justified. The clause 1

offence in the Bill is similar to that which the Data Protection Registrar investigates. Paragraph 1 of schedule 4 to the Data Protection Act, which provides the Data Protection Registrar with his powers of search and seizure, begins with the words:

"If a circuit judge is satisfied by information on oath supplied by the Registrar."

If such a provision is appropriate under that Act, it would be equally appropriate to apply it to the Bill.

In Committee the hon. Member for Torridge and Devon, West moved an amendment relating to the Interception of Communications Act 1985 which was rejected. She realised then that there was a problem because she wanted a circuit judge rather than a justice of the peace to sign search warrants. The hon. Lady's amendment added the words, "or a circuit judge" nine times. I hope that she will agree that, as it is clearly what she wanted then, it is also appropriate in this case. For those reasons I shall, at the appropriate time, move my amendment No. 3 calling for a circuit judge, and county court judge in Northern Ireland having the power to authorise searches, rather then a justice of the peace. That is a small but important point, and I hope that the House will accept the amendment.

Amendment No. 10 sets out conditions under which search powers are allowed. I tabled it because that argument was used in Committee as justification for the search and seizure powers in the first place. In Committee, it was stated that British Telecom had all the powers it needs to locate where somebody is using a computer in his own room to hack into a computer somewhere else. However, it was said that extra powers would be needed in case there was more than one person on the premises. That was the sole justification given in Committee as to why these draconian search and seizure powers are needed.

I tabled amendment No. 10 to call the bluff of the Bill's promoter and Minister. My amendment repeats exactly what they stated: that there are reasonable grounds for believing that the signal has come from a premises, and that

"more than one person resides or is employed at the premises"

It will be most enlightening to hear from the promoter, and perhaps the Minister, why amendment No. 10 is not acceptable to them, as its contents were their sole cause for proposing the draconian search powers in the first place. I await the answer with interest.

Amendment No. 7 relates to search powers not so much as they are generally applied, but as they are specifically applied. It refers to the security services and their powers. We need some answers as to what powers they have in relation to hacking because that matter has never been discussed in the House. We did not discuss it during debates on the Security Services Act 1989 or the Interception of Communications 1985, and it has not been properly discussed during debates on this Bill. That is why I moved my amendment stating that

"an individual cannot be authorised to access a computer by a warrant served under section 3 of the Security Services Act 1989".

I was appalled to learn from the Minister, in asides in Committee—at columns 19 and 72 in the Standing Committee report—that the Security Services Act 1989, by default, legitimises hacking by the security services. I hope that that will be explained in more detail because the more I think about it the more I find it another example of how the Government keep reducing parliamentary democracy while giving unrestricted powers to the security services to do almost what they like. It is the opposite to what has been happening in eastern Europe, where the security services' powers have been curtailed and sometimes removed. Attempts are certainly being made there to make them more accountable, whereas our services are less accountable under this Government.

As the House knows, the Security Services Act legalised burglary through a warrant signed by the Secretary of State. That was highly contentious legislation, opposed by many and severely criticised by all parties, including some Conservative Members. The hon. Members for Thanet, South (Mr. Aitken) and for Aldridge-Brownhills (Mr. Shepherd) made strong cases against it. I am sure that most hon. Members thought that the warrant allowed the security services physically to break into premises, as long as they did not commit another offence. I emphasise the word "physically" because, as I understand it, under the terms of the warrant, the authorised person can invade premises in that way. Until the Minister spoke in Committee there was no sign that the warrant could authorise MI5 staff to hack into any computer whenever they wanted, without committing this Bill's proposed offence of unauthorised access. That power to give a warrant to legalise computer hacking was not discussed in debates on the Security Services Act. The way in which the matter is being pushed through means that the House is being deceived because we are not having a proper debate, and those powers are not being properly restrained and decided on.

Hacking, although perhaps not physical burglary, is remote burgalry. It occurs on a much larger scale than the physical burglary of premises. If someone hacks into a computer he gets all the information from it, vast amounts of which can be used or misused. That issue was raised when the Interception of Communications Bill was being debated, and the Government made the concession that any intercepted information not needed by the security services would be deleted and would not be held. That was an important concession, but there is no such concession in this Bill. Under its powers, the security services can hack into a computer, get all the information, keep it for as long as they like and use it for whatever purpose they like. They are under no obligation to delete the information.

On page 360 of "Spycatcher", Peter Wright states:

"The main interest F branch (of MI5) had in the Computer Working Party was to establish widespread computer links, principally with the National Insurance Computer in Newcastle."

The Government data network will give them wide powers and the police computer will give them vast amounts of information, as will all the private computers that they can hack into. They do not have to adhere to the data protection principals because, under section 27 of the Data Protection Act 1984, they are exempt from doing so. There is no code of practice about how they should use the information and the Data Protection Registrar has no powers over them.

In *The Guardian* on 6 April 1989 it was stated that the security services had information on the political activities of about 1 million people in this country, and I suspect that that is an understatement. Clearly, with the hacking power that they are being given, they will be able to obtain even more information, and have almost unlimited access.

In section 23.21 of its report, the Lindop committee stated that with independent supervision the security services would

"be open to the healthy—and often constructive criticism and debate which assures for many public servants that they will not stray beyond their allotted functions".

Instead, the national security apparatus has been given a free hand, and it will be able to hack almost at will.

Amendment No. 7 places a temporary stop on that state of affairs and prevents the security services from misusing computers until the Government introduce primary legislation that can be debated fully.

Before the Security Services Act and the Interception of Communications Act, everybody could hack, including the security services, because it was not an offence and there was no need to obtain a warrant. Those Acts did not outlaw hacking, but now the House is saying, as a matter of principle, that hacking is not acceptable and is a criminal offence. Instead of any change being made, the Minister says that as long as a warrant is obtained hacking can continue.

Legalising a criminal activity such as burglary is wrong in principle. The security services should not be above the law. There may be circumstances in which they must break the law, but if they are caught they should be subject to the law and court action. Hacking is remote burglary and it invades personal privacy. The house is saying that it should not be allowed and that the security services should be subject to proper constraints.

The purpose of tabling amendment No. 7 is to ensure proper parliamentary consideration of the matter. I hope that the Minister will give a clear explanation.

10.30 am

Mr. Hugo Summerson (Walthamstow): I congratulate my hon. Friend the Member for Romsey and Waterside (Mr. Colvin) on introducing the Bill, which is an important and much needed measure.

I am pleased that the amendments to which I put my name have been joined with the two new clauses that have already been discussed by my hon. Friend the Member for Torridge and Devon, West (Miss Nicholson). She is an expert on these matters, which I most decidedly am not. It was a particular pleasure for the House to hear her discussing the new clauses with her customary elegance, charm and depth of knowledge. I thought that she did very well indeed.

I am pleased to have put my name to the amendments tabled by the hon. Member for Leyton (Mr. Cohen). I found myself in a perhaps astonishing amount of agreement with hon. Gentleman. I can think only that there is something catching about the air in north-east London.

The Bill is extremely important. Computer misuse is increasing extremely fast. Offences, and the potential for them, are becoming worse. It is high time that we had a Bill such as this. I am rather surprised that one was not introduced earlier, because if one had been in place five years ago its provisions would have been of much use and value not only in this country but throughout the world.

Miss Emma Nicholson: Does my hon. Friend recall that I introduced a private Member's Bill last April which contained some of the measures proposed in the new clauses? Had the Government proceeded as they should have, even with only a White Paper, these crucial points and some of those made by the hon. Member for Leyton (Mr. Cohen) would unhesitatingly have been incorporated.

Mr. Summerson: My hon. Friend is right. She is well known for her expertise on these matters and for her tenacity.

I am convinced that the Bill should have been on the statute book a long time ago. I must confess to some surprise that the Government have not made more of the running in this crucial matter. They should have considered it some time ago rather than leaving it to the device of a private Member's Bill.

Mr. Colvin: I am most grateful to my hon. Friend for giving way on that important point. In all fairness to the Government, they have been exercised by this grave problem for some time. One must tread carefully when extending the criminal law, which is why they instructed the Law Commission to consider the matter carefully. It was only following the commission's working paper No. 110, the discussion paper on the subject and the report of the Law Commission, No. 186, that it was decided to proceed. By the time the Law Commission's report was published, the Queen's Speech was presumably in draft. That may be a bad thing, but it is my good fortune.

Mr. Summerson: I always give the Government credit where possible. I give them credit for the fair wind they are giving to the progress of the Bill.

It is good to see hon. Members taking an interest, with perhaps the remarkable exception of the Liberal Democrats. For all I know, they are all in their places but as invisible as usual. I dare say that they are rejoicing in the defeats inflected on them yesterday and preparing to build on their losses in their inimitable manner.

The use of computers is growing among not only the security services and Departments but private users. I am not an expert on computers. My computer is an Amstrad PCW9512—I hasten to add that I have no interest in Amstrad plc—and many other similar computers are in private use. I do not know whether there are thousands or hundreds of thousands of them, but ownership is growing rapidly. Having owned one for a year, I can say with my hand on my heart that I do not know what I would do without it. Computers are environmentally sound because reams of paper are no longer necessary. All the information necessary is put on one small disk which can be accessed at any time.

Mr. Arbuthnot: In one respect at least computers are far from environmentally sound: they allow people to send reams of letters to hundreds of different people, particularly Members of Parliament. Allowing computers to continue but reducing the number of word processors might be a boon to the paper industry and the forests of the world.

Mr. Summerson: My hon. Friend is quite right, but he is wrong to lay the blame at the door of the computer. It is the fault not of the computer but of the operator that it produces reams of paper. All hon. Members' postbags show all too clearly that far too many people rejoice in sending huge amounts of paper, which almost invariably find their way straight into the bin and straight out again.

Miss Emma Nicholson: Perhaps I could offer my hon. Friend a virus which he could send through the post to all people who have those computers, thereby eliminating any data addressed to the House of Commons.

Mr. Summerson: That is certainly an excellent idea. If I could, I certainly would do that with all mail, with the exception of all items bearing the post code London E17. That mail already receives top treatment from me, but such a measure would enable me to give it, if anything, even better treatment.

I listened carefully in Committee to the hon. Member for Leyton speak to amendments Nos. 9 and 10 on civil liberties. We rightly give the police extensive powers to enable them to carry out their work. We should not forget that the work they have to do these days is no longer of the relatively small nature of police work a few decades ago. The village bobby would have had to investigate the pilfering of half a pound of sweets from the local sweet shop, but today it is a different matter. Crimes and criminals have become much more sophisticated, and criminals use computers in planning and executing their crimes. To fight those crimes, the police must use the same weapons. It is right that the police should have extensive powers so that they can stop an offence either before it happens or, one hopes, after it has happened.

On the other hand—there is always another hand in these matters—the rights of the individual must be protected. The hand of the law can be a very heavy hand. Sometimes it must be heavy, but at others it must be exercised in a particularly heavy way. The police may gain information from an informal source, perhaps from spending an evening in a pub. I do not say that in a derogatory way, because I know that the police often get good information from listening to people talking in pubs. The police may overhear that Mr. Jones of 1 Acacia avenue is contemplating committing an offence. They may decide to do something about it. As the hon. Member for Leyton graphically described it, there may be a knock on the door at midnight. Anyone who has read books such as George Orwell's "1984" knows that possibility all too well. The amendments are designed to ensure that the individual's rights are given as much due weight as the rights of the police.

Paragraph (b) of amendment No. 10 would ensure that if only one person lives on premises where an offence is thought to have been committed, he should be exempt. This is an important point. We are talking about an individual, not a company, a corporation or even a Government Department. I said at the beginning of my speech that the rights of the individual were important. Sometimes the individual's rights tend to be submerged under a welter of legislation and regulation. I have great faith in the ability of the British individual to rise above that, but sometimes he may feel that the odds are stacked against him. We all know that ignorance of the law is no excuse, but that does not alter the fact that this place churns out vast quantities of legislation. Every individual is supposed to know exactly what that legislation means.

10.45 am

Hon. Members all hold surgeries in their constituencies. We all have constituents who ask us about the operation of legislation. I am afraid that, more often than not, I have to confess that I have no knowledge of the legislation complained about. I say that I am not a lawyer, but my constituent may say, "You are a Member of Parliament, the place that produces all this legislation." It must sound pretty lame if a Member says "I am sorry, but I do not have the necessary knowledge. I shall have to take advice, look up the details, write to a Government Department," and so on. Sometimes I feel that constituents leave feeling dissatisfied because they think that their Member of Parliament has, in a way, let them down. That is often not our fault. It is impossible for us to have intimate knowledge of every piece of legislation on the statute book.

I listened with great interest to the comments of the hon. Member for Leyton about justices of the peace and circuit judges. I agreed with much of what he said. On the whole, justices of the peace are extremely worthy and hard working, but they are lay people and cannot be expected to have intimate knowledge of every matter that is brought to their attention. I must be a little careful in what I say because my mother-in-law is a justice of the peace. If she thinks that I am too derogatory about justices of the peace and their abilities, I shall be in for a hard time when I see her tomorrow, when her memory will be fresh.

Miss Emma Nicholson: I do not wish to interfere in my hon. Friend's family relationships, but would he agree, on further reflection, that justices of the peace, who are drawn from all walks of life and all backgrounds, are infinitely more likely to be conversant with modern machines, such as personal computers, and with business procedures which are computerised than outdated, antiquated judges, as shown by their comments on ordinary things in life? Does my hon. Friend think that my suggestion is valid?

Mr. Summerson: My hon. Friend raises several important issues. The most important issue going through my mind on the subject of my mother-in-law is who will pay for dinner tomorrow.

The Minister for Industry (Mr. Douglas Hogg): My hon. Friend will.

Mr. Summerson: My hon. Friend is right. I fear that I have perhaps gone too far to retrieve the situation.

Miss Emma Nicholson: Seriously, does my hon. Friend feel that in a legal system where cases are computerised, judges are the worst possible people to think that the cause of the computer is important? They do not know what they are talking about; lay people do.

Mr. Summerson: While listening to my hon. Friend the Member for Torridge and Devon, West, I recalled the famous remark by one judge, "Who are the Beatles?" I suspect that he said with a note in his voice that implied that he knew perfectly well who they were but that he was not going to let on. I do not agree with my hon. Friend. It probably depends on the age of the justice of the peace. Some of the older ones have little knowledge of computers. They may know what an abacus is and doubtless, being of the older generation, they know their ABC—and those are necessary attributes today.

Mr. Arbuthnot: I am a little surprised at the turn that the debate is taking. Does my hon. Friend accept that age is an attitude of mind? Many judges spend considerable time writing judgments on extremely sophisticated word processors. Many justices of the peace do not know nearly as much about word processors or computers as many judges. It is unfortunate for us to start stereotyping lawyers, judges and magistrates in a debate on computer misuse.

Mr. Summerson: My hon. Friend is a little hard. I had not started stereotyping any particular group. All I said

was that the age of justices of the peace is relevant to whether they know about computers. I am in a rather unfortunate position, as I am neither of the younger nor the older generation, but somewhere in between.

Mr. Michael Brown (Brigg and Cleethorpes): Middle-aged.

Mr. Summerson: Yes, I may just as well admit that I am middle-aged. However, my generation is in a rather more unfortunate position. We are not old enough to be fuddy-duddies, but we are not of the generation that has used computers in schools. We have to decide whether to get a computer and, having done so, we have to learn all about programs, disks, bytes, hardware and software. We probably get them muddled up, but we hope to win through in the end. As my hon. Friend the Member for Wanstead and Woodford (Mr. Arbuthnot) has said, many in the legal profession have come to realise that the use of computers is now essential. The days of clerks scratching away with quill pens in dark, dusty corners have long gone except, perhaps, in some dull corner of Lincolns Inn Fields. Many judges have learnt to use up-to-date technology and they find that it is very useful to them.

We have already discussed justices of the peace in some detail and I hold firmly to the view that the older magistrates remain mistrustful and even resentful of the use of computers, whereas the younger ones, especially those who are business men, know perfectly well that today, the use of computers is essential and most important in the execution of their duties.

Miss Emma Nicholson: I hasten to withdraw my comments about the stereotyping of judges. They sprang more from my irritation about judges' remarks in serious cases of child abuse. I take them back and they are not germane to the discussion.

Amendment No. 3 concerns search warrants. Does my hon. Friend agree that clause 14 provides the power to obtain a search warrant? It is not a new power, but is copied directly from the Copyright, Designs and Patents Act 1988. I was fortunate enough to be a member of the Committee on that Bill so I know that it invests the power to grant warrants in justices of the peace. Under current legislation, all search warrants may be obtained from a justice of the peace with the sole exception of special procedure material under the Police and Criminal Evidence Act 1984. My own earlier request to class computer offences as serious arrestable offences was unacceptable to the Government, so there is no reason why the power to grant such search warrants should not remain vested in justices of the peace. What are my hon. Friend's thoughts on that?

Mr. Summerson: I wholly agree with my hon. Friend that there is a precedent which can most usefully apply. However, my hon. Friend may not have fully taken on board my points about the different capacities of justices of the peace and circuit judges. My hon. Friend, who is an expert on these matters, tends to forget that the average lay person is not an expert.

Let us consider a magistrate who does not understand computers. It would be all too easy for a police officer who understands computers to baffle that magistrate with the science of computers. I can imagine an incident late at night. The magistrate might be hauled out of bed, fuzzy from lack of sleep, with his spectacles awry and his hair over his eyes. He might suddenly be confronted by a police officer in a state of great excitement. The police officer might say that he had a search warrant and might then produce a whole lot of totally incomprehensible gibberish. The magistrate would want to get back to bed. He might just have been out to dinner and have a rough night ahead of him, yet he might have to get up early the next morning to dash off to a business appointment. He might ask where to sign and scribble his signature, after which the policeman would go off thinking that he had done a good night's work.

I suggest that that would not be such a good night's work. A circuit judge is a more appropriate authority and would have far more knowledge of what was going on. We are discussing potentially extremely serious cases. I firmly believe that the extension of police powers is a serious matter. The rights of the individual need to be protected and, in this case, the circuit judge would be more likely to ensure that the liberties and rights of the individual were preserved and upheld.

Amendments Nos. 5 and 6 are interesting. They seek to remove the possibility of obtaining a warrant to enter and search premises to obtain evidence when a computer misuse offence is about to be committed. The warrant would be available only when an offence had been committed. Here again, we are talking about the rights of the individual. It is clear that if an offence has been committed, all due resources of the law should be available and should be used. However, I am concerned about giving the police powers to enter premises where they believe that an offence is about to be committed, especially in the context of computer misuse. There are many ways of misusing computers; if there were not, there would be no need for the Bill.

Mr. Timothy Wood (Stevenage): My hon. Friend must bear in mind that some offences and the evidence relating to them are, by their very nature, transient. Although there may be clear signs that offences have been committed in the past and, as a result, that they are likely to be committed in the future, there may be no evidence available about the past offences. The only way in which one could establish the offence might be by anticipating the future offence.

Mr. Summerson: There is a difficulty here. I do not think that anticipation is necessarily enough to warrant giving the police power to enter and search premises to obtain evidence; nor do I believe that, merely because offences have been committed in the past, there is a likelihood that they will be committed in the future. After all, if a man commits offences and is brought to trial, convicted and sent to prison, when he comes out of prison it should not be thought that he will commit offences in the future.

11 am

Mr. Wood: Frequently the point at issue is that there had been no conviction for hacking. Although there may be evidence of computer interference, it may not be possible to pin that evidence on an individual unless one anticipates the possibility that he will continue his habit of repeatedly interfering with computers.

Mr. Summerson: If the evidence of an offence is already available, that is a different matter, and it can then be proceeded with. However, we are talking about

[Mr. Summerson]

anticipating a crime. We are talking about giving the police draconian powers to enter premises to obtain evidence when a computer-misuse offence is about to be committed. The matter is not sufficiently concrete. There is too much anticipation about whether it will happen. Because of that lack of certainty, I am not convinced that the police should be given power to enter and search premises.

I have already spoken at some length about the rights of individuals. An individual has the right to live at home, undisturbed and at peace with the world and his neighbours. No one in authority is entitled to come barging in—possibly at night—saying that there is evidence that a crime is about to be committed, especially when there is no concrete evidence. That is part of the problem. The nature of computer misuse is different from the example that I gave earlier—That of stealing half a pound of boiled sweets from the village shop.

Some crimes, although not insubstantial in themselves, yield no concrete evidence for charges. For example, copyright law is a morass and a quagmire. It is important and needful that we should have copyright law, but it is notoriously difficult to enforce.

Miss Emma Nicholson: My hon. Friend will know that the defence of intellectual property is difficult, but the Copyright, Designs and Patents Act 1988 contains the model of the protection of intellectual property in terms of computer software. It is the draft of the current EC directive—the work of experts, including many senior members of the British Computer Society.

Does my hon. Friend agree that it would be infinitely better for the police to have search powers to obtain evidence than to have to follow the other route—to arrest in order to obtain evidence? If so, would it not be proper for him to withdraw his support for amendment No. 5 and to support my new clause 2?

Mr. Summerson: My hon. Friend put words into my mouth in the first part of her intervention. I listened with great interest to her introduction of her new clauses, and perhaps she has found a solution to the problem that is better than that set out in the amendment. The House should debate that further.

The purpose of amendment No. 7 is to prevent hacking or similar activities by the security services by providing that

"an individual cannot be authorised to access a computer by a warrant served under section 3 of the Security Services Act 1989."

The activities of the security services concern us all. To some extent, they are at the root of the security of the state and that of our democratic system. It is nevertheless essential that there should be proper democratic control of the security services.

Earlier I referred to our democratic system, and observed that, sadly, it was necessary for us to have security services to protect us from enemies of this country who seek to undermine our democratic system. However, I sometimes feel that the security services are a two-edged sword. As I said, they are important in underpinning our democratic system, but they must be truly accountable.

Amendment No. 7 takes account of the worries and fears of many people that our security services may not be sufficiently under democratic control. As for computers, those peculiar machines that so many of us use but whose workings so few of us understand—with the exception of my hon. Friend the Member for Torridge and Devon, West—it is all too easy for the security services to make full use of computer systems, at the same time ensuring that their activities do not come to the notice of those who are rightfully in control of them.

There is concern on both sides of the House about the control of the security services. Last year the House passed the Security Services Act 1989. Rightly, the Security Service reports to the Home Office and to the Prime Minister. However, we may need more safeguards to stop the misuse of computers, and it is right that the hon. Member for Leyton should have taken the opportunity to try to introduce additional safeguards. No doubt my hon. Friend the Minister will be giving the Government's views on these important matters, and I hope that he will pay special attention to amendment No. 7. The amendment has been placed at the end of the group. I know perfectly well that that does not detract in any way from its importance: to my mind, it is by far the most important amendment in the group, and I expect my hon. Friend to devote most of his time to it.

Mr. Edward Leigh (Gainsborough and Horncastle): Why?

Mr. Summerson: My hon. Friend asks why. The House knows perfectly well that this is a most important and serious matter, and the debate deserves the fullest and most comprehensive reply.

Miss Emma Nicholson: My hon. Friend tells me that he is fully conversant with A, B and C, if not with hexadecimals. Would he care to explain to the House—to you, Mr. Deputy Speaker, in particular—how the English used in the amendment works? It is missing either a noun or a verb, or both; it simply does not make sense.

Mr. Summerson: My hon. Friend is being very hard on those who drafted the amendment. It is perfectly clear. In any case, we in the House understand each other perfectly well. We do not have to bother about putting nouns and verbs in their right places, provided that we understand what is being said. For goodness sake, this place is not a school for young girls; it is the home of Britain's full-blooded democracy. We must be heard by the people of Britain to speak in terms that they understand.

Miss Nicholson: Will my hon. Friend give way?

Mr. Summerson: With reluctance.

Miss Nicholson: Would my hon. Friend like to tell us what the amendment means? Perhaps it is only a pronoun that is missing, but the amendment is supposed to be in English and it is not.

Mr. Summerson: No doubt my hon. Friend will complain next that there is a split infinitive somewhere in the amendment. The points that she has raised are thoroughly obstructive, and not at all in the spirit of the amendment, which the whole House understands. My hon. Friend may be an expert on computers, but I suggest that she should leave to other hon. Members the business of speaking the language of ordinary people. I am certain that when my speech is televised, as I am sure it will be, my

constituents will congratulate me and say that they understood exactly what I was talking about. All my hon. Friends talk about bytes and mini-bytes and disks——

Mr. Michael Brown: And viruses.

Mr. Summerson: And viruses, as my hon. Friend says. Such talk is totally over the heads of most people in this country. That is why we have a Computer Misuse Bill. It is designed to protect people from the depredations and activities of some of those who are meant to look after the interests not only of individuals but of departments, corporations and companies that use computers.

It cannot be stressed sufficiently strongly that this is an extremely important Bill. Films have been made about computer misuse and hacking. A year or two ago a film whose name I cannot remember was made about someone in America who hacked into the American defence computer. It was just a film, but that does not alter the fact that there are those among us—perhaps not in the House, with the exception, of course, of my hon. Friend the Member for Torridge and Devon, West—who have such knowledge of and expertise in these matters that they can do grave and irreparable damage to many of our institutions. That is why the Bill has been introduced.

11.15 am

I end, as I began, by congratulating my hon. Friend the Member for Romsey and Waterside on his Bill. He is doing the country a signal service and the Government are right to give the Bill a fair wind. I look forward with considerable interest to hearing what my hon. Friend the Minister has to say about the extremely important matters that have been raised.

Mr. Leigh: On a point of order, Mr. Deputy Speaker. I did not want to raise a point of order during the speech of my hon. Friend the Member for Walthamstow (Mr. Summerson) and so interrupt his most interesting comments, but I feel that I must do so now. I sat through the whole of last Friday's debate—I think that you, Mr. Deputy Speaker, were also present—during which a series of Opposition Members raised points of order drawing attention to the community charge. Is it not strange, in the light of our result in Wandsworth last night—the Conservatives substantially increased their majority as a result of setting a low community charge—that there have not been points of order concerning the community charge today? Why such silence? Could it be that at last the message is coming home to the British people: if one votes Conservative, one votes for a low community charge?

Mr. Deputy Speaker (Sir Paul Dean): A few moments ago I was congratulating myself on the fact that we had reached 11 o'clock without any points of order. I am afraid that I jumped the gun.

Mr. Terry Davis (Birmingham, Hodge Hill): I had originally intended to speak at length in the debate. No doubt some hon. Members will be relieved to know that I propose to be relatively brief, although the point of order raised by the hon. Member for Gainsborough and Horncastle (Mr. Leigh) tempts me to prolong my speech by some hours.

I congratulate the hon. Member for Romsey and Waterside (Mr. Colvin) on his Bill. The reason why I had reservations about it was that certain changes were made in Committee. I was glad to sponsor the Bill when the hon. Member asked for my assistance, but I was most concerned about one amendment tabled in Committee, as I explained at the time. I refer specifically to clause 14, which allows a search warrant to be issued in respect of an offence which has been committed, which it is believed has been committed, or which it is believed might be about to be committed.

I share the concern of my hon. Friend the Member for Leyton (Mr. Cohen) about the effect on civil liberties of making possible the issue of a search warrant in respect of offences under clause 1, especially in view of the specific recommendation of the Law Commission that a search warrant would not be necessary in such circumstances, and as clause 1 covers offences which, while they might be regarded as serious by some people, would not be regarded by the courts as serious arrestable offences.

In Committee, I cited incidents in Birmingham and the west midlands that had caused me grave concern about allowing the issue of a search warrant to the police. In my experience, that power would be abused in some circumstances. I shall not repeat the examples that I gave in Committee, although I know that my hon. Friends shared my misgivings, but had there been no prospect of an amendment, I should have wanted today to describe in detail the reasons for my misgivings, and that might have prejudiced the progress of the Bill.

I strongly support the amendment tabled by my hon. Friend the Member for Leyton, which would mean that, to obtain a search warrant, the police would be required to go to a circuit judge instead of to a justice of the peace. I intend no disparagement or criticism of justices of the peace, but with a matter as important as this, entailing the potential infringement of civil liberties, we should not make it too easy for the police to obtain a search warrant.

My hon. Friend the Member for Leyton and I have suggested a compromise by proposing that, in such circumstances, a warrant should be obtained from a circuit judge. I understand that that is not unprecedented in law, and such a change would mollify those who, like my hon. Friend and me are concerned about civil rights, and would somewhat alleviate our anxieties.

I am sure that we do not want to wreck the chances of this Bill becoming law. As my hon. Friend the Member for Leyton said, we are all concerned with remote burglary, and we do not condone computer hacking. However, we are concerned about the risk of making possible other serious infringements of civil liberties in future. The House should always be careful in such matters.

I have been told that the hon. Member for Romsey and Waterside intends to accept our amendment and that is why I will be much briefer than I would otherwise have been. I am grateful to the hon. Member for Romsey and Waterside for his willingness to compromise. I am aware that representations were made to him and to the Goverment by bodies including the CBI. Representatives from the CBI met me, and I was grateful for their ready recognition of the problems that I described to them in the west midlands.

I am grateful to learn that the CBI told the Government and the hon. Member for Romsey and Waterside that it would be sensible in the circumstances to accept amendment No. 3. On the basis of compromise, we can proceed and pass this Bill, which has rightly been described as one that will do a great deal to stop the invasion of privacy that is the result of computer hacking.

[Mr. Terry Davis]

I was delighted to learn that the hon. Member for Walthamstow (Mr. Summerson) has been persuaded by my arguments and those of my hon. Friend the Member for Leyton. We were deprived of the pleasure of his company in Committee, but he has clearly read our proceedings and been seduced by them into support for civil liberty. He shares our passion to defend civil liberties in this country. I was much impressed by his defence of full-blooded democracy.

However, I believe that the hon. Member for Walthamstow made such a lengthy speech for other reasons. Perhaps he was more concerned with the progress of other Bills on today's Order Paper. I wonder whether he was put up to make his speech, which he had clearly written beforehand and carefully researched, to impede progress on other worthwhile measures that would otherwise have come before the House.

Those measures include the Rights of Way Bill, which is supported by Opposition Members and also by the hon. Member for Gainsborough and Horncastle (Mr. Leigh). That Bill is also supported by my right hon. Friend the Member for Birmingham, Small Heath (Mr. Howell) who would be most concerned if the hon. Member for Walthamstow was trying to impede the progress of a Bill which would improve and protect rights of way.

Mr. Summerson *rose*——

Mr. Davis: I see that the hon. Member for Walthamstow is trying to reassure me that he has no objection to the Rights of Way Bill. Perhaps he has objections to the Elimination of Poverty in Retirement Bill, which was introduced by my hon. Friend the Member for Islington, North (Mr. Corbyn). Perhaps the hon. Gentleman is more concerned about the Fuel and Energy Provision Bill, introduced by my hon. Friend the Member for Coventry, North-East (Mr. Hughes). It also occurred to me that the hon. Member for Walthamstow might be anxious to stop children and young persons from being protected from tobacco.

Perhaps, like the hon. Member for Gainsborough and Horncastle in his point of order, the hon. Member for Walthamstow is concerned about the poll tax. Had we not had such a long speech from the hon. Member for Walthamstow, we might have reached other Bills on which the hon. Member for Gainsborough and Horncastle—who has just left the Chamber—might have wanted to comment. We might have heard whether the hon. Member for Gainsborough and Horncastle supported the abolition of the poll tax in discussions on the Poll Tax (Abolition) Bill, the Second Reading of which is to be moved today by my hon. Friend the Member for Coventry, North-East. Perhaps the hon. Member for Gainsborough and Horncastle might have spoken to the Poll Tax (Restoration of Individual Privacy) Bill introduced by my hon. Friend the Member for Leyton.

After the glowing speech by the hon. Member for Walthamstow about the importance of civil liberties and human rights, perhaps he would have wanted to talk about the need to restore individual privacy in connection with the poll tax. However, as a result of his long speech, he has prevented us from considering that Bill.

Mr. Martin M. Brandon-Bravo (Nottingham, South): Will the hon. Gentleman give way?

Mr. Davis: No, I will not give way, because I am anxious to make progress.

The hon. Member for Walthamstow made a very long speech, which means that we will not have the opportunity to discuss the Bill on rape in marriage. That is an important crime in the moral sense. My hon. Friend the Member for Leyton should be congratulated on bringing that Bill to the House. He will be prevented from speaking on that subject. Indeed, he will be prevented from discussing the Bill to abolish hare coursing. I would have supported my hon. Friend the Member for Leyton on those Bills.

I understand that the lengthy speech by the hon. Member for Walthamstow had nothing to do with the Bills to which I have just referred. His speech about the importance of civil liberties will be marked, remembered and kept by Opposition Members, particularly by my hon. Friend the Member for Leyton, who is a neighbour of the hon. Member for Walthamstow. My hon. Friend will miss no opportunity in future to quote from the speech made by the hon. Member for Walthamstow whenever issues affecting civil liberties come before the House. I am sure that the Walthamstow Labour party will also study the hon. Gentleman's speech with great interest. No doubt the Walthamstow Labour party will want to question the hon. Gentleman about the way he has voted during the short time that he has been a Member of this House, and in the short time remaining to him.

I believe that the length of the speech by the hon. Member for Walthamstow—and the length of other speeches which might be made—have more to do with the second Bill on the Order Paper today. It seems that it is inconvenient for Privy Councillors to be present later. Therefore, as Privy Councillors need to be here for us to make progress on the Rights of Way Bill, we will have to debate the Computer Misuse Bill, despite the commitment of the hon. Member for Walthamstow to full-blooded democracy, for at least another hour and a half or two hours, simply to allow a Privy Councillor to come to the House.

The hon. Member for Walthamstow, aided and abetted by the hon. Member for Torridge and Devon, West (Miss Nicholson), will no doubt talk to other amendments. I am almost tempted to ask you, Mr. Deputy Speaker, to accept a manuscript amendment. Having listened to the hon. Member for Walthamstow, I am persuaded that, instead of a circuit judge, perhaps we should have a Privy Councillor to issue search warrants.

I would have been interested to hear the views on that of Conservative Members and the Government supporters who are anxious to wait for a Cabinet Minister to be present to enable the Rights of Way Bill to make progress. I wonder, Mr. Deputy Speaker, why you have not been invited to adjourn the House so that we may pass this most valuable Bill. congratulate the hon. Member for Romsey and Waterside on his initiative in bringing it forward and then go off and have a cup of coffee while we wait for a Cabinet Minister to arrive. I should have thought that that was a more sensible way of making progress.

I express my appreciation to the hon. Member for Romsey and Waterside for his willingness to compromise and to meet us halfway. He has accepted that there is genuine concern on the Opposition Benches about civil liberties; that was reflected in the speech made by the hon. Member for Walthamstow. He has accepted our concern about the way in which clause 14 would, on the experience

of other necessary and justified provisions in other Bills, allow the police to abuse police powers. I thank the hon. Member for his compromise.

Mr. Wood: I join other hon. Members in congratulating my hon. Friend the Member for Romsey and Waterside (Mr. Colvin) on introducing this important Bill. I also congratulate my hon. Friend the Member for Torridge and Devon, West (Miss Nicholson) on her work on computer misuse.

Important issues have been raised in the group of amendments headed by new clause 2. Those issues relate to the balance that must be drawn between the degree of risk in various offences and the costs that may be incurred and the possible intrusion into people's privacy in their ordinary way of life.

I believe that my hon. Friend the Member for Walthamstow (Mr. Summerson), whom I had previously understood to be one of the great romantics of the House, was slightly uncharitable in terms of his mother-in-law jokes. He was living rather dangerously, particularly if his mother-in-law is a magistrate.

I believe that my hon. Friend's support for some of the amendments was wrong. I intervened in his speech, and I want to address that issue before I consider other points raised by my hon. Friend the Member for Torridge and Devon, West.

Mr. Ian Bruce (Dorset, South): I am interested in my hon. Friend's comments about magistrates. We all appreciate the work that magistrates do, and it was good to see support of the judiciary, particularly from Opposition Members.

Many people in Dorset still have uneasy feelings about magistrates, particularly those people living in Tolpuddle, because of the martyrs. The history of the Labour party is well known in that respect. Unfortunately, I have some bad news for the hon. Member for Leyton (Mr. Cohen). In a local council by-election in Tolpuddle yesterday, the Conservatives won that seat on West Dorset district council.

Mr. Deputy Speaker (Sir Paul Dean): Order. I hope that the hon. Member for Stevenage (Mr. Wood) will not be tempted to go down that road.

11.30 am

Mr. Wood: I did not intend to be tempted, Mr. Deputy Speaker. We have already had some comments on elections, and there have been some eminently satisfactory results. I do not want to go any further down that road.

Having spent many years in the computer industry, I am interested in the implications of the Bill for the industry and users. Before my hon. Friend the Member for Dorset, South (Mr. Bruce) intervened, I was about to say that it is far too simplistic to say that, if a provable offence has not been committed, it should not be possible to go in with a search warrant to investigate whether an offence is being committed. If that constraint were imposed, I believe that there would be a multitude of cases of hacking that we would not be able to proceed with to a conclusion, to the conviction of individuals who could be causing immense problems for expensive and major computer installations.

I wish to refer to the various responsibilities that go with computer use and those that rest with users and manufacturers, as well as the need to ensure that we pursue those who are committing serious offences.

My hon. Friend the Member for Torridge and Devon, West took as an example a shopkeeper and an employee, and the problems that might arise with the employee using a personal computer. There are some merits in new clause 2, but I was far from persuaded by my hon. Friend's example. A multitude of the personal computers that are now in use were produced for what I would describe as lightweight purposes. Many personal computers have no protection systems.

If computers have been produced in that way, is it right to introduce blockbuster legislation to deal with abuse? I have some reservations about how far we should go. A balance must be struck. I wonder whether it is right that we should be talking about taking out search warrants that will apply to individuals' houses. I am mindful of the circumstances that could arise.

The example of my hon. Friend the Member for Torridge and Devon, West involved putting a "time bomb" into an employer's computer. If the employee left at home the program that had been produced and developed, he would be extremely foolish. In constructing a "time bomb", he would have plenty of time to delete any possible evidence. That would certainly be the position if he, the employee, were competent enough to produce a "time bomb". He or she would certainly be competent enough to remove the evidence from the personal computer.

Although I am not impressed by the example of my hon. Friend, I accept that the Government may have to review the workings of the Bill in a year or two to ascertain whether the offences that it will introduce are capable of being pursued in the way that is necessary to sustain the legislation in a meaningful way. At this stage it would be unwise, perhaps, to introduce more draconian rights to search than those that are contained in the Bill.

Many computers are used and controlled in a fairly casual manner in various premises. On the other hand, there are major computer systems of enormous expense —university systems, for example—where hacking has been a vast problem, and where the costs of impeding hacking would be excessive. There would be an excessive burden on the provider of the service, and also on individual users.

It is therefore right that there should be provision to enable us to crack down on hackers who interfere with a computer system by impeding its use in a variety of ways —by putting in viruses that cause enormous damage or producing time bombs that have an immensely adverse effect after a period. Major abuse, even if the people concerned have only a minor intent, must be tackled by the Bill. That is why I favour it, and believe that there must be rights of search. Otherwise, I do not believe that the Bill will be enforceable.

In considering the new clauses and amendments, we have discussed the merits of justices of the peace and of judges. I am reluctant to take up any of the stereotypes that have been pursued. I know justices of the peace who have great knowledge of computer systems. Equally, I know many who have no such knowledge. I hope that, in implementing the Bill, the police will regard it as a responsibility upon them to take up issues with those who know something about the matters that are being pursued. It is important that the enforcement of the law is regarded with respect.

The same principle applies to judges. Some judges have an intimate and expert knowledge of computer systems

[Mr. Wood]

and the abuses that may occur. Equally, others have no such knowledge. If we are to involve judges in the pursuit of search warrants, I hope that appropriate members of the judiciary will be involved, judges who have a relevant knowledge and understanding of computer systems. If that is done, the granting of search warrants will be carried out properly.

I took careful note of what my hon. Friend the Member for Torridge and Devon, West said about the interception of telecommunications traffic. I have some sympathy with her arguments, but I thought that she was being somewhat unfair to British Telecom in terms of its willingness or otherwise to support interceptions where there appears to be an abuse of a system. My impression of BT has been much more favourable.

Perhaps we shall find ourselves in a dilemma when we come to consider the costs and other implications of some interception activity and the consequences of the offence that is taking place. If an offence is being committed that has a trivial impact, should we spend thousands of pounds to try to prevent it? It is a difficult question, and one that will not become any easier over the years. As the Bill has been introduced by a private Member, I think that it would be inappropriate to insert the new clause. I believe that, after a year or two, the Government will need to review the workings of the Act, as it will then be.

I hope that the Bill will take its place on the statute book before too long. If it is felt that it needs strengthening so that we can ensure that the various tasks necessary to uphold the law can be carried out, Government legislation should be introduced that will have that effect. To add such significant powers of search and interception would be a mistake.

I understand that my hon. and learned Friend the Minister intends to accept an amendment. I am happy with that, although it calls into question the role of justices of the peace. I would not want the new clauses and other amendments to be accepted, because they would make the Bill draconian, and a private Member's Bill should not be used in that way.

Dr. Lewis Moonie (Kirkcaldy): Hon. Members can imagine my ecstasy last week when I realised that the Bill had been set down for debate the day after the local government elections. Having come from Scotland on the morning plane, I have had very little sleep, but I have been roused by the stimulating speeches from hon. Members on both sides of the House. I am therefore encouraged to put in my pennyworth.

I well understand why there have not been many comments from Conservative Members on yesterday's local government elections—even Pyrrhus would have difficulty in finding satisfaction in the results. There are now 300 fewer Conservative councillors in England. That can be only good for the country.

Mr. Michael Brown (Brigg and Cleethorpes): What about Wandsworth?

Dr. Moonie: If I were offered £700 to vote for the Conservative party, I must confess that, as a good Scotsman, I would consider it seriously.

Mr. Douglas Hogg: Does that mean that the hon. Gentleman is not a committed member of the Labour party?

Mr. Deputy Speaker (Sir Paul Dean): Order. After that interlude, I hope that we can now return to discussing the new clause.

Dr. Moonie: The Minister will no doubt delight us with his speech later. He has attempted to draw our attention to a different issue.

It is incumbent upon us to consider very carefully any matters affecting civil liberty. I have listened carefully to what has been said both today and in Committee, and especially to what was said by the hon. Member for Torridge and Devon, West (Miss Nicholson). I am not convinced that the likely range of offences covered by the Bill require the measures contained in the new clause. I trust that the Minister will take a similar view and that the hon. Lady will not press it to a Division. I suspect that the Bill's sponsors also hope that.

I shall be brief, as I know that other hon. Members wish to speak and there are other vital Bills to be considered today. My hon. Friend the Member for Leyton (Mr. Cohen) has tabled an amendment that would require authorisation by a circuit judge for a search warrant, rather than by a justice of the peace as proposed in the Bill. It is a sensible proposal, which reflects the gravity of any action necessary to obtain a search warrant. That should never be taken lightly. Hon. Members have lucidly outlined the arguments, and I do not propose to prolong the debate, other than to say that I agree with the hon. Member for Walthamstow (Mr. Summerson) on the importance of preserving individual liberties. The Bill will be a better measure if my hon. Friend's amendment is accepted. I understand that the Bills's sponsors have no objection to it, and I commend it to the House.

11.45 am

Sir Ian Lloyd (Havant): I shall not detain the House for more than a few minutes. I congratulate my hon. Friend the Member for Romsey and Waterside (Mr. Colvin) and the other sponsors of the Bill on introducing a most important and interesting measure. We have come a long way from the days when even the mere mention of the word "computer" on the Floor of the House produced either mirth or raised eyebrows. Those days are long behind us.

I have always been under the impression that the powers of this House are so vast that it can do almost anything. However, one thing that it cannot do is change a noun into a verb. That brings me to my substantive point. Clause 17(2) states:

> "A person secures access to any program or data held in a computer if by causing a computer to perform any function he . . .
>
> (d) has it output".

That is an extraordinary sentence and I want to discover its precise meaning. I suggest that it means, "if he causes the computer in which it is held to reveal part or all of the data that it contains". I hope that my hon. Friend the Member for Romsey and Waterside can clarify that in due course.

Mr. Arbuthnot: I suspect that "output" is the opposite of "input".

I support what my hon. Friend the Member for Walthamstow (Mr. Summerson) said about amendment

No. 7, which relates to security services. He suggested that there might be complaints about a split infinitive, or pedantry of that sort. I think that my hon. Friend the Member for Torridge and Devon, West (Miss Nicholson) had in mind not a split infinitive but the absence of one, because the amendment contains the phrase "to access", and "access" is a noun, not a verb.

I wish to speak to new clauses 2 and 3. I congratulate my hon. Friend the Member for Romsey and Waterside (Mr. Colvin) on his great success in bringing the Bill thus far. However, only last week we were made aware of how delicate a flower a private Member's Bill can be, so we should not count our chickens too soon. I hope that the Bill reaches the statute book as it is a most valuable piece of legislation.

New clause 2, moved so eloquently by my hon. Friend the Member for Torridge and Devon, West, is based on the premise that there is an absence of police powers of search. If that is true, it is most curious, because civil law provides a means to search premises. I am open to correction, but my understanding is that, under civil proceedings, in the example given by my hon. Friend, the police could have applied for an Anton Pillar order. That order is used in cases such as copyright infringement. If a person believes that a former employee is, for example, making clothes in infringement of a copyright, in certain circumstances he can apply to the court for an order to go in and inspect the premises of his former employee. The Anton Pillar order has been criticised as too draconian and intrusive, but the contrast between the civil and the criminal law is interesting.

I agree with the points made by my hon. Friend the member for Walthamstow about the need to protect the rights of the individual. I should be interested to hear the reaction of my hon. and learned Friend the Minister—it is a pleasure to call him such—to the comparison that I have drawn between the criminal and the civil law.

I am extremely unhappy about new clause 3, which amounts to making telephone tapping subject to restrictions far less onerous than those that apply to the tapping of conversations. My hon. Friend the Member for Torridge and Devon, West implies that the power will extend only to the monitoring of data transmissions, but I believe that she herself has argued against the same point in emphasising the importance of such transmissions, and the fact that they are just as sensitive in some instances and no less entitled to enjoy privacy. I believe that my hon. Friend was right to make that argument.

I believe that surveillance such as that suggested in new clause 3 should be treated very seriously. I understand that, in the case of the tapping of telephone conversations, my right hon. and learned Friend the Home Secretary himself must first give his authority, whereas new clause 3 would grant that power not to the Home Secretary, or to a High Court, circuit, county or Crown court judge, but to a magistrate. I doubt whether that is a sensible step, and I have not been persuaded by suggestions that High Court judges or any other judges are less with it, up to date or informed in respect of computers than magistrates are.

High Court judges and magistrates have the same kind of education, and are as much exposed to newspapers and periodicals, as anyone else. They are highly qualified—I suppose that that is their only distinction—and it would be wrong for us to accept the stereotype presented. To suggest that High Court judges and older magistrates are more conversant with advocacies—unless the correct word is advoci—than they are with computers is also wrong.

I have been persuaded by the argument of the hon. Member for Leyton (Mr. Cohen) that we should rely on judges rather than magistrates. It is a question not of which are more qualified but of the importance that we attach to the invasion of the individual's privacy. I diverged completely from the remarks of the hon. Member for Leyton only when he described computer hacking as remote burglary. On Second Reading, he eloquently made the point that hacking is a form of trespass—which in British law is not, generally speaking, a crime. To that extent, I disagreed with the hon. Member for Leyton.

New clause 3 suggests that warrants should be restricted to the surveillance and recording of computer transmissions only, but how is one to tell the nature of the transmissions being surveyed unless one surveys them all? One could restrict recordings to those of computer transmissions, but there would have to be surveillance of all transmissions, to identify those not emanating from a computer.

Miss Emma Nicholson: As there are dedicated telephone lines for computer data transmissions, one can distinguish them from other types, as my hon. Friend proposes. Methods are already available for monitoring data transmissions without reference to my right hon. and learned Friend the Home Secretary. One merely attaches a loop around the line and listens in. That is how criminals gain information—and how the police sometimes have to obtain it. My argument is that the police should be able to take such action openly, so that evidence thus obtained would be admissible in court.

Although I accept that a private Member's Bill is not the correct vehicle for such a clause, I tabled it because it is germane and central to the issue of computer crime and its detection, and to put down a marker for a full debate when the resultant Act itself is ripe for amendment, and when the police have experience of enough cases to refer the Act's provision back to the House.

Mr. Arbuthnot: My hon. Friend makes her point very well, as always. If she accepts that the Bill is not the correct vehicle for such a clause, I need say no more. I should be unhappy about reducing the security and privacy of telephone lines on the say so of a justice of the peace, and I believe that the House should not do so without giving the matter serious consideration. If my hon. Friend the Member for Torridge and Devon, West is proposing that such consideration should be given at some future date, I fully accept her contention.

Mr. Colvin: We have enjoyed a wide-ranging debate on the Bill and on the new clauses and amendments that have been tabled. It is interesting that the group of amendments that contain the majority of the proposed alterations to the Bill were tabled by the two hon. Members most involved in the Bill's passage hitherto. I refer to my hon. Friend the Member for Torridge and Devon, West, who would be the first to agree, I am sure, that she represents the Scotland Yard view of the need for such legislation and the form in which it should appear on the statute book, and the hon. Member for Leyton (Mr. Cohen) who, it could be said, represents the civil liberties view.

As the promoter of the Bill, I must steer a middle course. The House should endeavour to do so in the case

[Mr. Colvin]

of private Members' Bills, or they can founder on the rocks of controversy. In all our debates, and in discussions that have taken place outside the Committee Room and this Chamber, we have reached conclusions as to what might or might not be acceptable that should rendered the Bill a better one and ensure its progress.

I was pleased to hear my hon. Friend the Member for Walthamstow (Mr. Summerson) justify his 11th hour support for some of the amendments in a most stirring speech that certainly brought life to the Chamber this morning. He is right to emphasise the enormous growth in the use and misuse of computers and computer networks. The American film to which he referred was "War Games". Although it was a frivolous, teenage film, it nevertheless told a very serious story. It contained an element of truth, in that today's teenagers, thanks to the extent to which computers are available in schools, can finish their education fully computer literate. The film highlighted the temptation to stray down the path of trespass and the serious consequences ultimately of that activity. So although "War Games" was in itself a frivolous movie, it has a serious story to tell.

The hon. Member for Birmingham, Hodge Hill (Mr. Davis) ably supported the hon. Member for Leyton in his advocacy of civil rights. The hon. Member for Hodge Hill was right to draw attention to the need for safeguards, and I am the first to thank him not only for sponsoring the Bill but for the constructive way in which he negotiated over the question of the safeguards that I hope the House will now introduce.

12 noon

My hon. Friend the Member for Stevenage (Mr. Wood) has made welcome contributions throughout the passage of the Bill. He brings to our debates a considerable expertise of the computer industry, as a former employee of ICL. The Opposition Front-Bench spokesman, the hon. Member for Kirkcaldy (Dr. Moonie), has been thoroughly constructive throughout. I applaud the official Opposition's stand on the Bill, and I regret the total absence of a spokesman for or of any interest from hon. Members of the minor opposition parties. I tried to get them to take an interest in the Bill—I tried to recruit someone from those parties to sponsor the Bill and to be on the Standing Committee, but to no avail.

My hon. Friend the Member for Havant (Sir I. Lloyd) and I have a similar interest in the issue as one of the biggest IBM factories is in his constituency. With his well-known perspicacity, he put his fingetr on a particular problem in the Bill and he got me turning the pages fast when he referred to clause 17 (2)(d). For a moment, I thought that my hon. Friend the Member for Wanstead and Woodford (Mr. Arbuthnot) had dealt with the matter —following the old adage that one should set a thief to catch a thief. The House can be excused from sometimes turning out unintelligible legislation, and that is one reason for trying to reduce the number of lawyers in the House. We are lucky to have my hon. Friend the Member for Wanstead and Woodford here. As a prominent lawyer, he explained what was intended by the clause.

My hon. Friend the Member for Havant may be interested to know that I raised the same matter when the Bill was drafted. I think that the Bill went through eight drafts before it came to Parliament. As a result of its passage through Committee, it has been redrafted and will no doubt be redrafted once more.

Miss Emma Nicholson: My hon. Friend should note that a Liberal has just come into the Chamber and is running away again.

Mr. Colvin: I did not see him, but I hope that that fleeting visit goes down on the record. All that I saw was a back view. Perhaps another hon. Member could say who he was.

Miss Emma Nicholson: My hon. Friend saw the back view of a rapidly disappearing species—the Liberal party.

Mr. Colvin: I am grateful for that intervention. My hon. Friend's eyes are sharper than mine.

My hon. Friend the Member for Havant mentioned the word "output" used as a verb. I have checked the word with parliamentary counsel, who confirm that its use in the Bill is correct.

Dr. Moonie: Whether it is in the dictionary or not, it is an appalling way to phrase anything. Perhaps we might change it in time for the next stage in the House.

Mr. Colvin: I take the hon. Gentleman's point.

I congratulate my hon. Friend the Member for Torridge and Devon, West on the way in which she moved new clause 2. It is appropriate that she was the first person to speak this morning because, with her knowledge of computers and computer systems, and the way that she has made us all more aware of the menace of computer misuse, it was right to give her pole position this morning. I know that the order in which hon. Members are called is largely the luck of the draw, but nevertheless it was appropriate, and I am sure that the House will join me in paying tribute to her work in putting computer misuse high on the parliamentary agenda.

This group of amendments is broadly concerned with powers of investigation, and with police powers in particular. Hon. Members have raised many matters. As the promoter of the Bill, it is important for me to reply in some detail and to raise a few more points so that there is a clear statement on the record of the thinking behind the various clauses and amendments, and why some may be approved and others not.

Police powers of investigation were discussed at length in Committee. We have had an interesting debate today and I shall respond to each new clause and amendment separately. It may be helpful for the House to know that I shall conclude by asking hon. Members to accept amendments Nos. 3 and 16, tabled by the hon. Member for Leyton, but that I shall try to persuade the proposers of the other amendments and new clauses not to move them or withdraw them. My hon. Friend the Member for Torridge and Devon, West ably moved new clause 2, but I hope that she will withdraw it.

The offence of basic unauthorised access, one of the three new offences defined in the Bill, is summarised in clause 1. The offence is triable in a magistrates court and would not normally attract any powers of arrest or search. Although I doubted that that should be the case at first —hon. Members will recall what I said on Second Reading —I was eventually persuaded that it would have left prosecution of the offence difficult to enforce. In a classic

hacking case, it is relatively easy to pinpoint the source of the hacking, but without powers of search it may be difficult to identify the individual doing it.

Clause 14, which we added to the Bill in Committee, provides the police with the ability to obtain search warrants for the basic clause 1 offence. As that offence is an essential ingredient of the clause 2 offence, the new power will apply to such cases. It will also be relevant to many clause 3 offences. Clause 14 is concerned only with search. There is no new power of arrest.

I remind the House that clause 2 and 3 offences are automatically arrestable offences under the Police and Criminal Evidence Act 1984. That means that the police have the power to arrest and to search at the time of arrest. In certain cases, if the consequences have been or are likely to be, particularly grave, those offences could become serious arrestable offences. In that case, the police would have additional powers under PACE, in particular, the power of search not linked to arrest.

PACE is a relatively recent Act—it is only five years old. Given the seriousness with which the House rightly views police powers, I believe that we should vary its provisions only if a particularly strong case is made.

New clause 2 seeks to allow the police to obtain a search warrant for clause 3 offences—the unauthorised modification offence. I hope to persuade hon. Members that there is not a strong case for that amendment. Where unauthorised modification follows unauthorised access —when a hacker gets into a system and starts to change things—the new search powers of clause 14 will apply. It is true that they will not apply in all cases. For example, if someone puts an affected disk into circulation, physical evidence will be available and the police can apply traditional detective techniques leading to an arrest and search on arrest. We are not dealing with classic hacking where the only thing that leaves the hacker's premises is a signal over the telephone line. Physical objects will be available to the police for their detective work.

No doubt there will be some cases where the new power that my hon. Friend the Member for Torridge and Devon, West proposes would be useful to the police, but that would be a relatively small proportion of the total which do not have the special features that justify the serious step of varying the PACE regime. Therefore, I shall urge my hon. Friend to withdraw the new clause.

My hon. Friend referred to the importance of the Council of Europe recommendations that we are soon to examine. She referred also to the European Community when she spoke to new clause 3. The Council of Europe has made recommendations, but they do not bind anyone; its proposals lie on the table. The European Community is considering the matter, but it cannot publish directives relating to the criminal law.

There was a joint conference between the Council of Europe and the European Community in Luxembourg on 27 and 28 March 1990. My Bill was on the agenda and received considerable support and applause from those present. They saw at last some evidence that the United Kingdom was coming into line. I hope that the Italian and Belgian delegates at the conference took note of that fact because they, too, need to put their house in order, or they may become so-called hackers' havens.

New clause 3 would allow the police to obtain a warrant from a justice of the peace requiring someone—in practice, British Telecom or Mercury—to intercept computer transmissions over the public telecommunications network and to make the results available to the police. I shall argue that new clause 3 is unnecessary. Parliament established the law on the interception of communications in the Interception of Communications Act 1985. As in the case of police powers, this is a sensitive area. A delicate balance needs to be struck between individual privacy and the interests of the community and the nation. I should not want that balance to be disturbed without good reason. If I were to try to do so, I believe that I would put the Bill in jeopardy. The technology and the powers already exist to trace hackers. I have discussed them in detail with the police, British Telecom and Mercury, and I thank those organisations most sincerely for the help that they have given me.

Telephone calls can be traced, without special powers, through the network. If a suspected hacker is identified, it is possible to record what numbers he calls, and for how long, although without looking into the content of the call. Clause 1(2)(b) of the 1985 Act provides that any call can be intercepted if either the sender of the recipient agrees. If the victim of the hack agrees, the hacker's calls to him can be intercepted. If necessary, that can be done at the hacker's end, using special equipment—it is called data monitoring—that is programmed to record calls to the victim's number only. If the hacker goes via an innocent third party, the third party would normally co-operate with the police. Again, the calls could be monitored.

The powers, therefore, already exist , but co-operation is needed between the police and the telecommunications operators. Having spoken to them, I am sure that the will to help to enforce the Bill, if and when it is passed, exists.

I listened to what my hon. Friend the Member for Torridge and Devon, West said about the difficulties that have been experienced over co-operation. She must provide details of those difficulties. It would be possible for Her Majesty's Government to say to the police and to the telecommunications systems, "You must get your act together, because it is in your interests to co-operate." Compulsion is not the answer. I am therefore reluctant to create a new duty to assist the police.

12.15 pm

Still less do I want to disturb the delicate balance of the 1985 Act, simply to compel co-operation to do something that can already be done, if the police and the operators continue to work together. Therefore I invite my hon. Friend to consider withdrawing new clause 3.

Amendments Nos. 3 and 16 go to the heart of the debate. They were ably moved by the hon. Member for Leyton (Mr. Cohen). Amendment No. 3 requires the police to apply to a circuit judge rather than to a justice of the peace for a search warrant, if there are reasonable grounds for suspecting that a clause 1 offence has been or is about to be committed. The effect would be to introduce more rigorous control over the issue of warrants. I agree with that. Clause 16 makes a similar provision in respect of Northern Ireland.

The extension of police powers is a serious issue. The hon. Member for Leyton is right to press for appropriate controls. I pay tribute to him and to his campaign, to secure civil liberties. Under the Bill, the aim of a warrant would be to enable the police to discover who was operating the computer when the offence was committed and to gather evidence. Without such a power, the police

would be at a severe disadvantage; all that they could do would be to identify the location of the hacking, not the individual involved.

Search warrants to enter and search for evidence are usually issued by justices of the peace. They act independently. When framing clause 14 I was satisfied that due care and attention would be paid by them to the merits of each case. Justices of the peace do not perform a rubber-stamping exercise. A judicial review by a circuit judge, as proposed by the hon. Gentleman, is called for only when entry and search is required for special categories of material, such as items subject to legal privilege, confidential personal records which have been acquired or created in the course of the holder's occupation, journalistic material and information about a person's financial dealings, assets or medical data.

I have discussed the hon. Gentleman's proposal with him and with my hon. and learned Friend the Minister for Industry. I am persuaded that his amendments could be accepted. To provide search powers for a summary offence —a magistrates court offence—is relatively unusual, but in this case the Standing Committee thought that it was justified because of the nature of the crime. As it is unusual, I sympathise with the hon. Gentleman's concern about the use, or perhaps the abuse of the new power in clause 14. I accept that it needs to be exercised with circumspection and that a review by a circuit judge would inspire greater public confidence that sufficient grounds exist for a search.

I assure justices of the peace that no slight is implied. I am merely responding to the concerns that have been expressed. I appreciate that that is a slightly unusual approach, especially in a private Member's Bill, but I wish to accommodate the hon. Member for Leyton and I hope that my hon. and learned Friend the Minister will say that the Government, like me, are prepared to accept his amendments Nos. 3 and 16.

Amendments Nos. 5 and 6 seek to remove the possibility of obtaining a warrant to enter and search premises to gain evidence when the police have reasonable grounds for believing that a computer misuse offence is about to be committed. The warrant would presently be available only when an offence has been committed. I am reluctant to limit the power of search in that way. It is not uncommon for police to act on information given them to prevent crimes from occurring. Computer misuse offences are no different in that respect from the ordinary run of crimes. Hackers are notorious for exchanging and spreading information about what they have done and intend doing. Unauthorised access can have serious consequences and where there is an opportunity to prevent the cost and destruction of such access, I should be reluctant to hinder it. Surely prevention is better than cure.

I do not agree that this would be an opppressive power, even in the context of offences as defined. A warrant will be issued only where a circuit judge—provided that amendment No. 3 is accepted, as I hope it is—is convinced of the grounds for believing that an offence is about to take place. That enhanced form of judicial review is a more than effective check to ensure legitimate use of power. The fears of the hon. Member for Leyton are unfounded and I ask him not to move the amendments. They are deceptive anyway because they fail to remove an identical reference in subsection 4.

Amendment No. 7 was also tabled by the hon. Member for Leyton, who has a longstanding interest in the activities of the Security Service, as does the hon. Member for Linlithgow (Mr. Dalyell) who had much to say about the subject in Committee. That interest is shared by those who wish to ensure that the Security Service can effectively carry out its essential role in protecting the security of the country, particularly against threats from espionage, terrorism and subversion. That is one reason why, only last year, the House passed the Security Service Act. Section 3 of that Act provides that

> "No entry on or interference with property shall be unlawful if it is authorised by a warrant issued by the Secretary of State".

The Act contains a series of restrictions and safeguards. It establishes a commissioner, whose job it is to keep under review the exercise of the Secretary of State's power to issue warrants under the Act. Those safeguards should reassure the hon. Member for Leyton.

The passage of the Security Service Act was marked by the most detailed discussion and careful consideration of the various provisions now in force. Therefore, I am reluctant, in my Bill, to vary legislation that the House passed with considerable debate so recently. For that reason, and because the amendment is not compatible with clause 17, or grammatically correct, I hope that the hon. Gentleman will not press it.

Amendment No. 9 is a paving amendment for amendment No. 10 and I shall therefore refer to them together. By tabling amendment No. 10, the hon. Member for Leyton seeks to amend clause 14, the warrant clause, so that the police could obtain a search warrant to enter and search premises only if the material or signal transmitted from the premises gave them reasonable grounds to believe that an offence had been committed, and only if more than one person resided, in, or was employed at, the premises.

Subsection (a) of amendment No. 10 is unnecessary. Usually, the police, with the help of telephone services companies, will have been able to locate only the premises where the clause 1 offence is being committed, by using data monitors and the dialled number recorders. That evidence will usually be the material that they will present to the circuit judge as reasonable grounds for the belief that an offence has been committed. Where that information is not available, the police may find it difficult to show sufficient grounds. I do not wish to exclude the possibility that occasionally there may be other relevant evidence to show that an offence has been, or is about to be, committed or that such material could not be presented in addition to evidence gained from data monitors.

The amendment has the unfortunate consequence of excluding relative evidence in both cases, neither of which is sensible. Subsection (b) will allow sole occupants of properties to be exempt from the issue of warrants for the clause 1 offence, which cannot be right. My hon. Friend the Member for Walthamstow spoke strongly on that point although he has signed the amendment—no doubt to ensure that he had the opportunity to speak on it.

The investigation into a clause 1 offence, before obtaining a warrant, will not identify who is committing the offence, but only the premises in which the offence is being committed. At that stage, the police will have no idea whether those premises are ones of single or multiple occupancy, and even if they do, it will not be clear that the occupant is the person operating the computer. The occupant could easily allege that it must have been a friend or acquaintance and thus create sufficient doubt to avoid

conviction. I am convinced that the hon. Gentleman's amendment would severely impair enforcement of the clause 1 offence. It is essential to identify the culprit, irrespective of the occupancy of the premises. Therefore, I invite him not to move the amendment.

Amendment No. 18 was tabled by my hon. Friend the Member for Torridge and Devon, West (Miss Nicholson). I fully understand the intention behind it, and agree with what she seeks to achieve. However, the conditions that she hopes to obtain are already fulfilled and the amendment is unnecessary. Therefore, I oppose it. It seeks to ensure that a computer will not be exempt from a clause 14 search warrant simply because some of its contents are excluded from the warrant by virtue of section 9(2) of the Police and Criminal Evidence Act 1984. The effect of that section is not to prevent the police from searching a room, or even a building, if it is thought that, inter alia, excluded material might be there.

Mr. John Marshall (Hendon, South): Does my hon. Friend agree that it might be useful to hack into the computers that so inaccurately forecast the local election results in London, particularly for the constituency of my right hon. Friend the Member for Finchley (Mrs. Thatcher), where the Conservative party gained seats, rather than lost them, as forecast by the Labour party's computer, and for the London borough of Ealing, where the Leader of the Opposition now has a good right-wing Conservative council that will reduce his community charge?

Mr. Deputy Speaker: I am sure that the hon. Member for Romsey and Waterside (Mr. Colvin) will not be tempted by that intervention.

Mr. Colvin: I am most tempted, but in the interests of progress I will resist the temptation.

Mr. Ian Bruce: It is possible that hacking has occurred. The computer predictions of the BBC or ITV yesterday that if there were a general election there would be a 186 majority for the Labour party suggest that somebody had already hacked into the computer. When the results came in, we saw how inaccurate those predictions were.

Mr. Deputy Speaker: The hon. Member for Romsey and Waterside had been as good as gold until those interventions were made.

Mr. Colvin: I have been thrown. I was trying to explain the effects of section 9(2) of PACE. I shall try to get back into my stride after those irrelevant but welcome interventions, which prove that yesterday people voted on the performance of local authorities rather than the policies of the Government.

Miss Emma Nicholson: Does my hon. Friend know that the Data Protection Registrar has determined that 21 local councils have overstepped the mark in obtaining information on the community charge? Is he aware that the bulk of those councils are Labour, or certainly were?

12.30 pm

Mr. Colvin: That is an interesting point to put on the record. I am sure that the appropriate authorities will take action as a result of that news.

The purpose of section 9(2) of PACE is not to prevent the police from searching a room or building if it is thought that, inter alia, excluded material might be in it but to stipulate that such material must not be the subject of the warrant. The subject of a warrant to investigate clause 1 offences would be material that would prove who had committed the offence. It is conceivable that the police, when executing a warrant, might happen upon excluded material. That would not nullify the validity of the warrant but would simply mean that such material should either not be seized or, if it inadvertently was, that it could not be used as evidence. Were that not the case, any warrant could be opposed on the pretext that excluded material was contained in the premises for which it was issued.

I hope that I have reassured my hon. Friend the Member for Torridge and Devon, West and that if she catches your eye, Mr. Deputy Speaker, and obtains permission to reply she will withdraw new clause 2.

The hon. Member for Leyton has made the case well for accepting amendments Nos. 3 and 16, which substitute circuit judges for justices of the peace in respect of issuing warrants under clause 14. Those amendments will be moved formally later when we consider clauses 14 and 16 and I look forward to hearing the Government's view on them.

I cannot accept new clause 3 or any of the remaining amendments, on which we have had a good and constructive debate, for reasons that will be known to hon. Members. I hope that they will not feel compelled to press them.

Mr. Douglas Hogg: My hon. Friend the Member for Romsey and Waterside (Mr. Colvin) accurately expressed the views that I have formed about the amendments and new clauses. Therefore, it would be to the convenience of the House if I expressed my views briefly and in summary form.

Like my hon. Friend the Member for Romsey and Waterside, I commend to the House amendments Nos. 3 and 16, which were tabled by the hon. Member for Leyton (Mr. Cohen) and to which my hon. Friend the Member for Walthamstow (Mr. Summerson) put his name. For the reasons given by my hon. Friend the Member for Romsey and Waterside, I am unable to accept the remainder of the new clauses and amendments in this group. However, it is right that I, on the Government's behalf, should express to my hon. Friend the Member for Romsey and Waterside our gratitude not merely for carrying the Bill forward but for doing so with considerable distinction and for expressing his views with considerable lucidity and elegance.

My hon. Friend the Member for Torridge and Devon, West (Miss Nicholson) deserves considerable credit for bringing this matter to public attention. She was, rightly, the first to speak in this morning's proceedings, so it would perhaps be appropriate if I dealt first with the two new clauses and one amendment in her name. As she well knows, I am sorry to disappoint her by not being able to accept them. The arguments of my hon. Friend the Member for Romsey and Waterside are persuasive.

On new clause 2, I start from the presumption that one should not extend powers of search unless it is essential to have those powers of search to prove that a criminal offence has been committed. I have been persuaded that it is necessary to increase the rights of search in respect of clause 1 offences. I know that—the hon. Member for Leyton reminded me of this—I expressed scepticism about that fact when the matter was considered by the House on

[Mr. Douglas Hogg]

Second Reading. I have concluded that, partly because of the arguments advanced by my hon. Friend the Member for Torridge and Devon, West, in connection with clause 1 offences it is essential to have an extended right of search. The justification for that was touched on by my hon. Friend the Member for Romsey and Waterside when he said that, in respect of clause 1 offences, often the only evidence one can obtain is to determine the identity of the person occupying the premises from which it is possible to establish that the relevant communication was transmitted is that which is obtainable following a search. I do not feel that the same applies to clause 3 offences.

Many clause 3 offences are also clause 1 offences—they are subsumed within the clause 1 acts. Consequently, a right of search also arises under clause 14 in respect of a large number of clause 3 offences, because they involve clause 1 acts. Moreover, all clause 3 offences are also arrestable offences. The ordinary rights of search that arise upon an arrest for a clause 3 offence will automatically arise. Some clause 3 offences will also be serious, arrestable offences, therefore, the pre-emptive rights of search provided for in PACE will apply to them.

I accept that a small minority of cases will not fall under one of the heads which I have itemised. In the great majority, where the police could properly exercise a right of arrest, they will also be able to obtain a clause 14 search warrant. To put it another way, I find it difficult to believe that there are many cases in which it would be possible to obtain a warrant for search under clause 14 where the police could not properly effect an arrest under ordinary powers.

A small minority of cases may not be covered by what I have said. However, we need to be extremely careful about extending the rights of search. In the vast majority of those residual cases the police, by proceeding with the ordinary process of investigation, would be able to establish sufficient evidence to bring the charge home. However, nothing in this place or elsewhere is written in concrete and the matter must be kept under constant review. Relevant statutes will be enacted in future and there is bound to be a Criminal Justice Bill from time to time. If my hon. Friend the Member for Torridge and Devon, West is correct, I anticipate that the Government of the day may want to address the problem subsequently.

New clause 3 was moved eloquently by my hon. Friend the Member for Torridge and Devon, West. I agreed entirely with what my hon. Friend the Member for Wanstead and Woodford (Mr. Arbuthnot) said on the point. The new clause refers delicately to "surveillance", but my hon. Friend the Member for Wanstead and Woodford was right when he characterised it as telephone tapping. I agreed with my hon. Friend the Member for Romsey and Waterside when he pointed out that, without obtaining additional powers, it is already possible to mount many relevant surveillances, partly because under the Interception of Communications Act 1985 that can be done with the consent of the recipient and partly because, without the necessity for additional powers, the fact of the transmission, the duration and date can already be obtained by surveillance methods.

The House has long been cautious about giving to any authority the right to maintain telephone tapping of a communication. That is why the warrant of the Home Secretary is required under the 1985 legislation. Any hon. Member would be slow to ask the House to make an exception in this case. We may come back to the matter in future, but I am confident that we should not do so today.

I agreed with the view of my hon. Friend the Member for Romsey and Waterside that amendment No. 18 is unnecessary. The fact that a computer may contain excluded material is not a reason for refusing a clause 14 warrant, although, of course, if the police wanted to make use of the excluded material that they found, they might have to use the special procedure set out in the Police and Criminal Evidence Act 1984.

The effect of amendments Nos. 3 and 16 is to provide that the clause 14 warrant should be issued only on the authority of a circuit judge. I understand the arguments in favour of that. There are precedents for doing that, and to carry the maximum consent for the Bill I commend the two amendments to the House.

I find the argument in favour of change advanced by my hon. Friend the Member for Wanstead and Woodford the most persuasive. It is not a matter of the qualifications of the justice of the peace or of the judge. The two could be equally well qualified, and I make no differentiation between the two. My hon. Friend the Member for Wanstead and Woodford was correct in saying that by entrusting that responsibility to a circuit judge we are marking the importance that we attach to the process. That is a persuasive argument. For that reason alone, I am content to accept the advice of my hon. Friend the Member for Romsey and Waterside.

Let me refer briefly to amendments Nos. 5 and 6, which were spoken to so eloquently by the hon. Member for Leyton. I agree with my hon. Friend the Member for Romsey and Waterside: it is entirely right that the police should have a right of search when a circuit judge has been persuaded that an offence is likely to be committed. There are many circumstances in which the House would require the police to have a pre-emptive right of search, arising on sufficient and credible grounds. This is such a case, and I hope that the hon. Member for Leyton will not consider it necessary to press the Amendments to a Division.

12.45 pm

Amendment No. 10 was also tabled by the hon. Member for Leyton, and again I agree with what was said by my hon. Friend the Member for Romsey and Waterside. It would not be right to exclude relevant, credible and admissible evidence—perhaps in the form of documents—from the scrutiny of the courts, but that would be the effect of the hon. Gentleman's amendment. In many cases, it would be difficult to determine how many people were residing in the premises for the purposes of the amendment. The concept of residence is not easy. For instance, my daughter—I am happy to say—is at university, but frequently returns to my house. Is she residing in my house for the purposes of the hon. Gentleman's amendment? That is a difficult question, and I am not sure of the answer. I raise it not to give the answer but merely to illustrate the type of problems that will arise when an application is made to the court.

Amendment No. 7 is also in the name of the hon. Member for Leyton. It seeks to exclude the Security Service from the scope of the Bill. Again, I am persuaded by what was said by my hon. Friend the Member for Romsey and Waterside. We all remember the attention that was given to the Security Service last year when the

Security Services Act 1989 was debated. I don't believe that the time is right for us to disturb the extremely delicate balance that was achieved by that Act, or that this is the appropriate legislation. Although I congratulate the hon. Member for Leyton on taking the opportunity to raise the matter, I hope that he will not press his amendment to a Division.

My hon. Friend the Member for Havant (Sir I. Lloyd) made an interesting intervention, which had me worried for a moment, about whether the word "output" was appropriate. I have some sympathy with the hon. Member for Kirkcaldy (Dr. Moonie), who suggested that it was a horrible word. He is probably right, but it is a relief to see a definition section in the Bill. That precisely answers the question asked by my hon. Friend the Member for Havant. Although it is in an unusual place, the definition section is there—in clause 17(4)(a) and (b).

I have tried to deal with the various points that have been raised, especially those of my hon. Friends. In substance, I strongly commend amendments Nos. 3 and 16 to the House. I hope that the House will accept them, and that it will not be necessary to put any other new clause or amendment to a Division.

Miss Emma Nicholson: My hon. Friend the Member for Romsey and Waterside (Mr. Colvin) described me as loosely representing the views of Scotland Yard. I should like to put it on record that my interest in this matter is that United Kingdom business and industry should flourish in the electronic era, and to do so it will need a little protection. I am also especially interested in the health and growth prospects of the software industry, and concerned that they, too, should burgeon. The industry already has a European value of £32 billion. Perhaps my hon. Friend the Member for Romsey and Waterside should know that Italy already has extensive anti-hacking laws, which it enforces thoroughly, although alas, the same cannot be said of milk quotas.

Through the good offices, energy and wisdom of my hon. Friend the Member for Romsey and Waterside, we are now moving rapidly towards the criminalisation of hacking and the planting of viruses. That is why, to me, the matters remaining to be dealt with centre on police effectiveness in enforcing the provisions of the Bill. Both my hon. Friend the Member for Romsey and Waterside and my hon. and learned Friend the Minister of State suggested that only a relatively small proportion of the legislation would be "running free", to use the same phrase as my hon. Friend the Member for Romsey and Waterside —that only a small minority of cases would not be touched by the Bill as drafted.

My hon. Friends agree that the Bill is not comprehensive enough to catch all the criminals who will commit the offences defined in it. We differ only on the size of the category for which it will not work. I believe that it will include by far the larger proportion of potential cases —perhaps nearly all of them. Time will prove the Bill to be unenforceable in its present form, and the police will have a catalogue of crimes to bring to justice. In 18 months' time, the worth of new clause 2 will become apparent and its purport will be adopted, perhaps in a new criminal justice Bill or by means of solid and substantial amendments to the present Bill. New clause 3 and amendment No. 18 might also properly be discussed then, although I recognise and wholly accept the intellectual and emotional difficulty of giving transmission lines different legislative treatment according to the material that they carry.

My hon. Friend the Member for Romsey and Waterside was persuasive. He has succeeded in convincing me that, if I press my new clause to a vote, the consequential loss of time—and perhaps a lack of numbers —may extinguish the Bill. My hon. and learned Friend the Minister led me to the same conclusion. I cannot take such a course because, however defective the Bill may be in terms of enabling the police to catch criminals, it will allow the police co-operative powers internationally and thus it will start to bring the United Kingdom into the crucial business of protecting the information marketplace. I believe that we will go further later but, for the time being, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

Clause 1

UNAUTHORISED ACCESS TO COMPUTER MATERIAL

Mr. Cohen: I beg to move amendment No. 1, in page 1, line 19, at end add—

'(4) No offence under this section is committed by any person if the computer that performs the function is the computer to which access is secured or intended to be secured, and

(a) the computer controls equipment used only for personal, domestic or recreational purposes, or

(b) the computer has been lost and the access in question is secured, or intended to be secured, in order to establish ownership of the computer, or

(c) the place where the computer is located can be used by unauthorised persons, and the access in question is secured at a time when that place is authorised for use by unauthorised persons.'.

Mr. Deputy Speaker (Sir Paul Dean): With this, we may take amendment No. 2, in page 1, line 19, at end add—

'(4) For the purpose of this section, it shall be a defence to prove that the access in question was in the public interest.'.

Mr. Cohen: I shall try not to delay our proceedings. Amendment No. 1 would introduce into the Bill a definition of a "computer". I made several attempts in Committee to get a definition included, or at least to restrict the extent of the problems that will arise because no definition is included. As I said on Second Reading, that is a flaw in the Bill.

In Committee and on Second Reading, I said that there was a danger that a section 1 offence could apply to a variety of consumer electronics and domestic appliances that have some computing functions. At the moment, that could apply to a long list of appliances which I have listed in amendment No. 8. My opinion is shared by the well-respected barrister, Alistair Kelman, who is an expert on computer law and an occasional adviser to the police on computer-related crime. In an article in *Connexion* on 21 February, he wrote:

"The Bill may throw up some unlikely hackers if it survives unamended. These could include those who fax other people's letters to third parties without the author's permission and neighbours who use washing machines and microprocessors without prior consent."

That is the point I have been making: it would be absurd for that to happen.

The definition will be a problem in future, but we should try to narrow it down now, and that is the purpose of my amendments.

[Mr. Cohen]

According to amendment No. 1, only one computer would be involved and if that was used

"for personal, domestic and recreational purposes",

no section 1 offence would be committed. Similarly, if a computer had been lost and access to it was obtained to establish ownership, that would not be an offence. If there is no proper definition, many problems will arise. I am sure that it is not the sponsor's intention that the Bill should apply to washing machines and microprocessors, but there is a danger of that occurring in future.

Amendment No. 2 provides that

"it shall be a defence to prove that the access in question was in the public interest."

Amendment No. 2 is important, because it follows the line adopted by the Law Commission report in 1981 on breach of confidence. That report recommended the need for a public interest defence. That would be a useful addition to the Bill.

In that regard, we must bear in mind the case of the journalist, Mr. William Goodwin, aged 24, who is a trainee reporter with a trade magazine called *The Engineer*. He received a telephone call that divulged confidential company information. On checking the facts with the company, he received an injunction. Despite appeals to the House of Lords, on 10 April he was fined for refusing to disclose his sources.

That decision by the Law Lords has been severely criticised. A *Guardian* editorial on 11 April stated:

"Only the English judiciary with their narrow and restrictive approach to free speech could have ruled in favour of commerce. British courts have a tawdry record in defending a free press. They have already been reversed in the Distillers and Harman cases, and Spycatcher will shortly follow. Once the Goodwin case reaches Strasbourg, it will be judged in accordance with article 10 of the European Convention on Human Rights which recognises the importance of a free press in a democratic society. Though it has never ruled on disclosure of sources, its record leaves no doubt that the English courts will once again be found in breach of the convention."

That view is supported by *The Economist* which stated in that same week:

"Under the common law of confidentiality, a company can stop a paper publishing news improperly leaked (for example, by an employee or from a stolen file), unless the paper can demonstrate an overriding public interest (for example, the revelation of wrongdoing). The company will insist that publication would do it dire harm. The judge must weigh the rival interest."

That is my view, as shown in amendment No. 2. It is important to try to defend whistleblowers who are acting in the public interest and who are performing a public service.

That has happened in three cases. One was that of an employee of a drugs company which was dumping drugs, banned in the west, in the Third world. An employee informed the Inland Revenue that his employer, a major insurance company, was defrauding the taxpayer. Another employee informed the Ministry of Defence that his employer, a contractor, had been grossly overcharging. In those three cases, the public interest should be a defence that the courts could weigh.

1 pm

I shall give the House two examples. A journalist might receive a phone call during which the caller says, "I am taking a risk in telling you this. However, if you use this number and a password, dial into the computer and read the file, you will find evidence of a disgraceful event that should be made public." Let us suppose that the journalist does that, and a story is printed about the wrongdoing. By doing that, he is condemning himself to what will be a section 1 offence, even though he is acting in the public interest.

Let us suppose also that a journalist receives a smart card—not a piece of paper—containing certain data, and that he puts it into his computer to discover the information that it contains. As soon as he does that, he commits what will be a section 1 offence, even though he is acting in the public interest. What will be a section 1 offence could become the equivalent of the old and discredited section 2 offence under the Official Secrets Act 1911. Surely we do not want to go down that road.

The public interest defence should be included in the Bill, and the courts could then decide whether that defence outweighed the offence that had been committed. As *The Economist* observed, the whistleblower still has to establish that a wrongdoing was involved in leaking information. I have introduced a reasonable amendment so that we do not drift into replacing section 2 offences under the 1911 Act with what will become section 1 offences.

Mr. Colvin: I listened carefully to the hon. Member for Leyton (Mr. Cohen). He talked about the three different categories of exemption, the first being gaining unauthorised access to

"computer controls equipment used only for personal, domestic or recreational purposes."

Let us suppose that the "equipment" is the radar or navigation equipment of a small aeroplane. Unauthorised access to that equipment could be extremely serious. Secondly, some computers may be used for dual purposes, for both personal and non-personal use. As drafted, the amendment would provide that those who access the computer for whatever purpose would not be guilty of an offence under clause 1.

The second exemption of lost computers for which the amendment provides is surely not necessary. Unless there were a clear instruction to the contrary, an individual—someone in authority, or the police, for example—would reasonably assume that the owner of the computer would want it to be traced. Accordingly, I do not think that the second exemption is required.

The hon. Gentleman's third exemption would mean that an offence would not be committed if the place where the computer was located could be used

"by unauthorised persons . . . at a time when that place is authorised for use by unauthorised persons."

That exemption would surely create a legal loophole that we would not wish to enshrine in an Act. It would allow those who have authority to be in a room—for example, office cleaners late at night—to be able to gain access to a computer that is in the room without committing an offence. It would go even further. Anyone who entered the room when the cleaners were allowed in would be able to access the computer with impunity. A dishonest employee could stay behind for that purpose. The exemption would create a most undesirable loophole. On the basis of those points, I hope that the hon. Gentleman will withdraw his amendment.

Amendment No. 2 makes provision for those who commit clause 1 offences to escape conviction if they can prove that they were acting in the public interest. It is most undesirable to introduce a general and vague public interest defence. The result would be to create a criminal

offence that was so weak and uncertain as to call into question its very existence. The Bill must state clearly and precisely what would be the predictable consequences of committing the offences it creates.

The hon. Gentleman suggests that, even though the mischief identified in clause 1 has been done, there is some differently perceived and wider interest that, in effect, means that the mischief does not matter. Surely it always matters. Such an exemption would mean that anyone—he mentioned journalists—could hack into a computer if, in his personal judgment, however misplaced, he thought that he was assisting some general public good. That undermines the offence and runs counter to the whole purpose of the Bill.

I remind hon. Members that we are not talking about competing or balancing interests, as under civil law. Still less are we trying to reopen the 1989 debate on the Official Secrets Act. We are talking about outlawing and deterring unauthorised access to computers, and in particular what should be the predictable consequences of that activity. A public interest defence had no place in such a scheme. I hope that the hon. Gentleman will not feel compelled to press his amendment.

Mr. Douglas Hogg: I profoundly agree with my hon. Friend the Member for Romsey and Waterside (Mr. Colvin). I understand the argument of the hon. Member for Leyton (Mr. Cohen), but I hope that he will feel that the case put by my hon. Friend is sufficient to persuade him not to press the amendment to a Division.

Mr. Cohen: I take the point, and I shall not press my amendment. However, I hope that my point about the public interest will be picked up at some future date. We may well have to return to it in relation to this Bill. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 8

RELEVANCE OF EXTERNAL LAW

Mr. Douglas Hogg: I beg to move amendment No. 13, in page 6, line 16, leave out

'in their opinion the condition is not satisfied'

and insert

', on the facts as alleged with respect to the relevant conduct, the condition is not in their opinion satisfied',

Mr. Deputy Speaker (Mr. Harold Walker): With this we will discuss Government amendments Nos. 14 and 15.

Mr. Hogg: These are splendidly technical and wonderfully complicated amendments. I shall summarise the effects of amendments Nos. 13 and 14. Clause 8 provides that offences are triable under clause 4(4) provided that the act complained of would involve the commission of an offence under the law where it was intended to take place. Clause 8(5) provides for a presumption that the act complained of is unlawful unless the defendant serves a counter notice requiring the prosecution to prove illegality.

On further consideration of the Bill, it was felt that it might have the effect of compelling a defendant who did not service a counter notice to accept both the acts complained of and the criminal intention attributed to him. That was not the purpose of the Bill, and out of an abundance of caution this group of amendments has been introduced.

Amendment No. 15 deals only with Scotland. It would enable the prosecution to present oral or documentary evidence during the hearing, which would otherwise be inadmissible because the defence had not given the prescribed notice in advance. As I said, the amendments are technical and complicated, but I hope that the House will accept them.

Amendment agreed to.

Amendments made: No. 14, in page 6, line 18, at end insert—

'(5A) In subsection (5) above "the relevant conduct" means—

(a) where the condition in subsection (1) above is in question, what the accused intended to do or facilitate;

(b) where the condition in subsection (2) above is in question, the agreed course of conduct; and

(c) where the condition in subsection (3) above is in question, what the accused had in view.'

No. 15, in page 6, line 21, at end insert—

'( ) If by virtue of subsection (6) above a court of solemn jurisdiction in Scotland permits the defence to require the prosecution to show that the condition is satisfied, it shall be competent for the prosecution for that purpose to examine any witness or to put in evidence any production not included in the lists lodged by it.'.—*[Mr. Douglas Hogg.]*

Clause 14

SEARCH WARRANTS FOR OFFENCES UNDER SECTION 1

Amendments made: No. 3, in page 8, line 36, leave out 'justice of the peace'

and insert 'circuit judge'.

No. 16, in clause 16, page 11, line 4, leave out 'The reference in section 14(2)' and insert—

'In section 14—

(a) the reference in subsection (1) to a circuit judge shall be read as a reference to a county court judge; and

(b) the reference in subsection (2).'.—*[Mr Cohen.]*

Clause 17

INTERPRETATION

Miss Emma Nicholson: I beg to move amendment No. 12, in page 11, line 44, after 'computer', insert

'or by any other means.'

I have suggested to my hon. and learned Friend the Minister outside the Chamber that as clause 3 creates the offence of the unauthorised modification of computer material, clauses 3(6) and 17(6) may create a loophole that my hon. and learned Friend and my hon. Friend the Member for Romsey and Waterside may care to consider.

The question is of the back-up of computer data, normally in a secure location separate from the main system. I wonder whether the fact that the material is held at a separate location, away from the main computer, may mean that it will not be covered by the legislation—so that if someone physically attacks the back-up data, by exposing it to magnetism, for example, that action will not constitute an offence.

Mr. Colvin: My hon. Friend has explained that the amendment's purpose is to bring damage to computer data storage media that are not held in any computer, and achieved other than under normal conditions of operation,

[Mr. Colvin]

within the meaning of the clause 3 offence. My hon. Friend is right in thinking that the offence does not extend to such conduct, but I do not believe that it should.

I know what my hon. Friend has in mind and appreciate how damage could occur and that the consequences of such behaviour could be serious—particularly if a data storage medium was exposed to a magnet or if someone scraped his fingernails across a floppy disk, which could seriously inconvenience the data user. If the original material had not been backed up, the loss would be doubly serious. However, I do not accept that such conduct, remote as it would be from the computer itself, threatens the integrity of the computer in the same way as the conduct that is the subject of clause 3. Such an activity is more akin to criminal damage. Given my response, I hope that my hon. Friend is persuaded not to pursue her amendment.

Miss Emma Nicholson: In view of my hon. Friend's remarks, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Miss Emma Nicholson: I beg to move amendment No. 19, in page 12, line 11, after 'program,' add—

'(11) Reference to evidence obtained from the contents of a computer, in this Act, shall be admissible as evidence, albeit that the computer has been the subject of unauthorised access.'.

This amendment raises a new point, centring on the admissibility of evidence. Some computers have a means of policing themselves to the extent that they can produce logs of unauthorised activities. However, if such logs are produced as crucial evidence in criminal proceedings, there could be problems, because section 69(1) of the Police and Criminal Evidence Act 1984 requires the production of a certificate stating, among other things,

"that there are no reasonable grounds for believing that the statement"—

for that, read computer log,

"is inaccurate because of improper use of the computer."

It may be argued that because the computer has been accessed by an unauthorised use, that renders evidence produced by the computer tainted. Under the Bill, it will be for the prosecution to show reasonable grounds for believing that the evidence produced has not been affected by the unauthorised access to the computer. There could be all kinds of evidential problems in that respect, so I commend amendment No. 19, which would make such evidence gained admissible in court.

Mr. Colvin: The effect of amendment No. 19 is to provide that even though there may have been unauthorised access, a computer-generated record should be admissible as evidence. In view of my earlier explanation about PACE I do not believe that that is necessary or desirable. The fact that unauthorised access has occurred would not render inadmissible any evidence produced by an affected computer. It would be up to the prosecution to show, if necessary, that access did not materially affect the evidence.

There seem to be some misconceptions about the operation of the PACE provision. Computer printouts used in computer misuse cases would usually be provided to show the internal state of a computer and how it was interfered with. That evidence would support any oral testimony given by the person responsible for running and monitoring the computer. In such cases, it would not fall within section 69 of PACE. However, if the printouts were used as direct evidence, they would fall within section 69 of PACE. That is right, as it provides the safeguard that if computer records alone are relied upon, they are reliable.

We should bear it in mind that computers are not predictable or wholly reliable. In criminal cases a person's liberty is at stake. In most cases computer-generated evidence would probably be only a small element in the case provided by the prosecution. Evidence is likely to come from a number of sources and could include the results of monitoring equipment with expert testimony from a licensed telecommunications operator, as well as material evidence such as notebooks.

No amendment covering this subject should be dealt with in the relatively narrow context of such offences. If any amendment to the Police and Criminal Evidence Act is justified it should apply to the criminal law as a whole, and should be considered in the context of the 1984 Act. On that basis, I hope that I have persuaded my hon. Friend the Member for Torridge and Devon, West to withdraw her amendment.

1.15 pm

Miss Emma Nicholson: I hope that the complexity of these matters, has become clear to the hon. Member for Birmingham, Hodge Hill (Mr. Davis), who earlier laughingly complained that we would have to spend an hour and a half discussing the Bill—that was only halfway through the morning. He complained that he had to listen to me and I apologised. The complexity of the matter shows that we need considerably longer than the short time allowed for debate this morning.

Mr. Terry Davis: It is always a pleasure to listen to the hon. Lady's arguments, and Opposition Members have paid close attention to her arguments in Committee and on Report. I was not seeking to inhibit or constrain the hon. Lady from advancing arguments for subsequent amendments. I stayed to listen to them. I was suggesting that her interventions in the speech of the hon. Member for Walthamstow (Mr. Summerson) were perhaps unnecessary and that we could have had even longer to listen to her arguments for these important and interesting amendments, had she not helped to waste time—in the interests of the Government Whips and the Privy Council—which also put in jeopardy other meritorious Bills on the Order Paper.

Miss Nicholson: I accept gracefully the hon. Gentleman's comments. It is difficult to bring a Bill of such complexity to the House as a private Member's Bill.

I congratulate my hon. Friend the Member for Romsey and Waterside (Mr. Colvin) on his outstandingly good work. For once, I am persuaded to withdraw my amendment. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Order for Third Reading read.

1.18 pm

Mr. Colvin: I beg to move, That the Bill be now read the Third time.

This is a particularly important measure and I am pleased that hon. Members have seen fit to approach it in a critical but welcoming manner. The consultations which

I have had with interested parties have convinced me that there is a great deal of misuse of computers and computer systems, although it is not possible to quote any substantiated figure. The increased dependence that modern society places on information technology suggests that misuse is destined to become more widespread in the future.

You may have read the press reports on Wednesday, Mr. Deputy Speaker, about a hacker who is alleged to have gained access to the computer of several academic institutions. His actions caused damage amounting to £25,000. I cannot comment on that case; it is sub judice. However, I draw attention to a case in the United States —that of Mr. Robert Morris. In 1988, he released what became known as the Internet worm. That program infiltrated and paralysed several thousand computers in the United States. It filled then with useless data and consequently overloaded them. Mr. Morris is due to be sentenced shortly, having been convicted of

"intentionally and without authorisation gaining access to federal computers, preventing the authorised use of the machines and causing a loss of at least $1,000."

The loss that he caused was very much greater than that. The maximum penalty that he faces in the United States is five years in prison and a fine of $250,000. That is not dissimilar to the penalties that he would face if he had been convicted under the Bill. Those are just two examples of the havoc that hackers can cause.

I was extremely fortunate during the passage of the Bill to have the benefit of an excellent report published by the Law Commission. The Bill is based on that report. I diverge from the commission's recommendations in only minor respects, simply to reflect the further discussion that the report stimulated. The Bill's underlying policy remains very much in line with the commission's recommendations. That is a great compliment to the enormous amount of work that was done by the commission, under the guidance of Mr. Richard Buxton, QC, in producing its report and to the fact that it was able to reflect accurately the needs of computer users.

The Bill was considered in Standing Committee for three weeks. During that time the members of the Committee had the opportunity to deliberate on a wide range of issues. Without the process, the Bill would not be in such good shape and I should not be so confident as I am now of its ability to withstand close scrutiny in the courts. The courteousness and helpfulness of hon. Members in Committee played no small part in that process.

Legislation alone cannot be the answer to stopping the misuse of computers. It is important that users recognise the need to protect their systems against intrusion. During the relatively short period—about four months—that I have been interested in the subject since I was successful in the ballot for private Members' Bills, I have attended 12 conferences and seminars on computers and computer systems. It is significant that 10 out of the 12 concentrated on computer security. The industry takes the problem very much to heart. Proceedings on the Bill have to some extent focused attention on the problem. I am pleased that the Department of Trade and Industry is running a three-year awareness campaign to bring home that point. Practical security and this legislation complement each other admirably.

I take this opportunity to thank all those who have helped the Bill to reach its current stage of preparedness, including the representatives of the many organisations, companies and individuals outside the House who have helped me to iron out any deficiencies prior to and after the Bill's introduction. In particular, I thank the representatives of the Confederation of British Industry and the CBI computer users group, and also the small group of legal and technical experts who gave me a great deal of advice and help during the various stages of the Bill's progress through the House.

The House has taken the opportunity to signal the fact that computer misuse runs contrary to the public interest. I feel satisfied that we now have an appropriate vehicle with which actively to discourage that behaviour and to prosecute those who attempt to defy the law.

1.24 pm

Mr. Cohen: I congratulate the hon. Member for Romsey and Waterside (Mr. Colvin), who has done a good job with his Bill. He has been meticulous in answering the points raised at various stages, including today. The Bill makes hacking a crime and makes it clear that it is not an acceptable practice, a view shared across the House. The point about it being remote burglary is also relevant.

However, it contains flaws, which I tried to make clear during our debates on the Bill. There is a danger that it will lead to criminal law being brought to bear in consumer electronics, just because of the presence of computer-like functions. That could lead to some farcical prosecutions, although I hope that it does not.

The Bill has extended penalties more than the Law Commission originally proposed. Possible computer misuse by the security services was an issue that I raised today and about which I am still concerned. The matter of the public interest defence not having proper weight was also discussed, and that could bring problems in future. Another flaw is that computer owners have not had a duty placed on them or been encouraged to ensure that they have proper security measures. The advice of the Data Protection Registrar has not been fully followed in relation to that.

The two biggest flaws are that the Bill does not define or give guidance about what a computer is. It is left to the police and the judiciary to interpret, which could lead to funny decisions. The search-and-seizure power could also be abused. I appreciate that that at least has been dealt with today in a spirit of compromise by the hon. Member for Romsey and Waterside, who accepted the amendment which provided that only a circuit judge can authorise such warrants, and I am pleased about that.

There are some flaws but, in all, I think that the hon. Gentleman has done well. The flaws mean that the House will have to improve the measure at some time, but we shall first have to see how it works. I suspect that it will not be the last legislation on computers. I congratulate the hon. Gentleman on the Bill.

1.28 pm

Mr. Ian Bruce: I wish to emphasise the importance of the legislation and thank those who have been particularly active on it. When I was first approached by various companies and the Telecommunications Managers Association, for which I work on parliamentary matters, I was surprised that people put such emphasis on the problems of hacking and other computer misuse.

[Mr. Ian Bruce]

My hon. Friend the Member for Romsey and Waterside (Mr. Colvin) had previously had no experience of computers, but he has become a computer misuse expert within a short period. It is wonderful to see how he has taken a complicated subject and understood it so well. In Committee that understanding was passed back in such a way that even those of us involved in the computer industry were able to understand it better. He is to be congratulated on the work that he has done.

Two other people stand out in our consideration of the Bill. First, my hon. Friend the Member for Torridge and Devon, West (Miss Nicholson) was instrumental in emphasising to the House just how important the subject of computer misuse has become. Secondly, I appreciate that, when the hon. Member for Leyton (Mr. Cohen) is praised by deepest Dorset, it may damage his street credibility, but these are heartfelt and sincere remarks.

My hon. Friend the Member for Torridge and Devon, West has constantly asked whether the Bill is tough enough to be effective and to catch those who must be caught by the legislation, whereas the hon. Member for Leyton has asked whether it will catch too many people, and those whom it is not supposed to catch. Those two conflicting views constantly being put in Committee led to us considering the Bill carefully. It is much better for those two conflicting forces. Those hon. Members may not appreciate the extent of their influence on the Department's recommendations or on my hon. Friend the Member for Romsey and Waterside.

When considering civil liberties—I appreciate that the hon. Member for Leyton is keen on that issue—we must protect the civil liberties of the computer user. Someone's confidential data and information kept on a computer should not be accessed by hackers, who use it mischieviously. That is an important civil rights issue.

The Bill is good and goes as far as we should without testing how it acts in practice. I commend it to the House.

1.31 pm

Mr. Terry Davis: The hon. Member for Dorset, South (Mr. Bruce) is right to say that in the Bill we have tried to balance the civil rights of people to enjoy privacy of information and communications and those of people to ensure that they are not harassed and that the Bill or similar powers are not abused. Hon. Members have been conscious of the need to strike a balance. Whether we struck the right balance will be for others to decide later.

I entirely agree with the hon. Gentleman's description of our objectives. There have been differences between, on the one extreme, the hon. Member for Torridge and Devon, West (Miss Nicholson) and, on the other, my hon. Friend the Member for Leyton (Mr. Cohen) but there has been much unanimity. Hon. Members have tried to strike that balance.

I associate myself with the congratulations already expressed to the hon. Member for Romsey and Waterside (Mr. Colvin), not only on his initiative in introducing the Bill but on his clear and impressive grasp of the technical issues involved. I have learnt much from listening to him.

I congratulate the hon. Member for Romsey and Waterside for a different reason. The Bill will become an Act of Parliament. He deserves to bring it to that stage of success because of how he conducted it in Committee. He was courteous and listened to both extremes. If he was unable to answer objections or to carry hon. Members with him he was willing to compromise to achieve a Bill that is acceptable to as many people as possible. He deserves to be congratulated on how he conducted the Bill. Some other hon. Members could learn from his example; I have learnt much from him.

1.33 pm

Mr. Wood: I, too, should like to congratulate my hon. Friends the Members for Romsey and Waterside (Mr. Colvin) and for Torridge and Devon, West (Miss Nicholson). The Bill is important to the computer industry and to large and small computer users. It is all very well saying that many of the hackers have been students who were just having fun on computer systems—— *[Interruption.]*

Mr. Deputy Speaker: Order. Conversations are very distracting. I hope that the hon. Member will be allowed to continue his speech uninterrupted.

Mr. Wood: Students may have had their fun at times, but they have caused enormous costs for major computer system providers. That fun must stop, and the legislation will help to stop it.

Malicious abuse of computer systems has caused major problems and enormous costs for big computer users. We have not had a system of law capable of satisfactorily dealing with these matters. This legislation will be a major step forward in helping to catch some of the wrongdoers. There will inevitably need to be developments in legislation to cover computer use.

1.35 pm

Miss Emma Nicholson: When my hon. Friend the Member for Dorset, South (Mr. Bruce) talked about the input into the debate of various hon. Members, it almost sounded as though we were having a classic debate between the shire counties and inner-city areas. The movement among Conservative Members has come from Dorset, Devon, Hampshire and other shire counties and among Opposition Members from city areas, led by the hon. Member for Leyton (Mr. Cohen).

I pay a warm tribute to my hon. Friend the Member for Romsey and Waterside (Mr. Colvin) for his clarity of thought. He recognised that new criminals were still operating within the old framework of anti-social activity and that rapid action and new legislation were required to encompass their wickedness. I have immensely enjoyed working with my hon. Friend on the Bill. All of those who have backed his efforts and the Bill have found it a valuable, enjoyable experience. It has been a pleasure to watch my hon. Friend forge ahead and to put to the House and Committee the crucial points that needed to be covered.

I should like to leave my hon. Friend the Member for Romsey and Waterside and the other sponsors with the thought that Shakespeare, among his many other qualities, must have been computer-literate. He talked about the worm in the bud and said that if the worm was not detected and stopped, it would destroy the rose. The Bill's effectiveness will rest on detecting the worm. Without the ability either to prise apart the petals through powers of search or to listen in through monitoring, the police will

have a tough job. Shakespeare was computer-literate too, and that is why we may have to look again at our friend the worm.

1.37 pm

Mr. Douglas Hogg: I congratulate the Bill's sponsors and commend the Bill to the House.

Question put and agreed to.

Bill read the Third time, and passed.

Rights of Way Bill

As amended (in the Standing Committee), considered.

Order for Third Reading read.—[Queen's Consent and Prince of Wales's Consent signified].

1.38 pm

Mr. Edward Leigh (Gainsborough and Horncastle): I beg to move, That the Bill be now read the Third time.

No part of rural life has been more marked by dissension and by the setting up of barriers than the law on footpaths. I am proud that for, I think, the first time in parliamentary history we have reached Third Reading having achieved broad agreement on a difficult issue.

I pay tribute to all members of the Committee—not just Conservative but Labour Members who have taken a close interest in the Bill, especially the hon. Member for Denton and Reddish (Mr. Bennett), who is a well-known authority on footpaths and who has played a prominent part in persuading his colleagues of the Bill's merits. They may not have needed persuading, as the Ramblers Association is very much in favour of the Bill and would be bitterly disappointed, as would the millions of walkers, if the Bill was not to proceed to its final stage today. I hope that we can have a debate—but not too long a debate—and that millions of walkers and members of the Ramblers Association, who have followed the progress of the Bill so closely, will be rewarded by seeing what is a compromise, but a strong compromise, and a worthwhile Bill complete its Commons stages today and proceed to the House of Lords.

I thank not only hon. Members of all parties who have seen the Bill through to Third Reading, but members of the working party from the Ramblers Association and from the National Farmers Union, officials from the Department of the Environment and from the Ministry of Agriculture, Fisheries and Food, and my hon. Friend the Member for Saffron Walden (Mr. Haslehurst) who chaired the statutory working party on rights of way. I thank them for spending literally hundreds of man hours on producing a complex Bill in a highly complex area of statute. They have achieved a carefully considered Bill. I and my hon. Friend the Minister had to prove no fewer than 43 amendments in Committee so that lawyers in the Department of the Environment and in the Department of Transport could be satisfied that the Bill was fit to proceed to statute.

Hon. Members may recall that, on Second Reading, I referred to the benefits of the Bill and to the fact that it will help everyone with an interest in the footpath network. Many are involved, whether hard-pressed farmers, local authorities charged with safeguarding the public rights of passage or the millions of people who use footpaths, bridleways and other minor highways for healthy relaxing exercise and to savour the great beauty of our countryside.

Put simply, the Bill rewrites the unsatisfactory and largely unenforceable provisions on ploughing and rights of way in sections 134 and 135 of the Highways Act 1980. For the farmer, it replaces the limited "right to plough" across fields, footpaths or bridleways with a new wider right to

"disturb the surface of the path or way"

as necessary. Such disturbance could take place at any stage of cultivation. The right will apply regardless of the

[Mr. Edward Leigh]

type of machinery used, so for the first time it gives the farmer clear statutory authority to disturb paths when carrying out the full range of essential operations.

I have taken great care to consult the farming community on the Bill. I know that it has not been an easy time for farmers, although I hope that, with the recent success of the green pound negotiations, things will ease up for them. I am pleased to say that the National Farmers Union, the Country Landowners Association and the local Lincolnshire National Farmers Union all support the Bill. As I represent an agricultural constituency, and as I accept the strong power of the NFU in this place, it would have been unwise to proceed with a Bill that did not have the support of the farming community.

The Bill will also introduce a new section 135 to the Highways Act 1980. It provides for consent to be given to the disturbance of paths in the course of any other "excavation or engineering operation" which is not directly related to the cultivation of a particular crop, such as the unavoidable disturbance to paths which occurs when installing or renewing field drains. The path or way can be diverted temporarily for up to three months where necessary.

Of course, the Bill provides a balance. There is a balance on the other side, which is why the Bill is supported by the Ramblers Association. The largesse towards the farming community is matched by a stricter duty on farmers to restore quickly paths that have been disturbed to such a condition that they are easy to use, by showing the line of the path on the ground. That duty is the key to the Bill.

Where the disturbance is the first in a cycle of cultivation—if I refer to this as the ploughing period, hon. Members will know what I mean, although with modern farming methods a plough as such may not be used—under the Bill that must be done within 14 days. For any subsequent operations, a path must be restored and marked within 24 hours. Either period can be extended by the authority—where it is justified—for up to 28 days. That will overcome what has proved to be a major problem for walkers and riders, and will help to reduce accidental trespass. Users will know what line to take across what can sometimes be, with today's larger fields, an extensive and featureless tract of land. In recent years that has become the major problem for ramblers and walkers, much more so than impenetrable obstacles. It is the sight of an enormous field of growing wheat, with no clear line of path, which is a major deterrent to the possibly millions of people who wish to use and enjoy our countryside.

The Bill will deal specifically with the related problem of paths that are difficult to use because of crops growing on them or encroaching from the sides. That, too, is a major deterrent for anyone wishing to use our path network and one that the authorities can deal with only when the crop has developed to the stage of physically obstructing the path, long after most users have been deterred. New section 137A will place the occupier under a clear duty to keep all rights of way and other unsurfaced highways apparent on the ground and clear of any crops that would make the path inconvenient to use. The crops in question are mainly arable.

Oilseed rape, the planting of which is increasing in our countryside, is a particular problem. It stands out as a vivid shade of yellow. Some people do not like it, although personally I like large splashes of colour. I do not know what Monet would make of it as I do not suppose that oilseed rape was as common in the fields of France then as it is now. The problem is that oilseed rape does not stay yellow and beautiful for long. It is a major deterrent to walkers and riders who wish to use the countryside. It grows vigorously to become a dense, utterly impenetrable jungle, reminiscent more of the tropical rain forests than of the British countryside.

Pushing through acres of wet, knee-high corn is a daunting and unrewarding exercise. I hope that under the Bill those problems will no longer have to be endured.

People will ask why people are deterred by growing corn. There is a myth that most walkers in the countryside have stout boots, wear beards, are members of the Ramblers Association, are equipped with up-to-date Ordnance Survey maps and know their exact rights and where they are going. However, Countryside Commission surveys show that most people who walk in the countryside are not so equipped, use paths only occasionally, and are often deterred by the sight of a large field of rape or corn with no apparent line on the ground.

The duty to keep paths clear of crops does not, however, apply to grass, which is defined in the Bill as

"a variety or mixture commonly used for pasture, silage or haymaking".

No one could object to walking over ordinary pasture land or through a pleasant hay meadow. I remember from my youth that I did not object to walking through long grass with my then girlfriend. The duty to enforce the new requirements rests with the local highway authorities. Proceedings can also be brought by the district council for the area, or the local parish or community council.

Hon. Members will appreciate the fact that prosecution by members of the public is a sensitive subject in the farming community. We have therefore been careful to carry forward the restrictions that exist under the 1980 Act. Members of the public will not be able to bring a prosecution against a farmer for failing to restore a disturbed surface or for the illegal disturbance of a surface—the direct successor to ploughing offences under existing legislation, in which prosecutions are similarly restricted. That is a major concession that the members of the working party and I made to the farming community in trying to hammer out a compromise, and I hope that the farming community will recognise it as such.

The Bill also removes a difficulty faced by authorities in bringing prosecutions. It provides that the occupier of the land will be clearly held responsible for the disturbance of a footpath or bridleway regardless of who carried out the work on his behalf and of any crops growing on it. Nor will authorities have to establish what kind of machinery has been used to disturb the surface. The major problem that local authorities have faced has been in identifying the person responsible, and the removal of that difficulty should make it much easier for local authorities to enforce the law. The fact that a surface remains disturbed after the time by which it should have been restored will be sufficient.

Even so, prosecutions are inevitably slow and time-consuming, and authorities are likely to consider them only as a last resort. If there is a key provision in the Bill, it is schedule 12A, to be inserted in the 1980 Act. That

gives highway authorities—or district councils if acting on their behalf—simple direct powers to enter the land and carry out the work wherever an offence has been committed.

The power to act in default will be a major boon to local authorities. I hope that it will clear up the muddle in footpath law and convince authorities that they cannot go back to those who put them in charge of footpath law and say, "I am sorry. It is all too complicated. We do not have the time to bring prosecutions." If there has been a clear violation of the law—if a path is marked on a map and members of the public want to use it and the line of that path is not apparent because crops have been allowed to grow on it—local authorities will be able to act in default. They will not have to go through the time-wasting procedure of bringing prosecutions through the courts.

In addition to the requirement to mark the line of the path on the ground, that schedule is the key provision of the Bill and accounts for much of its benefit to ramblers. The provision will ensure that the new legislation is observed as a matter of course by the whole farming community. The deterrent to the farmer will be not that he may end up in court and be fined after months or even years but that the local authority will simply be able to do the work for him. Then, of course, the local authority will charge the farmer for the work.

With the stricter duties on farmers and the stronger powers given to local authorities, it is desirable to define the exact width of the right of way, and that we have done. Hon. Members may be surprised to learn that there is no general statutory width for the various types of right of way. Some paths have a legally recorded width. The width might be included in the description of the path given in the statement that accompanies the definitive map, or it might be referred to in some other historic document, and where that is the case that width will apply; it will not be affected by the Bill.

In general, however, no such widths are recorded and it has been necessary to devise figures for the width of various classes of rights of way. Quite what those widths should be was the subject of long debate in the working party. The figures chosen, which are based on advice from the County Surveyors Society, demonstrate the consensus that emerged within the working party. Such consensus has never been achieved before; it has certainly never been translated into statute. That is why Parliament has allowed the Bill to proceed as far as it has.

In effect, two figures are given, a minimum width and a maximum width, and those figures are set out in new schedule 12A. The minimum width is the minimum that the farmer would have to work to if he was to avoid running into trouble with the authorities. That is the figure that would be taken into account in any prosecution. For a cross-field footpath, the minimum is 1 m or about 3 ft 3 in. For a bridleway it is 2 m or about 6 ft 6 in. Where a footpath or bridleway is on the edge of a field, those figures are increased to 1·5 m and 2 m respectively, and for any other type of highway the minimum figure is 3 m or about 10 ft.

The maximum width is simply the maximum to which the authority may work when carrying out work in default of the occupier. That figure is 1·8 m for a footpath—roughly 4 ft 6 in. For a bridleway it is 3 m, or 10 ft, and it is 5 m, or 16 ft, for any other type of highway.

Mr. Harry Greenway (Ealing, North): I want to raise a point that is important for the horse world. If the bridleway was wider than the maximum width that my hon. Friend has just described, who would pay for the extra width—or is that a matter that we need not discuss now?

Mr. Leigh: I do not believe that it arises in the Bill. We have set minimum and maximum widths, but we must accept that those are loose definitions and broad guides. I have taken particular care to reassure the British Horse Society, of which my hon. Friend the Member for Ealing, North (Mr. Greenway) is such a distinguished member, on that matter.

I am a keen rider and I am sure that the horse world has concluded that, although it would have liked a greater width for bridleways, the Bill provides a fair compromise. With regard to horses, we must remember that the width of the path as it runs through the middle of the field is not the most important point, as I have stressed before. When one is riding a horse, the difficult part of the path is that which runs close to a hedge or a wire. In the Bill we specifically set a wider width beside a hedge or wire. I can reassure my hon. Friend the Member for Ealing, North about this point, which he has raised before. When we are considering a footpath that runs across the middle of a field, if for some reason the horse has to veer to the side of the path, that should not affect matters.

The Committee dealt with those points of detail very carefully and I do not believe that I need to labour them now. We passed 43 amendments in Committee designed to make the law clearer and to clear up any ambiguities. The amendments ensured that the Bill could not be seen to apply to major carriageways. There may be some problems about that, but I believe that the farmers and local authorities now have a sporting chance to know exactly what is a field path and a bridleway and also know their duties in that regard. The other major amendment that we made in Committee brought the penalties under this Bill into line with other Home Office penalties.

The Bill is a comprehensive package of measures which balances a range of conflicting interest. As such, I commend it to the House.

1.57 pm

Mr. Terry Davis (Birmingham, Hodge Hill): On the Third Reading of the Computer Misuse Bill the point was made that the interests of different people had to be balanced. This debate is similar in that we must balance the interests of people who, like myself, enjoy walking in the countryside—something that I try to do every weekend—and the interests of the group described loosely by the hon. Member for Gainsborough and Horncastle (Mr. Leigh) as the Ramblers Association.

Members of the Ramblers Association do excellent work on behalf of their members and other people such as I. However, we must also consider people who, like a large number of my constituents, live in urban constituencies and who visit the countryside at weekends for recreational purposes. The Bill is also in their interests.

I do not wish to digress too far. The hon. Member for Gainsborough and Horncastle referred to the problem of oilseed rape which makes it difficult to walk along rights of way. However, there are also health problems from rape, and my hon. Friend the Member for Kirkcaldy (Dr. Moonie) could describe them in some detail. It has become

[Mr. Terry Davis]

clear in recent months that many people have an allergy to rape. That allergy causes a great deal of ill health in the summer months and the problem has only recently been attributed to that crop. But there are the interests of farmers. I speak with some knowledge about those interests—I do not wish to detain the House for long, however—because all my brothers-in-law are farmers. They seek every opportunity to impress on me their interests and, as they see it, the damage done to their crops by walkers.

As the hon. Member for Gainsborough and Horncastle has fairly said, however, the Bill is supported by many Labour Members. The hon. Gentleman mentioned my hon. Friend the Member for Denton and Reddish (Mr. Bennett), and another sponsor is my right hon. Friend the Member for Birmingham, Small Health (Mr. Howell). I know that my right hon. Friend is keen that the Bill should pass through the House this afternoon and become an Act.

The only risk to the Bill making progress this afternoon —I say this with some regret—has been posed by the hon. Member for Gainsborough and Horncastle. In making a silly, provocative and bogus point of order two or three hours ago, he invited Mr. Deputy Speaker to allow points of order to be raised by other hon. Members—they would have been entirely out of order—on the results of local elections, on the poll tax and on other partisan political matters. That was unfortunate. I regret also that the hon. Gentleman participated in what I regard as filibustering during the consideration of the Computer Misuse Bill. In doing so, he put at risk this important Bill.

If my hon. Friends and I wished to speak for a long time on the Bill's Third Reading, I am sure that we could do so. If we were petty enough to wish to pay back the hon. Member for Gainsborough and Horncastle in his own coin, it would be easy to do so. We shall not do that, however, because too much is at stake. The Bill is in the interests of ramblers and all others who enjoy the countryside at weekends. We must seek to ensure that the Bill's Third Reading is completed this afternoon so that it can become an Act.

I am conscious that if we allow the Bill to continue on its passage, but take a long time to do so, we shall prejudice the chances of the Road Traffic (Temporary Restrictions) Bill in which the hon. Member for Nottingham, South (Mr. Brandon-Bravo) has an interest. I understand that he has come here all the way from Nottingham fresh from the local elections, which we shall not discuss, to seek to get the Bill through the House. I do not want to prejudice that measure in any way and, therefore, I shall curtail my remarks. I regret that the hon. Member for Gainsborough and Horncastle engaged in such a high-risk tactic earlier in our proceedings.

2.2 pm

Mr. Harry Greenway (Ealing, North): I shall be brief, Mr. Deputy Speaker. I apologise for not having been in my place for the first stage of the Third Reading of the Bill, of which I am a sponsor and in which horse riders have a keen interest, as my hon. Friend the Member for Gainsborough and Horncastle (Mr. Leigh) rightly said.

The fact that bridleways will now be required to be kept in place and to be properly maintained will overcome the disappearance of bridleways in recent years because of a lack of proper maintenance. In some cases, they were little used. A bridleway can go out of fashion, as it were, and not be used very much by riders or walkers for a period. When this happens, a bridleway is often lost. Many a farmer has ploughed up a bridleway deliberately, thereby absorbing a public right of way in his farm, and many bridleways have been lost for ever.

I am pleased to speak on behalf of the 3·5 million people who ride horses. They include people on low incomes as well as those on above-average incomes. I am most interested in the low-income group who ride. I have championed their cause all my life. In many instances they have lost the facility of access to the countryside and enjoyment of the countryside where it should not have been lost. The Bill will ensure that that does not happen in the future.

Some bridleways have, to farmers' displeasure, run across the middle of fields. When farmers have had such bridleways ploughed up, they have not been reinstated elsewhere on their land. That cannot be allowed to happen any more, and, as a result of the Bill, it will not. If a bridleway disappears to suit a farmer, it will have to be resited elsewhere. That is of the greatest importance. We cannot afford the loss of any more rights of way in the countryside bearing in mind the fact that an area the size of the Isle of Wight is lost every year to concrete and buildings. That is disgraceful. Our increasing population has fewer and fewer facilities where it can enjoy recreation by walking, angling or riding. That is extremely serious.

I am sure that my hon. Friend the Member for Gainsborough and Horncastle will correct me if I am wrong, but I assume that, should a rider be forced to leave a bridleway—perhaps when riders from opposite directions meet—he will not be subject to prosecution. That could occur if both riders were riding fast horses. Provided that the rider kept as close as possible to the bridleway that he had been forced to leave, I assume that there would be no prosecution. Of course, if the rider strayed across the field, he would come under the criminal law of trespass, which is a serious matter. I shall assume that if a rider leaves the bridleway to avoid one or even two riders coming in the opposite direction, there will be no prosecution. Were I to be wrong, I am sure that my hon. Friend would have corrected me by now.

Mr. Michael Stern (Bristol, North-West): I could not be present for Second Reading of the Bill, so I am glad today to welcome it and to make a few brief comments before we send it on its way. The Bill attempts to reconcile the conflicts that occur between the different uses and users of the countryside. However, I wish to add a word of caution. We frequently have too great an estimate of the effect of the laws that we pass. It is all very well to define the rights of use of a footpath and the rights of a farmer to divert it for a particular period, but if one is walking along a footpath and, when about to cross a stile, sees a bull in the next field, there is no time to stop and find out whether the bull is safe, regardless of the farmer's assurance that it is. If the bull is unsafe, there is no time to start a prosecution.

Like the hon. Member for Birmingham, Hodge Hill (Mr. Davis), I spend most Sundays and holidays walking either in the countryside or in the mountains. When a footpath is diverted, most walkers are prepared to take a route round a field, rather than through it. However, the cause of ramblers is not helped by the minority who regard anyone prepared to walk round the field as—to use their

phrase—a forelock toucher. They regard rambling as a perpetual opportunity to relive the mass trespass on Kinder Scout in the last century.

All who use the countryside are anxious to ensure that the rights of other users are respected. However—this touches upon the point made by my hon. Friend the Member for Ealing, North (Mr. Greenway)—the use of a footpath in one way might make it impossible for it to be used in other ways. There are many examples of that in my constituency. For example, the frequent use of a footpath by horses has made it unusable by human beings. However much the legislation defines footpaths and who is entitled to use them and when, it does not get round the problem that there are both selfish and unselfish uses. Users must always remember that others also wish to use the footpath.

As was pointed out on Second Reading, bike scrambling is an increasingly popular hobby, especially in the mountains. Last summer, I spent some time on the northern lakes and fells. Perhaps I may warn you, Mr. Deputy Speaker, that I am not about to use unparliamentary language when I refer to the fells across which I walked as Great Cockup—for that is their name. Lower down the fells was a group of mountain bike scramblers. Because of the remoteness of the area, and because they stuck to a defined route—having deliberately picked an area where they knew not many people were around—the noise and colour of that biking procession added a great deal to the day. However, I am equally sure that we have all seen examples—which are particularly common on the ridgeways—where the use of scrambling bikes on a well-used path detracts from everyone's enjoyment.

I conclude by saying to my hon. Friend the Member for Gainsborough and Horncastle (Mr. Leigh) that I greatly welcome the Bill, which I believe will do much good—but we should be wary of ascribing to it the change in motives and in patterns of thinking that will be necessary if it is fully to work.

2.9 pm

The Minister for Industry (Mr. Douglas Hogg): My hon. Friend the Member for Gainsborough and Horncastle (Mr. Leigh) is to be congratulated on the way in which he has conducted the progress of the Bill. It has the Government's support, and I commend it to the House.

Question put and agreed to.

Bill accordingly read the Third time, and passed.

Road Traffic (Temporary Restrictions) Bill

Not amended (in the Standing Committee), considered.

Mr. Deputy Speaker (Mr. Harold Walker): Amendments not moved.

Order for Third Reading read.

2.10 pm

Mr. Martin M. Brandon-Bravo (Nottingham, South): I beg to move, That the Bill be now read the Third time.

I am grateful for the opportunity, in the closing minutes of today's business, to speak to the Third Reading of my Bill and to explain briefly its broad purposes. As you know, Mr. Deputy Speaker, the Bill received an unopposed Second Reading. As a private Member, I am greatly honoured to be able to present a Bill to the House. It is not an honour that many right hon. or hon. Members have an opportunity to enjoy.

I should like to record also my gratitude to all those who have assisted the passage of the Bill. As it is in some respects a technical measure, I pay tribute to the Ministry of Transport officials who assisted me with the queries that arose, and with the amendments that were tabled. I thank also the organisations that either wrote or came to the House to express their concerns and to seek reassurances. They included the Ramblers Association, the British Horse Society, the National Farmers Union, the Freight Transport Association, and the Automobile Association. They have all contributed to the Bill.

I express sincere thanks for the contribution made by the Opposition, particularly by the hon. Member for Crewe and Nantwich (Mrs. Dunwoody), who led the Opposition in Committee.

Given that mine is such a modest Bill, you may be surprised to learn, Mr. Deputy Speaker, that I received the assistance of no fewer than three Ministers—my hon. Friends the Members for Derbyshire, West (Mr. McLoughlin), who assisted me in Committee; for South Ribble (Mr. Atkins), who helped me with the Report stage; and, lo and behold, my distinguished, hon. and learned Friend the Member for Grantham (Mr. Hogg), who assists me today. That truly is an honour three times expressed.

The Bill is a modest measure, but it promises worthwhile improvements to the law. As it had a formal Second Reading, I shall briefly set out what it seeks to do. It would bring about a reformed national code—although it excludes Northern Ireland—for temporary regulations dealing with notices and orders.

When the Bill was first published, my colleagues were surprised that we did not have a national uniform code, and that there were different rules for London and for the rest of the country. The Bill seeks to rationalise some of the requirements for longer-term works, and it places upon local authorities—which were widely consulted—the duty to have proper statutory regard to alternatives when orders are laid down.

The Bill deals with two forms of temporary notice: a short notice for five days, which is not renewable and is most helpful to local authorities, and a limit of 21 days for all other notices. The 21-day notice can be renewed in certain circumstances.

The main aim of the Bill is to rationalise orders. Until now, they have been applicable for three months and have

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been renewable almost ad lib. In my constituency, in the past six years there have been two major works, and at present there is one project which is estimated to last for some three years. Under the old rules the orders for that project would have had to be renewed every three months. That is the kind of bureaucracy that serves no one.

The 18-months rule will almost certainly simplify and reduce much of the bureaucracy. Colleagues may be interested to know that, in an average year, some 15,000 temporary orders are issued.

The Bill seeks to tidy up an extraordinary anomaly which means that, although a person who commits a traffic offence may have his licence endorsed or be disqualified from driving, if the offence was committed in a coned-off area on the motorway or somewhere where a temporary order applied, those constraints of the law would not apply.

The road user stands to gain from the presence of a more adaptable and comprehensive measure to regulate traffic where necessary. I believe that the relaxation of the period for temporary orders will be widely welcomed, as it is a useful step towards deregulation. However, some hon. Members have expressed anxieties. We had a truncated Report stage last week. On procedural grounds rather than because of a Division, the Bill failed to complete its Report stage but, happily, it has returned to the House this morning.

I am grateful to see the hon. Member for Lewisham, Deptford (Ms. Ruddock) on the Opposition Front Bench, as she was disappointed that consideration of the Bill was not completed last Friday, and no doubt she is happy to be present today to greet it with acclamation. Would that other private Members' Bills which run into procedural problems were given an opportunity to get on with the job seven days later.

Anxieties about the Bill have been brought to my attention by ramblers and horse riders. It was interesting to listen to the debate on the Rights of Way Bill and to hear my hon. Friend the Member for Gainsborough and Horncastle (Mr. Leigh), legally define footpaths and bridle paths—if I heard him correctly. If that is so, the anxieties of the Ramblers Association and the British Horse Society are valid. We could have dealt with the matter last week; we obtained the assurances on Thursday last. Since last Friday, we have obtained them in writing. Sadly, they cannot be written into the record, but I am sure that the other place will be satisfied with the assurances that have been given.

I have discussed the matter with the Department of Transport and with the Minister for Roads and Traffic. He wrote, at my suggestion, to the Ramblers Association expressing his understanding of its concerns. In his letter of 30 April, he said that he was content that my Bill should be amended

"so that temporary orders affecting traffic other than motor vehicles on a footpath, bridleway, cycle track or byway would have a more limited duration."

He suggested that the limit on those highways should be six months, whereas my Bill says that the period should be 18 months.

The Minister told the Ramblers Association—I understand that the same assurance has been given to the British Horse Society—that when the Bill is enacted

"appropriate guidance might be issued by the Department to highway authorities about the exercise of their powers".

The guidelines

"would aim to emphasise the statutory duties which already oblige them to protect rights of way and minimise obstruction."

The Ramblers Association acknowledged the Minister's letter the following day and confirmed that it was prepared to accept the proposal that temporary orders should last for six months. We granted that concession to the hon. Member for Denton and Reddish (Mr. Bennett) before the untimely break in the proceedings last week. The Ramblers Association and the British Horse Society are now satisfied.

It is a modest Bill. I said last week that, if one is not among the first seven successful in the ballot for private Members' Bills, the last thing that one wants to do is promote a Bill that is so contentious that it will never be given a Second Reading. If, by some extraordinary mischance, it were given a Second Reading, it would undoubtedly be talked out and never pass Committee. I am delighted to have played a small part in the legislative process. I thank my hon. Friends who have supported me. I hope that the House will give the Bill its Third Reading and pass it. Nevertheless, before it is given a Third Reading, I hope that the Minister will say something about it.

2.24 pm

The Minister for Industry (Mr. Douglas Hogg): My hon. Friend the Member for Nottingham, South (Mr. Brandon-Bravo) is to be congratulated on bringing his Bill successfully to this point. I know that he had a few procedural difficulties last Friday, but he has obviously overcome them with great skill. His elegant and persuasive description of the Bill's contents taught us a great deal.

The Bill is a welcome measure that introduces a uniform code of powers for all authorities in Great Britain in connection with temporary traffic restrictions.

Mr. Harry Greenway (Ealing, North): Will my hon. and learned Friend the Minister give way?

Mr. Hogg: If I must.

Mr. Greenway: I know that my hon. and learned Friend is absolutely packed with material, but I wonder whether he is aware of the objections of the British Horse Society to the former proposals in the Bill to lump together bridleways and highways, and the fact that my hon. Friend the Member for Nottingham, South (Mr. Brandon-Bravo) has agreed to separate them. Will the Government be happy with that, as the horse world certainly is?

Mr. Hogg: The Government are extremely happy with that. I have no doubt that the reason why the Government were prepared to welcome the modest change described by my hon. Friend owed a substantial amount to the advocacy of my hon. Friend the Member for Ealing, North (Mr. Greenway). I thought for one nasty moment, that he was going to ask me what the content of clause 1 was. That is why I was so churlish. But on the contrary, he had only help in his mind and if he wants to intervene again, I am sure that I can give way. I had better return to my script, because I certainly cannot operate without it on such a Bill.

The Bill will enhance the ability of local authorities to respond speedily and effectively. Among its main concerns

are the protection of public safety and the management of traffic for temporary periods to avoid damage or congestion.

Temporary restrictions are only one end of the traffic management scale—at the other end are traffic jams. Authorities are continually initiating new measures to help make the best use of existing road space and to try to resolve conflicts between competing demands of motorists and pedestrians—private and public transport, passenger and goods traffic. It is a balancing act, but the authorities have a great deal of expertise. We encourage them to take local needs more carefully into account. Parliament has laid down statutory requirements to be met. There are prescribed procedures to follow, but we must also give them freedom and flexibility to act in response to local conditions. The Bill will help to do that. It will leave local authorities better placed to cope with the needs and demands of traffic.

I welcome the Bill, and hope that it will make a swift passage through its remaining stages and on to the statute book. Clearly, it would not be right for me to conclude my brief contribution without once again thanking my hon. Friend the Member for Nottingham, South for the persuasive and eloquent way in which he has carried through the Bill, and for the thought and learning that he has put into it. I commend it to the House.

Question put and agreed to.

Bill accordingly read the Third time, and passed.

Indecent Displays Bill

Order for Second Reading read.

2.29 pm

Mr. Harry Greenway (Ealing, North): On a point of order, Mr. Deputy Speaker. We are near the end of the day, but there has been no sign of the Secretary of State for the Environment. Have you any news about whether he will make a statement on yesterday's elections——

Mr. Deputy Speaker (Mr. Harold Walker): Order. I have received no such request. The hon. Gentleman knows that the presence of a Minister is not a matter for me.

Mr. David Sumberg (Bury, South): I beg to move, That the Bill be now read a Second time.

This is a modest measure, with a modest amount of time for me to explain it to the House.

It being half-past Two o'clock, the debate stood adjourned.

Debate to be resumed upon Friday next.

Private Members' Bills

ELIMINATION OF POVERTY IN RETIREMENT BILL

Mr. Jeremy Corbyn (Islington, North): I beg to move——

Mr. Deputy Speaker: Objection taken.

Mr. Corbyn: I did not hear "Object".

Mr. Deputy Speaker: Do I hear "Object" or not?

Hon. Members: Object.

Mr. Deputy Speaker: If hon. Members are objecting, perhaps they will do so sufficiently loudly for the Chair and the House to be aware of it. Objection taken. Second Reading what day?

Mr. Corbyn: May I be clear? Did the hon. Member for Dorset, North (Mr. Baker) object? I heard no objection when I rose to move the Bill.

Mr. Deputy Speaker: I clearly heard "Object". The House will have heard the objection that was made.

Mr. Corbyn: Will you confirm that the hon. Member for Dorset, North——

Mr. Deputy Speaker: It is not for the Chair to identify hon. Members——

Mr. Corbyn *rose*——

Mr. Deputy Speaker: Order. The hon. Gentleman must not be on his feet when I am. He has raised this point on previous occasions and has received the same guidance from the Chair. It is not for the Chair to identify the individual or individuals who register objections. We are in exactly the same position as when the Chair collects the voices on putting the question on any matter. Second Reading what day?

Second Reading deferred till Friday 6 July.

Mr. Corbyn: On a point of order, Mr. Deputy Speaker. May I seek your guidance? As I am sure you are aware, the Bill has been before the House many times. It has consistently been frustrated by a conspiracy between the Whips Office and the Trappist tendency of the lower echelons of the Whips Office. How can the Bill be debated so that those who object to it by muttering between their teeth can say why the elimination of poverty among pensioners is not an important matter? I look to you to find some way of debating the Bill in the House.

Mr. Deputy Speaker: That is not my responsibility. Bills are dealt with according to the Standing Orders and procedures of the House. The hon. Gentleman's Bill is being dealt with in that manner, as well he knows.

FUEL AND ENERGY PROVISION BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 6 July.

CHILDREN AND YOUNG PERSONS (PROTECTION FROM TOBACCO) BILL

Order for Second Reading read.

Mr. Deputy Speaker: Not moved.

POLL TAX (ABOLITION) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 6 July.

INTERDICTS AND INJUNCTIONS (AMENDMENT) BILL

Order for Second Reading read.

Hon. Members: Object.

Mr. Deputy Speaker: Second Reading what day? No day named.

TOXIC AND HAZARDOUS SUBSTANCES (MISCELLANEOUS PROVISIONS) (No. 2) BILL

Order for Second Reading read.

Mr. Deputy Speaker: Not moved.

POLL TAX (RESTORATION OF INDIVIDUAL PRIVACY) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday next.

RAPE IN MARRIAGE (OFFENCE) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday next.

HARE COURSING (ABOLITION) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday next.

POLITICAL PARTIES (INCOME AND EXPENDITURE) BILL

Order for Second Reading read.

Mr. Deputy Speaker: Not moved.

NATIONAL HEALTH SERVICE HOSPITALS (OPTING OUT) BILL

Order for Second Reading read.

Mr. Corbyn: With the permission of my hon. Friend the Member for Don Valley (Mr. Redmond), I beg to move.

Hon. Members: Object.

Mr. Deputy Speaker: Second Reading what day? No day named.

GREYHOUND BETTING LEVY BILL

Order read for resuming adjourned debate on Second Reading [16 February].

Mr. Deputy Speaker: Not moved.

FOOTBALL SPECTATORS BILL

Order for Second Reading read.

Mr. Deputy Speaker: Not moved.

BRITISH RACING COMMISSION BILL

Order for Second Reading read.

Mr. Deputy Speaker: Not moved.

LOCAL AUTHORITY PLAYING FIELDS BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 6 July.

MARRIAGE (REGISTRATION OF BUILDINGS) BILL

Order for Second Reading read.

Mr. Charles Wardle (Bexhill and Battle): With the consent of my hon. Friend the Member for Buckingham (Mr. Walden), I beg to move, That the Bill be now read a Second time.

Question put and agreed to.

Bill read a Second time and committed to a Standing Committee, pursuant to Standing Order No. 61 (Committal of Bills).

Mr. Harry Greenway (Ealing, North): On a point of order, Mr. Deputy Speaker. Can we expect a statement on yesterday's local elections? In Ealing, we have had a change of control to Conservative from Labour——

Mr. Deputy Speaker: Order. I thought that I had made it clear to the hon. Member that I am not prepared to tolerate what seems to be close to an abuse of the House.

Herstmonceux Castle (Sale)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Nicholas Baker.]*

2.35 pm

Mr. Charles Wardle (Bexhill and Battle): During 1986, I raised in the House several times the subject of Herstmonceux castle—in questions to my right hon. Friends the Prime Minister and the Secretary of State for Education and Science, in a debate on tourism and in an Adjournment debate on 19 December that year. I did so because I disagreed, as did many of my constituents as well as many distinguished scientists, with the Government's decision to allow the Science and Engineering Research Council to move the Royal Greenwich Observatory from Herstmonceux, as had been proposed in the Kingman report, and then to sell Herstmonceux castle.

The main objections from astronomers to the proposed move were that there had not been sufficient consultation before the decision and that, in any case, the scientific justification was thin, to say the least. As Dr. Charles, the university lecturer in astronomy at Oxford, put it:

> "The SERC is seen spending an enormous amount of money on a move that nobody has called for and in order to solve problems they can neither specify or quantify."

Others argued that there was no apparent financial justification for the move and some people went so far as to say that the sale of the castle looked suspiciously like asset stripping. Such scepticism was no doubt encouraged by the remarks by Professor Mitchell and Dr. Catterall, chairman and secretary respectively of the SERC at the time, who repeatedly maintained that Treasury approval would be forthcoming only if the move could be demonstrated to be self-financing. In other words, the castle would be sold to meet the budgeted cost of the move and of new buildings at Cambridge, which had been chosen as the RGO's new headquarters.

That was the only financial target in the SERC's mind and its sole priority was to get just enough money from the sale of the castle as quickly as it could and without any strings attached to the sale that might get in the way of a research transaction. At no stage did the SERC give the impression that it would be worth while making a special effort to find a buyer who would undertake to do creative things with the castle and grounds in the public interest. Such considerations were of central importance to local residents and to others, such as Professor Gregory from Bristol, who wanted to convert the equatorial group of telescopes at the eastern edge of the park into a centre in which visiting schoolchildren could experience what he called "hands-on science", but apparently they were of no consequence to the SERC. It merely needed money for the move that it had planned and it was playing by Treasury rules. Other considerations were none of its concern, it seemed.

My suggestion to Professor Mitchell at the time—that, instead of moving the RGO, the SERC should endeavour to develop an international centre of scientific and technological excellence around the RGO at the castle, which would generate revenue from research work and seminars for clients throughout the world—was met with blank incomprehension. The idea that the RGO and the castle should be thought of as anything but a cost centre and that the SERC might do well to take an

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entrepreneurial view of the assets under its control, to earn a little extra money to help fund its research efforts, seemed foreign to Professor Mitchell.

That is exactly what it was. I have no doubt that the American, Japanese or German counterparts of the SERC would have jumped at the opportunity of taking prize assets, such as the RGO and Herstmonceux castle, and developing around them a centre of international renown —instead of the unimaginative retrenchment and withdrawal to Cambridge, where the RGO's identity would be submerged and where the university astronomy departments might well feel inhibited about participating in shared projects. In spite of the objections, the SERC went ahead with its plans and the castle was duly sold in 1988. The consideration was £8·1 million on a deferred payment basis, although the SERC itself did not reveal the figure and the public was led to believe from newspaper reports that £12 million had been paid. The purchasers, James Developments, made no attempt to contradict that.

Subsequently, the National Audit Office examined the terms and conditions of the sale and the manner in which the transaction was carried out. Last month the Comptroller and Auditor General published a report of his findings. He concluded that the SERC did not fully investigate bids higher than the one that was accepted, but which could have resulted in a purchase consideration of £14 million instead of £8·1 million.

The report by the Comptroller and Auditor General makes several observations from which lessons about the disposal of state-owned assets should be learnt. It says that, although the castle was first placed on the market in May 1988, a Treasury guidance issued on 29 April 1988, designed to ensure that the best possible prices were obtained on the sale of land by public bodies, did not influence the marketing strategy of the SERC. Although the Treasury knew of the impending sale and must have had a draft guidance in hand for months previously, the final version of the guidance issued in April did not reach the Department of Education and Science until 3 June, and it had no effect on the behaviour of the SERC when it dealt with tender offers for the castle in August.

The report also alludes to the vigorous publicity campaign the SERC began in May with the estate agents Knight, Frank and Rutley. Yet at least one bidder, Mr. Nesser from Los Angeles, whose offer of £9·25 million was rejected on the curious ground that the SERC did not have his financial references and was unwilling to delay matters for a day or two while they were obtained from the United Sates, claimed that he had heard of the sale by chance and that the marketing effort internationally had not impressed him in the slightest.

The report goes on to say that the best price guidance provides that land with development potential should normally be sold with the benefit of planning permission. Even if the SERC failed to come across the Treasury guidance, it was certainly given precisely the same advice by Wealden district council. The planning officer and his team at Wealden were in no doubt that it would make sense for the SERC to offer the castle with planning permission, and they said so to the SERC. However, Professor Mitchell was in too much of a hurry to get the money that the Treasury said he could have to wait until planning consent had been agreed. The unfortunate result has been that James Developments has spent the past 18 months putting forward outline development schemes that Wealden rightly considers unacceptable in many respects and which English Heritage, in its capacity as interested observer and adviser, also wished to see rejected.

The report also concludes that a clawback provision in the event of future development gain at the property should have been part of the sale contract, but the SERC overlooked that, too.

Most damning of all is the conclusion in the report that, besides Mr. Nesser's bid of £9·25 million, a telephoned offer of £10 million from a Mr. Abrams, which was shortly raised to £14 million, was also rejected. The National Audit Office says in its report that the higher bids should have been fully investigated and that financial references should have been sought before the £8·1 million bid from James Developments was accepted. By its failure to pursue the other offers, the SERC settled for a figure that could have been exceeded by almost 75 per cent.

Just as in the sales of Royal Ordnance and of the Rover Group, the taxpayer is entitled to conclude that public sector assets were sold in too much of a rush and too cheaply. It is even more depressing that the SERC, whose scientist members are fond of bemoaning publicly how much more money they need from the Government to finance their research, should have taken such a blinkered view of common-sense commercial considerations in a property sale. It is little wonder that those scientists, who are mainly university academics, should feel so uncomfortable about the long overdue responsibility now placed on British universities by the Government—and rightly so—that they should help to pay their own way.

Sadder still is the fact that James Developments, a partnership whose financial resources and track record in property development have still to be revealed by the SERC, or by anybody else, has thus far achieved nothing with the castle, which remains firmly closed to the public.

Any further changes in the way in which state-owned property is sold will merely close the stable door after the horse has bolted. Nevertheless, I urge Ministers, who are fond of talking about market forces, to take sound commercial advice when they venture into the marketplace on the taxpayer's behalf. If they do not, they are likely to find that the taxpayer feels justifiably aggrieved about being short changed.

2.45 pm

The Minister of State, Department of Education and Science (Mrs. Angela Rumbold): I have listened with close interest to my hon. Friend the Member for Bexhill and Battle (Mr. Wardle). He has raised a subject that is, I know, of interest to a number of hon. Members, and I welcome the opportunity to try to answer some of the points that he has made.

As my hon. Friend has reminded us, the Science and Engineering Research Council decided in 1986 to move the Royal Greenwich Observatory from Herstmonceux to Cambridge, where the council believed that it could better serve the scientific community for which it was designed. My hon. Friend said that he disagreed with that thesis, but I have no doubt that care and thought went into the council's decision.

I know that, at the time, my hon. Friend regretted the removal of this historic observatory from his constituency, and argued vigorously against it; and I understand why, as

a centre of scientific excellence, housed in a particularly fine building, is naturally the object of considerable local pride. The council's decision, however, was made not only on scientific grounds but on grounds of efficiency and cost, and it should not be a point at issue in today's debate.

Let me first explain the respective roles of the Government and the SERC. The council, as an independent body under a royal charter and as owner of the property, had primary responsibility for the sale arrangements, but my Department—as the main supplier of funds to the council—was involved in certain aspects of the sale, in particular the use of the proceeds. The operation of the sale was handled by the council. Treasury guidance was taken into account, but, having reviewed its sale strategy in the light of that guidance, the council concluded that it did not need to make any changes.

My hon. Friend referred to the report by the National Audit Office. As is the usual practice, the Public Accounts Committee, having studied the report, will wish to decide whether to take further evidence. However, although I do not want to pre-empt the details of any future discussion, I should like to make one or two comments—particularly in view of some of the stories that have appeared in the press over the past couple of weeks.

Contrary to the impression given by the press, the report comments very favourably on many aspects of the sale. The National Audit Office was generally satisfied with the council's arrangements: it mentioned specifically the use of a reputable firm of agents, the vigorous marketing of the property, the timely point at which the sale was conducted, the provision for new accommodation in Cambridge and the monitoring and control of costs. As my hon. Friend observed, the report went on to make two specific points about ways in which the council might have acted differently. When we look at the facts of the case, however, the picture that emerges is rather different from that presented by the more excitable newspapers.

The sale was conducted on the basis of an invitation to potential buyers who had shown an interest in the property. The research council's agents set a specified date by which all bids were to be submitted; to ensure fair treatment and the best competitive price, they were to be in the form of "best and final offers", and to be accompanied by financial references. A buyer, James Developments was selected on that basis. The council accepted the company's bid of £8·1 million, and its agents set in hand the arrangements for finalising the deal.

My hon. Friend mentioned other, unsuccessful bidders, one of whom said that he was prepared to increase his earlier offer. He said, first, that he was prepared to increase his earlier bid to £10 million; then, that, in addition to his earlier bid, he would be prepared to make a special one-off payment of £7 million to the European Space Agency on behalf of the United Kingdom if that would secure the sale. Finally, he said that, instead of doing that, he would be prepared to increase his earlier bid to £14 million. At no point, however, did he provide the financial references to support any of his offers—including the original offer—as required under the terms of the original invitation to bid. It is important to make that clear.

I rehearse those facts now because they are relevant to the suggestion that the SERC could have obtained a higher price than it did and because they are a matter of public record, to be found in the National Audit Office report.

The National Audit Office report suggests that the SERC should have pursued the offers further before exchanging contracts with James Developments. The research council decided against doing so for two reasons. First, it was not prepared to be a party to gazumping. Secondly—I have to present the full picture—on the advice of its professional and experienced agent, it thought it doubtful that the second bidder would be able to complete at the prices that were being quoted.

Mr. Charles Wardle: If the SERC chose not to pursue references, how can the judgment have been made that the bidder was unable to meet the consideration of £14 million?

Mrs. Rumbold: As I understand it, references were sought but no information was forthcoming. That is why the professional agents gave the considered judgment that it was unlikely that finance would be forthcoming from the bidder.

The council's judgment is also now a matter of public record in the National Audit Office report. I will not go beyond that, except to say that, if the research council had changed the ground rules at that point and pursued an offer about whose viability it had serious doubts, other bidders might well have dropped out, and the outcome could have proved far less satisfactory to the taxpayer than was achieved.

My hon. Friend referred to a second point in the National Audit Office report concerning planning permission. It was always obvious that the purchaser would need to develop the property for some new use, and my hon. Friend has explained the new uses that he thought would be suitable.

Before the property was placed on the market, the research council and its agents very responsibly had detailed discussions with the local planning authorities—Wealden district council and East Sussex county council. Jointly with those authorities, the research council and its agents sponsored a detailed report by the English tourist board on possible options for the use of the site. The research council's agent drew up a planning brief on the basis of that report and the local structure plan. The brief was then approved by Wealden district council and informed the decision made on the sale and the agents' judgment of the sale price likely to be attainable. All that information was available to prospective purchasers.

Once bids had been received, the council accepted the agents' professional advice that the price offered by the successful bidder was a good and fair one in relation to the development options that were likely to be allowed by the planning authorities.

The National Audit Office report suggests that the research council should have gone further, that it should have tried to negotiate some clawback arrangement with the purchaser. Under such an arrangement, the purchaser would have agreed to reimburse the vendor all or part of any increase in value attributable to the granting of planning permission after the sale terms had been agreed.

Decisions on such an agreement have to be a matter of judgment in each case. The danger of such an arrangement is that, as a quid pro quo for agreeing to it, the purchase price might be reduced below the likely benefit that might arise later.

Again, on the basis of professional advice, the research council took the view that a clawback provision would not be to its advantage. My hon. Friend will know that development of the site is strictly limited by Wealden

[Mrs. Rumbold]

district council's local structure plan, and also of course by the castle's status as a scheduled ancient monument. The research council considered that the sale price agreed was already a fair one in relation to the sorts of planning consents that were likely.

Of course, a different view could be taken, as the NAO report suggests. In this case, the research council was on the spot and had all the facts before it and the benefit of experienced professional advice. While it may not be strictly relevant to the NAO report, I would just note that the purchaser has, I understand, still not obtained the sort of planning consent that he was hoping for, some 18 months after the sale was agreed. You may feel, Mr. Deputy Speaker, that that rather bears out the research council's judgment on the matter, but that is a matter of opinion.

I know that the wider question of planning consent is of great concern to my hon. Friend, and that he has taken a close personal interest in the future use of Herstmonceux. I have explained the actions that the SERC very responsibly took with the planning authorities before the sale was completed. Now that the sale has taken place, from here on this has to be a matter for the purchaser and the local planning authorities. I know that discussions are continuing and that my hon. Friend will ensure that the concerns of his constituents are effectively represented.

While I have listened with great care to my hon. Friend, it is fair that my account of events shows that the research council's acts have been well thought out in the light of the facts as they were known at the time. We shall obviously continue to study carefully what the NAO has said in its report, but there is significant ground for arguing, as the research council has argued, that the taxpayers secured a good price for the property, that they probably could not have done better and might certainly have done considerably worse.

The purchase price was shown in the appropriation accounts in the usual way, as my hon. Friend pointed out. I am aware that I may not have completely and entirely satisfied my hon. Friend, but I hope that I have given an adequate explanation of the circumstances that surrounded the sale of Herstmonceux castle.

Question put and agreed to.

Adjourned accordingly at three minutes to Three o'clock till Tuesday 8 May, pursuant to Resolution of the House [27 March].

Written Answers to Questions

Monday 23 April 1990

THE ARTS

Nottingham Playhouse

Mr. Allen: To ask the Minister for the Arts what information he has on the trading position of the Nottingham Playhouse.

Mr. Luce: I understand that an agreement has been reached between the Arts Council and the local authorities to clear the overall deficit of the Nottingham Playhouse by the end of 1992-93.

ENVIRONMENT

Rented Accommodation

Mr. Roy Hughes: To ask the Secretary of State for the Environment whether he will make a statement on the supply of rented accommodation and market rents.

Mr. Chope: Housing associations are now the main providers of new subsidised rented housing. Planned public expenditure through the Housing Corporation will double to over £1·7 billion by 1992-93; together with the increased scope for associations to use private finance, total output of rented housing by associations and local authorities in England is expected to rise to nearly 40,000 by that year. Council and housing association housing benefits from subsidies which keep rents generally far below market levels, and housing benefit meets up to 100 per cent. of rent for the poorest tenants.

River Pollution

Mr. Thurnham: To ask the Secretary of State for the Environment how many prosecutions for river pollution have been carried out by the National Rivers Authority.

Mr. Heathcoat-Amory: I understand that since 1 September last year, when the National Rivers Authority fully assumed its responsibilities under the Water Act 1989, some 870 prosecutions for river pollution offences have been brought by the NRA or are pending.

London Docklands Development Corporation

Mr. Cohen: To ask the Secretary of State for the Environment what has been the total advertising and publicity budget for the London Docklands development corporation for each year since its creation; and what is the estimate for the next three years.

Mr. Moynihan: The information requested is as follows:

Publicity and promotion expenditure

	£000's
1981-82	961
1982-83	2,464
1983-84	1,857
1984-85	2,253
1985-86	1,716
1986-87	1,728
1987-88	1,846
1988-89	1,826
1989-90	[1]1,960
1990-91	[2]3,500
1991-92	[2]3,200
1992-93	[2]3,100

[1] Provisional.
[2] Estimated.

Waste Disposal

Sir Charles Morrison: To ask the Secretary of State for the Environment if he will list the research and development projects currently being undertaken into waste disposal by his Department and related agencies, also giving the cost of each project.

Mr. Trippier: The research projects currently undertaken by the Department of the Environment into waste management are listed, together with the total cost of each project.

There are three areas of research:

A. *Materials Processing*. The aim here is to research the provision of safe and effective alternatives to landfilling and also the feasibility of various separation and recovery processes.

Title	*Total Cost £k*
Byker reclamation plant; front-end trommel and associated equipment	344·6
Waste analysis research	152·0
Analysis and estimation of municipal waste arisings	61·5
Incineration characteristics from burning WDF pellets in a coal fired boiler	138·6
Waste collection characteristics from selected zones of Nottingham	16·0
Composting of WD fines from Castle Bromwich	118·1
Investigation of incinerator furnace conditions	95·0
Small incinerator investigation	73·5
Improving the effectiveness of civic amenity sites and of complementary waste management services	187·6
Municipal waste composting	185·0
Thermal treatment of waste	89·0
Waste Treatment and recovery	230·0
Environmental impact of municipal solid waste incinerators	68·0
A study of airborne micro-organisms	29·2

B. *Problem Waste Management*. Research in this area is conducted on the immobilisation of difficult wastes or their chemical, thermal or biological detoxification.

Title	*Total Cost (£k)*
Biotechnical systems for the degradation of heavy metals and persistent organic materials	928·4
Determination of analytical procedures to define dioxins and furans in soils and to assay soil samples	412·0
Stabilisation of organic wastes in clay/cement mixes using quaternary amonium compounds	257·1
Anaerobic degradation of polychlorinated biphenyls	66·0
Toxic and problem waste management	719·6
Polychlorinated biphenyl disposal using cement	98·1
Asbestos site database study	25·5
A review of clinical waste management systems	32·0
Waste management	323·1

C. *Landfill Practices.* This is by far the largest area of research. The aims here are to develop a thorough understanding of the processes occuring within landfills to ensure safe and effective landfilling of wastes, to allow for the optimisation of landfilling as a waste management technique and to provide reassurance as to the acceptability of landfills as a disposal option.

Landfill research covers five topics:

(i) *the microbiology of landfills and studies of landfill gas and leachate composition and generation.*

Title	*Total Cost (£k)*
Mathematical modelling of landfill behaviour	207·7
A review of the technical aspects of co-disposal	27·4
Landfill characterisation relative to methane incidence	429·5
Biotechnical methods of stabilising landfills	282·5
Assessment of landfill gas potential by the interpretation of leachate and gas analysis	75·1
Landfill management	396·9
Methane oxidation in soils	74·1
A study of landfill gas in the Llanharry area	20·0
A review of research into landfill microbiology	19·4
Inhibition of methane production	108·2
Comparison of landfill gas potential tests	55·7

(ii) *Studies of the mechanisms of attenuation of leachate and gas*

Title	*Total cost (£k)*
Attenuation of organic leachate in a sand blanket beneath the Washington landfill.	63·2
Instrumentation of a permeable liner in the base of Stangate-East landfill.	279·7
The effectiveness of an impermeable clay liner formed in situ.	49·6
A study of the migration of organic contaminants from Pakefield waste disposal site.	25·0
Control of landfill gas migration by passive venting.	49·0
Automated measurements of aquifer dispersivity.	252·0
Assessment of the problems associated with the landfilling of wastes and the effectiveness of remedial measures.	219·9
Leachate attentuation studies.	23·0
The development of a numerical method for modelling gas flows from landfill sites and experimental studies of gas flow through selected porous materials.	379·5

(iii) *leachate management studies*

Title	*Total Cost (£k)*
Leachate treatment by irrigation to grass and woodland	122·6
Landfill research	1,025·4
Reed-bed treatment of landfill leachate	90·0
Leachate treatment to surface water quality standards using reed bed polishing	98·0
Sulphate based anaerobic digestion of leachate	69·5
Leachate management systems	66·6
Management of the environmental effects of landfill disposal of waste	242·9
A review of leachate composition, attenuation and treatment	84·9
An investigation of the chemical, physical and hydrological properties of refuse	142·2

(iv) *the development of monitoring procedures*

Title	*Total Cost (£k)*
The use of carbon/hydrogen isotope ratios to identify methane sources	96·1
Appraisal of hazards related to landfill gas production and the development of a simple procedure to evaluate associated risks	92·0
Long path gas monitor development	45·6
Landfill sampling and monitoring	43·5
Gas migration modelling	34·1

(v) *landfill reinstatement studies*

Title	*Total Cost (£k)*
Assessment of the integrity of clay capping to landfills	35·3
The effectiveness of the cap at Milton landfill	143·0
A study of fungal activity in promoting tree growth on landfills	43·2

Mr. Gareth Wardell: To ask the Secretary of State for the Environment if he will publish a list of those waste disposal sites in England known to his Department where mass disposal of tyres has taken place.

Mr. Trippier: Records of sites used for the disposal of waste tyres are not held centrally. However, HMIP knows of some 400 closed or active sites which have been licensed to take scrap rubber, including tyres.

Mr. Gareth Wardell: To ask the Secretary of State for the Environment if he will publish a list of all former waste disposal sites in England that are known to contain PCBs in drums.

Mr. Trippier: No such information is available. However in waste management paper No. 6 (1976) on the reclamation, treatment and disposal of PCBs, the Department recommends that where recovery is not possible, PCBs should generally be disposed of by high temperature incineration.

Local Government Finance

Mr. French: To ask the Secretary of State for the Environment, pursuant to the answer of the hon. Member for Southampton, Itchen (Mr. Chope), to the hon. Member for Gloucester of 4 April, if local authorities are obliged to reveal on request whether they are levying a standard community charge at less than twice the personal community charge.

Mr. Chope: Where a charging authority has specified a class of property for the purposes of setting a different multiplier from that generally applied, it is required to publish a notice giving details of the exercise of the power in at least one local newspaper within 21 days of making the specification. Authorities are required to give information on their standard community charges in their standard charge demand notices. It follows therefore that they should be able to give details of their classes and multipliers to those who ask for them.

Mr. Hardy: To ask the Secretary of State for the Environment if he will list the local authorities which would have been placed under capping arrangements under the community charge regulations had he not imposed the qualification on spending levels.

Mr. Chope: I refer the hon. Member to the answer that I gave him on 20 April 1990, *Official Report*, column *1031*.

Mr. Hardy: To ask the Secretary of State for the Environment if he proposes to inform directly all those local authorities which have not been subject to capping that he approves the particular community charge which applies in those areas.

Mr. Chope: No.

Mr. David Porter: To ask the Secretary of State for the Environment if he will make a further statement about the community charge liability of seafarers and offshore workers who spend significant parts of the year away from their homes and who have no second homes.

Mr. Chope: As I explained to my hon. Friend on 21 March *Official Report*, column *660*, and 3 April, *Official Report*, column *564*, it is initially the responsibility of the community charge registration officer to decide whether a person is solely or mainly resident in his area. In this respect offshore workers are no different from any other potential charge payer. It is open to charge payers to appeal to their local valuation and community charge tribunal against their entry on the community charges register.

Mr. Strang: To ask the Secretary of State for the Environment what is the number of people employed full time in each region of England, Scotland and Wales in the collection of the community charge.

Mr. Chope: This information is not available.

Mr. Allen: To ask the Secretary of State for the Environment how much money is tied up in banks because of the Government's refusal to allow local authorities to spend capital receipts *(a)* in the United Kingdom and *(b)* in Nottingham city council.

Mr. Chope *[holding answer 18 April 1990]:* Local authority debt in England at March 1989 was some £46 billion, of which Nottingham city council's debt was £424 million. One of the objectives of the new capital finance system provided in the Local Government and Housing Act 1989 is that local authorities should use some of their capital receipts to reduce their indebtedness. Accordingly capital receipts are divided into a reserved part to be set aside as provision for credit liabilities and a usable balance.

The reserved part may be used at any time to repay debt, to meet liabilities under credit arrangements, or, where a credit approval has been used as authority not to charge expenditure to a revenue account, to meet that expenditure as a substitute for external borrowing.

The usable part may be applied at any time and at the discretion of the authority concerned to meet expenditure incurred for capital purposes or as voluntary provision for credit liabilities.

There are no capital receipts which, under the legislation now in force, local authorities in England cannot use.

My right hon. Friend has no ministerial responsibility for local authority capital finance in Wales, Scotland or Northern Ireland.

Water Distribution

Mr. Gareth Wardell: To ask the Secretary of State for the Environment if he will estimate the percentage of water in England and Wales that is lost by avoidable leakage in distribution.

Mr. Heathcoat-Amory: I refer the hon. Member to the answer that I gave on 24 January to the hon. Member for Truro (Mr. Taylor) *(Official Report, c. 762)*.

Bathing Water

Mr. Gareth Wardell: To ask the Secretary of State for the Environment if he will now issue formal detailed implementation advice for the EC bathing waters directive (76/160/EEC) to the National Rivers Authority.

Mr. Heathcoat-Amory: The National Rivers Authority is the competent authority in England and Wales for the purposes of implementing the EC bathing waters directive (76/160/EEC). The Directive contains details of the standards to be attained at identified bathing waters and the arrangements for monitoring water quality. I have no plans to issue further implementation advice to the National Rivers Authority.

Mrs. Ann Taylor: To ask the Secretary of State for the Environment (1) what is the reason for excluding monitoring for salmonella and enteroviruses from the result of the bathing water survey which is announced to Parliament;

(2) if he will give figures for the number of designated beaches which comply with the EC bathing water directive if the parameters for salmonella and enteroviruses are taken into account.

Mr. Trippier: The report that I placed in the Library, as stated in the *Official Report*, 25 January 1990, column *485*, contains the available results for salmonella and enteroviruses.

European Council

Mrs. Gorman: To ask the Secretary of State for the Environment, pursuant to the reply given to the hon. Member for Gedling (Mr. Mitchele, *Official Report*, 27 March, columns *117-18*, if he will publish in the *Official Report* the representations from the United Kingdom which were considered at the Environment Council on 22 March during the debate on whether to establish a European environmental agency.

Mr. Heathcoat-Amory: The main terms of the regulation to establish a European Environment Agency were agreed at the Environment Council on 28 November 1989. The Environment Council on 22 March 1990 considered a number of amendments to the regulation put forward by the European Parliament. My right hon. Friend the Secretary of State for the Environment stressed the importance of recognising that the European Parliament had tried hard to produce amendments which would be acceptable to the Council and that the European Parliament's proposal for a review of the agency's tasks after two years made good sense. This view was accepted by the Council.

Wells

Mr. Gareth Wardell: To ask the Secretary of State for the Environment what consideration he is giving to the introduction of grants to enable people residing near suitable sites to sink wells to extract potable water.

Mr. Heathcoat-Amory: My right hon. Friend has no plans at present to introduce specific grants for this purpose. Grants are available under the Rural Water Supplies and Sewerage Acts towards the cost of first-time connections to mains water supplies in rural areas. In addition, part VIII of the Local Government and Housing Act 1989, which is expected to come into force on 1 July 1990, provides for a new system of renovation grants. In certain circumstances, a renovation grant may be available to improve the quality of the water supply to a property which does not have an adequate piped supply of wholesome water and is thereby unfit for human habitation. It will be for the local authority concerned to specify what improvements are necessary and to consider any application for a grant towards their cost.

Mr. Simon Hughes: To ask the Secretary of State for the Environment if he will make a statement on the quality of drinking water from private wells.

Mr. Heathcoat-Amory: The quality standards in the Water Supply (Water Quality) Regulations made under the Water Act 1989 apply to private drinking water supplies. Local authorities are required to keep themselves informed about the quality of private supplies in their area and have powers under the Water Act to require improvements to be made to unwholesome supplies. An advisory group is currently considering the content of further regulations to be made later this year about the sampling programmes that local authorities will be required to carry out for private supplies.

Residential Developments (Soil Contamination)

Mr. Gareth Wardell: To ask the Secretary of State for the Environment if he will publish a list of former waste disposal sites in England on which residential development has taken place without monitoring for possible contaminants transferred to garden vegetables grown on such sites.

Mr. Trippier: No such information is held centrally. Decisions on the monitoring and assessment of former waste disposal sites for further use, including development purposes, are the responsibility of local authorities have relevant duties under town and country planning and public health legislation.

Housing Corporation

Mrs. Mahon: To ask the Secretary of State for the Environment when he last met the chairman of the Housing Corporation; and what was discussed.

Mr. Chope: My right hon. Friend met the chairman of the Housing Corporation on 8 February and my hon. Friend the Minister for Housing and Planning had a further meeting with him on 21 February. A variety of topics of mutual interest were discussed.

Smoke Emissions

Mrs. Ann Taylor: to ask the Secretary of State for the Environment what proportion of the black smoke emitted by road transport reported in his Department's statistical digest No. 12, page 14, is estimated to come from diesel vehicles; what are the relative contributions of diesel smoke and smoke from domestic sources to overall smoke emissions in smoke control areas; and what information he has about the relative soiling effects of diesel smoke in comparison with coal smoke.

Mr. Trippier: It is estimated that 184,000 tonnes of black smoke was emitted by road transport in 1988 and that 92 per cent. of emissions from transport came from diesel vehicles.

Information is not available for the relative soiling effects of diesel smoke in comparison with coal smoke, or for the relative contributions of diesel smoke and smoke from domestic sources to overall smoke emissions in smoke control areas. Emissions of black smoke from domestic sources for the United Kingdom as a whole have fallen by approximately 71 per cent. since 1970, while emissions from diesel vehicles have risen by 86 per cent. over the same period.

Sites of Special Scientific Interest

Mr. Simon Hughes: To ask the Secretary of State for the Environment how many sites of special scientific interest have been *(a)* denotified and *(b)* damaged for each year since 1981; and what percentage for each year is related to (i) road building, (ii) forestry, (iii) farming activities, (iv) landfill operations and (v) other reasons.

Mr. Trippier: The information is not available in the form requested. Since 1 April 1984, information on the numbers of SSSIs damaged is set out in the Nature Conservancy Council's annual reports, copies of which are in the Library.

Ozone-depleting Substances

Mr. Simon Hughes: To ask the Secretary of State for the Environment what steps he is taking to eliminate the use of ozone-depleting substances in *(a)* refrigerants, *(b)* solvents and *(c)* foams; and if he will make a statement.

Mr. Trippier: The ozone layer can be protectd only by international action. The Montreal protocol is due for revision in June. We are pressing for rapid cuts in the supply of CFCs, halons and carbon tetrachloride, with their elimination by the year 2000. Methyl chloroform must also be cut substantially. If the revised protocol is not strong enough, we will press for further restrictions within the European Community.

Wild Birds (Poisoning)

Mr. Simon Hughes: To ask the Secretary of State for the Environment if he has made an assessment of the impact on populations of wild birds of exposure to pesticide cocktails; and if he will make a statement.

Mr. Trippier: The Advisory Committee on Pesticides set up by my right hon. Friend the Minister of Agriculture, Fisheries and Food assesses the environmental implication of all pesticides before their use is approved. Approval

requires the consent of six Departments, including that of my right hon. Friend the Secretary of State. As part of its work, the advisory committee will be considering the findings of a recent study by Reading university and the Institute of Terrestrial Ecology into the effect on partridges of concurrent exposure to fungicides and pesticides.

Mr. Simon Hughes: To ask the Secretary of State for the Environment what steps he is taking to eliminate illegal poisoning of birds of prey; and if he will make a statement.

Mr. Trippier: Strict controls are already in place to deter the illegal use of pesticides against birds of prey. Severe penalties are available for such offences under the Wildlife and Countryside Act 1981 and the Food and Environment Protection Act 1985, and incidents of abuse are pursued vigorously through the Ministry of Agriculture, Fisheries and Food wildlife incident investigations scheme. In addition, the Nature Conservancy Council is currently reviewing the matter of illegal poisoning.

Sewage

Mr. Simon Hughes: To ask the Secretary of State for the Environment, pursuant to his answer to the hon. Member for Cardiff, West (Mr. Morgan) of 2 April, *Official Report*, column *478*, who will determine whether sewage discharges subjected to primary treatment have an adverse environmental effect.

Mr. Heathcoat-Amory: It is for the National Rivers Authority to consent applications for discharges to controlled waters taking into account the provisions of any relevant EEC directives, and any directions from my right hon. Friends.

Global Warming

Mr. Simon Hughes: To ask the Secretary of State for the Environment if he has made an assessment of the implications for coastal areas of an increase in global warming; and if he will make a statement.

Mr. Trippier: The United Kingdom is contributing to the work of the coastal zone management sub-group of the inter-governmental panel on climate change which is assessing the impact of global warming on coastal areas worldwide. Coastal defence in the United Kingdom is the responsibility of my right hon. Friend the Minister of Agriculture, Fisheries and Food.

Owls

Mr. Simon Hughes: To ask the Secretary of State for the Environment (1) what is the estimated population in England of *(a)* barn owls and *(b)* tawny owls; and what steps he is taking to protect owl populations;

(2) what is the estimated annual death toll of *(a)* barn owls and *(b)* tawny owls; and what percentage of deaths in each case are ascribed to (i) traffic, (ii) pesticide or other chemical poisoning, (iii) loss of habitat, (iv) starvation and (v) other causes.

Mr. Trippier: The current British populations of barn owls and tawny owls are estimated at 4,400 and 50,000-100,000 breeding pairs, respectively. Overall annual mortality rates cannot be estimated, but of those birds reported as found dead 30 per cent. of both species had died from collisions with traffic.

All wild owls in Britain are protected under the Wildlife and Countryside Act 1981; the barn owl is included in schedule 1 to the Act as a particularly endangered species protected by special penalties.

Sellafield

Mr. Simon Hughes: To ask the Secretary of State for the Environment what checks have been undertaken to establish atmospheric levels of krypton 85 in the vicinity of Sellafield; and if he will make a statement.

Mr. Trippier: Krypton 85 is an inert gas and cannot concentrate in the environment. Checks undertaken in the late 1970s demonstrated that levels of krypton 85 in the environment around Sellafield were consistent with those calculated from measured Sellafield discharges using standard aerial dispersion modelling techniques. No further checks have been carried out.

Mr. Simon Hughes: To ask the Secretary of State for the Environment what have been the discharge levels of radioactivity to the air in TBq from Sellafield for each year from 1975 to 1989, inclusive.

Mr. Trippier: Data on the radioactive atmospheric discharges from BNFL's Sellafield works are included in my Department's annual "Digest of Environmental Protection and Water Statistics", a copy of which is in the Library of the House. Information for the period 1975-88 is as follows:

Sellafield Aerial Discharges 1975 to 1988

Year	*Discharges (TBq/Yr)*		
	Argon-41	*Tritium*	*Krypton-85*
1975	1,110	444	44,400
1976	799	444	44,400
1977	962	296	29,600
1978	1,070	222	25,900
1979	1,150	280	34,800
1980	1,110	252	31,100
1981	1,300	459	51,800
1982	1,320	360	44,000
1983	1,340	268	41,800
1984	1,352	349	37,100
1985	2,800	268	23,800
1986	2,590	171	53,300
1987	2,400	783	34,000
1988	2,420	186	39,700

Other radionuclides, of which carbon-14 is the main component, do not exceed 10 TBq per year.

Information for 1989 is not yet available.

Elephant Conservation

Mr. Tony Banks: To ask the Secretary of State for the Environment who represented Her Majesty's Government at the conference on African elephants in Paris on 5 and 6 April; and how much was offered by Her Majesty's Government for elephant conservation.

Mr. Trippier: The Government were represented at the conference by officials from the Department of the Environment and the Foreign and Commonwealth Office, accompanied by the officer of the Nature Conservancy Council. The British delegation explained to the conference that the Government are already making very substantial efforts to support wildlife conservation in Africa. We are providing some £3 million in aid for a wide variety of projects, a number of which will have major

benefits for the African elephant, and are always ready to consider new requests from African Governments seeking help with the sustainable management and conservation of their wildlife resources.

Ivory

Mr. Tony Banks: To ask the Secretary of State for the Environment what information he has regarding ivory imported into the United Kingdom by Mr. Shivaz Virji of Ealing and currently held at ports of entry.

Mr. Trippier: The information held by the Department relates to an application for a CITES re-export licence. Information contained in licence applications is regarded by the Department as confidential and cannot be released.

Mr. Tony Banks: To ask the Secretary of State for the Environment what information he has regarding ivory currently held at United Kingdom ports of entry which is not accompanied by CITES documentation.

Mr. Trippier: Such information is not held centrally and could be provided only at disproportionate cost.

Drinking Water (Radon)

Mr. Simon Hughes: To ask the Secretary of State for the Environment what analysis has been carried out to establish levels of dissolved radon in drinking water; and if he will make a statement.

Mr. Heathcoat-Amory: Radon in water results from the structure of the ground from which the supply emanates. It is believed to be confined to a few areas. Where radon is likely to be present in a water source, a specific analysis is carried out and the water company may treat the water to remove it, seeking advice on levels from the National Radiological Protection Board. No standard is set for radon in the EC drinking water directive or the Water Supply (Water Quality) Regulations which incorporate the provisions of the directive. We are currently reviewing the matter of radiological standards.

Carbon Tetrachloride

Mr. Simon Hughes: To ask the Secretary of State for the Environment if he will make a statement on the presence of carbon tetrachloride in water sources.

Mr. Heathcoat-Amory: Carbon tetrachloride is a list I substance under directive 76/464/EEC on discharges of dangerous substances, and its concentrations in surface waters near to the point of discharge may not exceed 12 ug/l (annual average). Direct discharges to ground water are banned. There are no specific requirements for carbon tetrachloride in water sources because directive 75/440/EEC on the quality of surface waters abstracted for drinking water does not lay down standards for this substance. However, regulations under the Water Act 1989 require that concentrations in public or private drinking water supplies may not exceed 3 ug/l (annual average).

Carbon tetrachloride is not a common problem in water sources; in the known few occurrences where it has been found in excessive quantities appropriate action has been taken.

Environmental Meetings

Mr. Simon Hughes: To ask the Secretary of State for the Environment if he will list all future environmental *(a)* conferences, *(b)* seminars and *(c)* meetings which Ministers in his Department have been invited to attend (i) in the United Kingdom, (ii) in the European Community, and (iii) elsewhere; and if he will list the dates of these events.

Mr. Trippier: Over the next two months Ministers are to attend the following conferences, seminars and meetings in:

(a) the United Kingdom

Date	
23 April	DOE/HSE Conference on the Regulation of Bio-technology Financial Times Conference on Industry and the Environment Waste Producers Conference
5 May	West Sussex County Conference on Recycling
14 May	Conference at Lancashire College of Agriculture
15 May	Brunel University Symposium on Landfill
17 May	National Parks Conference, Newcastle
6 June	CBI Conference on Green Audits
20 June	Institution of Civil Engineers Annual Conference

(b) Overseas

Date	
21 to 23 April	Informal EC Council (West of Ireland)
8 to 16 May	Ministerial follow-up to Brundtland Report (Bergen)
7 June	EC Environment Council (Luxembourg)
16 June	EC Ministerial meeting with East Europe (Dublin)
20 to 29 June	2nd meeting of Montreal Protocol Parties (London)

Foxes

Mr. Simon Hughes: To ask the Secretary of State for the Environment what is the estimated population of foxes in England; and what comparable figures he has for earlier years.

Mr. Trippier: I am not aware of any population estimates for foxes in England.

Caravans (London)

Mr. Cartwright: To ask the Secretary of State for the Environment if he will set out the numbers of caravans which can be accommodated on permanent sites provided under the Caravan Sites Act in each of the London boroughs.

Mr. Chope *[holding answer 5 April 1990]:* London boroughs have made provision for the following numbers of authorised caravan pitches on which the following number of caravans were parked as at January 1990:

	Pitches	Caravans
Barking and Dagenham	16	16
Bexley	16	7
Brent	15	31
Bromley	22	35
Croydon	15	15
Ealing	24	53
Enfield	15	26
Greenwich	54	64
Hammersmith and Fulham	20	50
Haringey	24	51
Harrow	15	13
Havering	16	4
Hillingdon	30	30
Hounslow	17	17
Kingston upon Thames	15	15
Lambeth	15	23
Lewisham	16	26
Merton	15	15
Newham	15	15
Redbridge	17	16
Richmond upon Thames	15	15
Southwark	15	15
Sutton	15	15
Tower Hamlets	15	19
Waltham Forest	16	13
Wandsworth	12	11

Homelessness

Mr. Andrew Smith: To ask the Secretary of State for the Environment if he will set out the terms on which the recently announced Government initiative on homelessness in the south-east is to operate; whether any additional grant is to be payable to councils with approved schemes; whether any subsidy is payable by Government on the revenue or capital costs of approved projects; and whether councils' housing revenue accounts will need to cover *(a)* initial and *(b)* consequential expenditure on the projects from rent income.

Mr. Michael Spicer *[holding answer 18 April 1990]:* We will allocate to local authorities in London and the south-east supplementary credit approvals in respect of capital expenditure they incur on approved schemes in 1990-91. Initial and consequential costs of those schemes which involve property held within the housing revenue account (HRA) or certain types of payments to tenants of such property will fall to be charged to the HRA of the authority concerned. Such approved schemes will include repair of empty council property, hostels held under part II of the Housing Act 1985 and cash incentives to tenants. To the extent that costs are chargeable to the HRA, the normal rules for all HRA schemes will apply in determining the extent to which they attract subsidy and the extent to which costs are met from rent income. The Housing Corporation will pay revenue grant to local authority-funded housing association schemes as appropriate under the normal funding arrangements. No additional grant, however, will be directly payable to any local authority for such schemes.

Asbestos (Tower Blocks)

Mr. Dobson: To ask the Secretary of State for the Environment how many tower blocks in use as domestic accommodation have steelwork coated with any form of asbestos; and where they are located.

Mr. Michael Spicer *[holding answer 20 April 1990]:* The Department is aware of only three public sector high-rise blocks using this form of construction. Two are located on the Elgin estate, Westminster; and one at Watney Street market, Tower Hamlets.

Static Electricity

Mr. Simon Hughes: To ask the Secretary of State for the Environment if he will make a statement on the level of static electricity within the House.

Mr. Chope: The level of antistatic electricity at any time depends on the level of atmospheric humidity. This is true both within the House and outside.

Sewage Dumping

Mr. Gareth Wardell: To ask the Secretary of State for the Environment if he will specify for each sewage sludge dump off the coasts of England and Wales the timing between now and 1998 for each dump being terminated for use.

Mr. Curry: I have been asked to reply.

This information is not yet available. Following the announcement on 5 March that the dumping of sewage sludge at sea would not be permitted after the end of 1998 holders of licences are beginning now to draw up their plans for termination of dumping.

NATIONAL FINANCE

Shipping

Mr. Barry Field: To ask the Chancellor of the Exchequer what measures he intends to introduce to enable United Kingdom shipping companies to maintain their merchant fleets and crews, replace their aging tonnage and improve their rates of return.

Mr. Lilley: I refer my hon. Friend to the reply that I gave to the hon. Member for Don Valley (Mr. Redmond) on 5 April 1990, *Official Report*, c. *717-18*.

Mr. Fearn: To ask the Chancellor of the Exchequer, pursuant to his reply to the hon. Member for Don Valley (Mr. Redmond) of 5 April, *Official Report*, column *718*, what is his estimate of *(a)* the current rate of return on investment in a large container ship and *(b)* the rate of return if he reinstated 100 per cent. ship allowance, against investment in new and second hand ships.

Mr. Lilley: The answer to these two questions depends critically on assumptions about a number of factors, including the earnings of the vessel over its life and the eventual proceeds from its sale (perhaps in 10 or 20 years' time). The rate of return on any investment in machinery or plant—whether it is a ship or any other asset—will increase if an Exchequer subsidy is given. However, my right hon. Friend has no plans to change the present capital allowances regime for ships, which already offers more generous deductions than commercial depreciation.

Works of Art

Mr. Faulds: To ask the Chancellor of the Exchequer whether, pursuant to his answer to the hon. Member for Don Valley (Mr. Redmond) of 12 March, *Official Report*, column *10*, the announcement of 26 July 1985 that the figure of £10 million was an estimate and was not either a target or a limit remains Government policy.

Mr. Norman Lamont: I confirm that the announcement made on 26 July 1985 (*Official Report, House of Lords* column, 1539-40) by the then Minister for the Arts still represents Government policy.

PRIME MINISTER

European Monetary Union

Mr. Teddy Taylor: To ask the Prime Minister when the European Council next plans to discuss the issue of monetary union; and if she will make a statement on the progress made to date on this issue by the Council.

The Prime Minister: Agenda for the European Council are not formally set but the issue of economic and monetary union is next likely to arise at the meeting on 25-26 June. The European Council last discussed EMU at its meeting in Strasbourg on 8-9 December the results of which I reported to the House on 12 December at column 857.

Child Care and Family Services

Mr. Leighton: To ask the Prime Minister which Government Departments have responsibilities for child care and family responsibilities; what they are; what mechanisms there are for co-ordination in these matters; and if she will make a statement on the Government's policy on child care.

The Prime Minister: While the Department of Health has a lead responsibility on child care almost all Government Departments have policies which affect child care and family life. Each Minister is responsible for policies within his own sphere. Co-ordination is achieved through the normal and well-established process of inter-departmental liaison, and additional collaborative arrangements exist in the form of the inter-departmental committees, such as the ministerial group on women's issues, the inter-departmental group on day care and the inter-departmental group on child abuse. Government policy on child care is reflected in the Children Act 1989.

Law Officers' Letters

Mr. Dalyell: To ask the Prime Minister what are the guidelines relevant to the approval of the release of Law Officers' letters.

The Prime Minister: Legal opinions or advice given by the Law Officers, either individually or collectively, must not be disclosed outside Government without their express approval.

Iraq (Arms Component Exports)

Mr. Dalyell: To ask the Prime Minister on what date she received the first indication that there was a problem regarding the export of forgings from Walter Somers and Company to Iraq.

The Prime Minister: Earlier this month.

Civil Servants

Mr. Dalyell: To ask the Prime Minister, pursuant to her answer to the hon. Member for Linlithgow on 18 April (1) if she will make a statement on the circumstances in which Mr. Powell met in any official capacity the proprietor of *The Daily Telegraph*;

(2) if she will list the attempts to which she refers of the hon. Member for Linlithgow to vilify individual civil servants.

The Prime Minister: I have nothing further to add to the reply that I gave the hon. Member on 18 April at column *932*.

EDUCATION AND SCIENCE

National Curriculum

Mr. Hardy: To ask the Secretary of State for Education and Science (1) what is his estimate of the cost of preparation for the inclusion in the national curriculum of those subjects which he has recently removed from this arrangement as far as primary schools are concerned;

(2) what is his estimate of the total number of man hours which have been devoted by officials of his Department, by local authority officers and by teachers, to the preparation for inclusion in the national curriculum of those subjects which have now been removed from this arrangement.

Mrs. Rumbold: No core or foundation subject has been removed from the national curriculum. My right hon. Friend did, however, announce in a published letter to the chairman of the School Examinations and Assessment Council on 9 April that the arrangements for statutorily assessing seven-year-olds in technology, history and geography should be kept simple and that, accordingly, he and my right hon. Friend the Secretary of State for Wales had reached the provisional conclusion that it would be right not to impose a statutory requirement to administer standard assessment tasks (SATs) to seven-year-olds in these subjects. Prior to that announcement, no work involving schools or LEAs had been undertaken on the development of SATs in these subjects for seven-year-olds. The preparatory work undertaken by schools and LEAs to date has mainly been directed towards the first statutory assessments of seven-year-olds in the core subjects of English, mathematics and science in 1991. My right hon. Friend confirmed in his letter to SEAC that these assessments would be based on a combination of teacher assessment and statutory SATs.

Youth Organisations

Mr. Bowis: To ask the Secretary of State for Education and Science (1) if he will list, for the previous and current year, the youth organisations for which his Department provides funding, indicating the amount in each case allocated for project funding and the amount allocated for core funding;

(2) how he intends to ensure that there is a national forum for the interchange of views of young people;

(3) what discussions he has had with the British Youth Council on its 1990-91 funding applications;

(4) what plans he has to ensure that youth bodies receive core as well as project funding in the light of the report on the efficiency scrutiny of Government funding of the voluntary sector;

(5) what he intends should be the basis for representations from participating youth bodies on his proposed national youth agency;

(6) what discussions he has had or will have with youth organisations on the report on the efficiency scrutiny of Government funding of the voluntary sector;

(7) what discussions he had with the British Youth Council concerning his proposals for a national youth agency prior to his announcement on 5 April;

(8) how many representative youth organisations are currently funded by his Department;

(9) what provision he will make in his proposed national youth agency for participating youth bodies to retain their respective identities.

Mr. Alan Howarth: The Department provides funding to a number of youth service bodies for the completion of specific programmes of work which are recognised as contributing to the effective and efficient implementation of ministerial objectives to improve the quality of youth service work on a national basis through, for example, the development of curriculum and training materials.

In the 1989-90 financial year this funding takes into account the level of expenditure by the bodies on staffing and administration which the Department considers appropriate for them efficiently to complete the agreed programmes of work.

	£
British Youth Council (BYC)	30,000
Council for Education and Training in Youth and Community Work (CETYCW)	278,094
National Association of Young People's Counselling and Advisory Services (NAYPCAS)	53,000
National Council for Voluntary Youth Services (NCVYS)	127,893
National Youth Bureau (NYB)	557,210

For the 1990-91 financial year, offers of programme funding of £46,265 have been made to NAYPCAS, and of £571,140 to NYB.

The level of programme funding which might be offered this year to CETYCW and NCVYS is under discussion with the bodies. BYC applied for funding for 1990-91 as a national voluntary youth organisation (NVYO), but discussion is necessary before the level of any programme funding under this scheme can be determined.

To determine the organisation of such funding in future, we commissioned an independent report, which took account of the views of the bodies concerned. In the light of this and of the Home Office efficiency scrutiny of Government funding of the voluntary sector, which also draws on the views of voluntary bodies, we have determined to focus future programme funding for support of youth service work at national level on a single national youth agency, rather than on the existing four youth service bodies or an amalgam of them. The agency will be managed by an executive committee, whose composition will be discussed with the main interests involved in and with experience of the functions the agency is to undertake. It is from these interests that the committee members will be drawn, rather than nominated as representatives of particular bodies or organisations.

BYC, NAYPCAS and NCVYS, which also have representative functions, which we would expect their members to finance may, if they decide to continue, compete for funding from the Department, under the NVYO scheme, for agreed programmes of support work which the national youth agency is not being funded to pursue.

The NVYO funding scheme is to be reviewed this year, in consultation with the organisations concerned, in the light of the efficiency scrutiny review, to ensure that the available public moneys are disbursed and applied as efficiently and effectively as possible through programmes of work in pursuit of ministerial objectives.

NORTHERN IRELAND

St. Leonard's Home, Warrenpoint

Mr. McGrady: To ask the Secretary of State for Northern Ireland what action he has taken to prevent the closure of St. Leonard's home, located in Warrenpoint in South Down.

Mr. Needham: As I indicated in my reply to the hon. Gentleman on 19 March, *Official Report*, columns *448-49*, the Southern health and social services board is continuing to explore the possibilities of providing more suitable accommodation for the residents of St. Leonard's. No decision has been taken on the future of the home.

ATTORNEY-GENERAL

Medical Negligence

Mr. Wigley: To ask the Attorney-General how many applications for legal aid have been received from parents of brain-damaged children who wish to pursue a claim for medical negligence; and what percentage of the applications have been successful.

The Attorney-General: The Legal Aid Board receives in the order of 400,000 applications each year. The board's case information system identifies only the broad category of "medical negligence" and does not identify particular types of damage within that category. Further, the system identifies applicants only as male or female, defendants or plaintiffs and not whether or not they are children or parents or next friends on behalf of children.

It would, therefore, not be practicable to extract the information requested.

Mr. Wigley: To ask the Attorney-General if he is considering any further changes to the current tort-based system, particularly with reference to parents who wish to sue for compensation for their brain-damaged children.

The Attorney-General: My noble and learned Friend is considering the feasibility of a no-fault compensation scheme, restricted to less serious road accidents and financed by private insurance. No other changes to the tort-based system are being considered.

CHURCH COMMISSIONERS

Redundant Churches

64. **Mr. John Marshall:** To ask the right hon. Member for Selby, as representing the Church Commissioners, if he will make a statement about the number of schemes settling the future of redundant churches which were confirmed during each of the past five years.

Mr. Alison: In the last five calendar years, the future of 253 redundant churches was settled by Pastoral Measure schemes, 50 in 1985, 62 in 1986, 50 in 1987, 47 in 1988 and 44 in 1989.

Archbishop of Canterbury

65. **Mr. Simon Hughes:** To ask the right hon. Member for Selby, as representing the Church Commissioners, what funding the Church Commissioners provide in respect of the salary and administration of the office of the Archbishop of Canterbury.

Mr. Alison: The Commissioners pay the stipend of the archbishop and meet the costs of his supporting staff and their equipment.

Clergy (Stipends)

66. **Mr. Harry Greenway:** To ask the right hon. Member for Selby, as representing the Church Commissioners, how much the Church Commissioners contributed to the stipends of archbishops, bishops and clergy in each of the past three years; and if he will make a statement.

Mr. Alison: Out of their investment income the Commissioners contributed to clergy stipends £38·7 million in 1987, £42·5 million in 1988 and an estimated £50 million in 1989. These figures represent about 35 per cent. of the Commissioners' investment income in each year and met some 40 per cent. of the clergy stipends bill.

HOME DEPARTMENT

Prison Riots

Mr. Hardy: To ask the Secretary of State for the Home Department what is his estimate of the number of prisoners including remand prisoners who participated in riots inside prisons from late March; and if he will provide his estimate of the costs of damage at each prison where riots or disturbances occurred.

Mr. Mellor: A total of more than 1,000 inmates (including those on remand) were present—although not necessarily participating—in the particular parts of prisons where disturbances began during the period 1-9 April. Until police investigations are concluded it will not be possible to distinguish the number of active participants from others.

The most serious damage occurred at Manchester, Bristol and Dartmoor prisons. It will not be possible to estimate costs at Manchester until the incident there is concluded. In addition to repairing the damage at Bristol and Dartmoor our intention is to upgrade the accommodation there, to provide integral sanitation and other planned improvements. The overall cost of this work, including the repairs, is estimated at £3 million at Bristol and £3·5 million at Dartmoor.

Costs of repairing the minor damage to other establishments have yet to be finally assessed.

Mr. Alfred Morris: To ask the Secretary of State for the Home Department if he will make a further statement on the violence in Manchester's Strangeways prison.

Mr. Mellor: Since my right hon. and learned Friend last reported to the House on 5 April about the position at Manchester prison, 15 men have surrendered to the authorities, but seven inmates, whom we believe we have identified by name, remain in the prison. Negotiations are continuing with the aim of resolving the disturbance without further injury to staff or inmates.

Parole

Mr. Bermingham: To ask the Secretary of State for the Home Department whether a serving prisoner's application for and consideration of parole can be affected by the fact that his appeal against either conviction or sentence is still awaiting determination by the Court of Appeal or other appellate tribunals.

Mr. Mellor: Neither a prisoner's eligibility for parole nor consideration of the case is affected by an outstanding appeal against conviction or sentence.

Police Disciplinary Proceedings

Mr. Sedgemore: To ask the Secretary of State for the Home Department if he will list separately for each of the last four years for which figures are available *(a)* the number of appeals from police disciplinary hearings he received, *(b)* the number of such appeals he referred to an appeal tribunal under the 1975 criteria, *(c)* the number he referred to an appeal tribunal other than under the 1975 criteria, *(d)* the number dealt with other than by reference to an appeal tribunal, *(e)* the total and percentage where the original finding was (i) upheld and (ii) reversed, and *(f)* the total and percentage where the original punishment was (i) upheld and (ii) reversed; and if he will make a statement.

Mr. Peter Lloyd: Appeals to the Secretary of State against police disciplinary decisions are made under section 37 of the Police Act 1964, as amended by section 103 of the Police and Criminal Evidence Act 1984.

Available figures for the years 1986 to 1989 are as follows:

Table 1
Procedure

	1986	*1987*	*1988*	*1989*
Appeals received	52	53	60	56
Appeals withdrawn before decision reached	6	7	9	8
Appeals determined	46	46	51	48
Referred to a tribunal	34	33	46	43
Not referred to a tribunal	12	13	5	5

Table 2
Outcome

	1986		1987		1988		1989	
	Number	*Per cent.*	*Number*	*Per cent.*	*Number*	*Per cent.*	*Number*	*Per cent.*
Original finding:								
(a) Upheld	21	95	13	52	12	75	5	83
(b) Reversed	1	5	12	48	4	25	1	17
Original punishment:								
(a) Upheld	32	74	26	56	33	65	16	64
(b) Varied	11	26	20	44	18	35	9	36
Appeals not yet concluded	—	—	—	—	—	—	24	—

The figures in table 2 do not add up to the total appeals determined in table 1. Appeals can be made against finding or punishment or both and may cover more than one disciplinary charge. Where appeals cover more than one charge some charges may be upheld and others not. A decision is not shown in table 2 as upheld unless it was upheld in respect of all charges.

The final decision on all appeals is made personally by the Secretary of State.

Mr. Sedgemore: To ask the Secretary of State for the Home Department if he will list, for each of the last four years for which figures are available, the number of complaints made against the police in England and Wales falling within each disciplinary offence contained in the Police (Discipline) Regulations 1985; how many of those were substantiated and how many were unsubstantiated; and if he will make a statement.

Mr. Peter Lloyd: The numbers of complaints against the police, the numbers substantiated and the numbers unsubstantiated are published annually in the reports of Her Majesty's Chief Inspector of Constabulary and the Commissioner of Police of the Metropolis, copies of which are available in the Library. Complaints are not categorised under the same headings as offences against the Police (Discipline) Regulations 1985.

Electronic Tagging

Mr. Bermingham: To ask the Secretary of State for the Home Department, pursuant to his answer to the hon. Member for City of Durham (Mr. Steinberg) of 2 April, *Official Report*, column *434*, when he expects to make available his evaluation of the outcome of the trials of electronic tagging.

Mr. John Patten: I expect the evaluation to be completed in the summer. Its results will then be published in due course.

Ambulance Dispute

Mr. Tony Banks: To ask the Secretary of State for the Home Department what information he has regarding the number of Metropolitan police person hours and the cost arising from the recent ambulance dispute.

Mr. Peter Lloyd: I understand from the Commissioner of Police of the Metropolis that the Metropolitan police used about 658,000 man hours in providing assistance to the ambulance service during the dispute. The force has charged the South West Thames regional health authority £9·68 million for its assistance.

Commission for Racial Equality

Sir Dudley Smith: To ask the Secretary of State for the Home Department what compensation he is prepared to grant Mr. David Owen of the firm Elizabeth the Chef of Leamington Spa for his out-of-pocket costs involved in preparing to defend a case brought by the Commission for Racial Equality where the complainant withdrew her allegation two days before the hearing.

Mr. John Patten: The question of costs in industrial tribunal cases is a matter for the tribunal. The complaint here was not brought by the Commission for Racial Equality, but by an individual, the commission exercising its role of providing for advice or assistance, in this case through a firm of solicitors. The Secretary of State has no responsibility in law in these matters.

Hong Kong

Mr. Win Griffiths: To ask the Secretary of State for the Home Department what percentage of the work force in Hong Kong, as categorised and sub-categorised in the British Nationality (Hong Kong) Bill, selection for citizenship: explanatory note, will be eligible for British passports.

Mr. Peter Lloyd: Approximately 22·5 per cent of people employed in Hong Kong work in the eligible occupations mentioned in the explanatory note; others may be able to apply in due course in the residual category of the general allocation section. It is not possible to say at this stage what proportion of those mentioned above will meet the eligibility criteria set out in paragraph 4(1) of schedule 1 to the Bill.

Police (Firearms)

Mr. Meacher: To ask the Secretary of State for the Home Department how many issues of arms there have been to each police force, and in total, in each year since 1979.

Mr. Peter Lloyd: The readily available information is set out in the table.

Issue of police firearms for incidents involving criminal or other persons known or believed to be armed

	1982	*[1]1983*	*1984*	*1985*	*1986*	*1987*	*1988*	*1989*
Avon and Somerset	30	28	17	25	13	9	19	27
Bedfordshire	55	22	10	19	22	12	24	16
Cambridgeshire	9	10	8	11	9	13	19	31
Cheshire	18	11	13	6	6	13	31	16

	1982	[1]*1983*	*1984*	*1985*	*1986*	*1987*	*1988*	*1989*
Cleveland	7	6	8	6	10	6	5	1
City of London	255	11	4	43	26	16	17	17
Cumbria	16	2	5	11	15	15	9	7
Derbyshire	14	3	8	5	6	5	10	10
Devon and Cornwall	12	24	28	21	25	21	22	32
Dorset	9	14	27	12	16	12	14	26
Durham	5	6	10	9	8	29	10	17
Essex	55	71	44	56	31	28	44	57
Gloucestershire	24	7	7	17	4	2	2	7
Greater Manchester	75	84	52	65	50	79	50	74
Hampshire	45	19	23	23	11	15	28	27
Hertfordshire	33	15	27	29	46	61	14	15
Humberside	30	27	56	23	18	25	10	26
Kent	150	42	37	40	43	27	31	41
Lancashire	34	30	35	28	21	9	19	2
Leicestershire	12	4	8	11	9	14	9	12
Lincolnshire	11	6	2	2	3	3	6	10
Merseyside	118	106	61	49	39	32	39	52
Metropolitan	6,035	2,230	1,838	1,642	1,702	1,332	1,320	1,363
Norfolk	23	12	13	12	12	13	13	14
Northamptonshire	35	3	6	10	5	3	5	8
Northumbria	23	26	15	16	29	30	47	110
North Yorkshire	18	19	14	9	15	21	12	21
Nottinghamshire	46	10	10	9	13	10	5	6
South Yorkshire	76	18	13	26	21	23	31	64
Staffordshire	23	5	5	11	17	11	28	20
Suffolk	15	11	17	17	25	32	32	27
Surrey	58	20	32	25	9	19	30	61
Sussex	80	53	51	46	51	18	46	68
Thames Valley	28	30	17	30	15	42	31	24
Warwickshire	11	9	8	6	1	3	4	0
West Mercia	33	15	12	4	4	6	5	9
West Midlands	59	24	17	25	27	41	26	66
West Yorkshire	302	113	78	58	53	84	99	132
Wiltshire	12	11	12	9	5	8	9	26
Dyfed Powys	4	4	3	5	1	10	7	14
Gwent	2	1	2	2	1	2	4	8
North Wales	26	11	10	8	9	19	27	10
South Wales	26	7	4	7	7	12	14	9
Total	7,952	3,180	2,667	2,488	2,453	2,185	2,227	2,583

[1] From 1983 the figures record the number of *operations* in which firearms were issued; the figure for 1982 records the number of *occasions* on which firearms were issued.

Broadcasting

Mr. Meale: To ask the Secretary of State for the Home Department when he last met the governors of the British Broadcasting Corporation to discuss the corporation's education and training role; and what is his policy on the dissemination of video recordings promoting the services of companies associated with quasi-religious cults.

Mr. Mellor: My right hon. and learned Friend meets the chairman and governors of the BBC from time to time to discuss a wide range of broadcasting issues.

Under the Video Recordings Act 1984 the British Board of Film Classification has a duty to classify videos in terms of their availability to particular audiences, but those concerned with sport, religion or music are exempted.

The Government understand the concern which some people have about the activities of certain cults and we have considerable sympathy with those whose rights have been adversely affected by such groups, but so long as they operate within the law we do not believe that it would be right to decide that some religious movements are acceptable and some not.

Penal Establishments

Mr. Meale: To ask the Secretary of State for the Home Department how many juveniles are currently held in penal establishments *(a)* on remand and *(b)* under sentence; in which establishments they are held; and how many of them are from ethnic minorities.

Mr. Mellor: I refer the hon. Member to the table "Persons aged under 17 held in Prison Service establishments in England and Wales on 31 December 1989: by establishment, type of prisoner and ethnic origin", a copy of which has been placed in the Library.

Chatlines

Mr. Churchill: To ask the Secretary of State for the Home Department what has been the cost so far of telephone calls made on 0898 numbers *(a)* by members of the Metropolitan police and *(b)* by employees of his Department.

Mr. Peter Lloyd *[holding answer 30 March 1990]:* I understand from the Commissioner of Police of the Metropolis that the information requested is not available. Possible abuse came to the attention of the Metropolitan police with the introduction of itemised billing and immediate steps were taken to extend call barring of 0898 numbers throughout the force.

All the major telephone exchanges which serve the Home Office are programmed to bar the use of 0898 numbers. There is a small number of private lines, connected direct to local telephone exchange and cell phones which cannot be barred. Itemised billing has been introduced too recently for any worthwhile figures to be obtained on 0898 costs for these services.

Consultancies

Mr. Tim Smith: To ask the Secretary of State for the Home Department what was the total amount spent by the Metropolitan police in 1989 on management and computer consultancy contracts, excluding hardware and software purchases; if he will list each management or computer consultancy contract awarded by the Metropolitan police in 1989, giving in each case the name of the consultancy firm and the subject of the assignment; and what is the total amount that the Metropolitan police has budgeted to spend in the current year.

Mr. Peter Lloyd *[holding answer 28 March 1990]:* I understand from the Commissioner of Police of the Metropolis that Metropolitan police expenditure on management and computer consultancy contracts in 1989-90 is estimated to be £1,663,000.

The following is the list of contracts awarded in 1989:

Marshall Software Services Ltd.	Software consultancy to Command and Control Group
Logica Consultancy Ltd.	Voice network replacement project
Gresham Computer Services	Conversion of mainframe computer from DME language to VME language
Stonehenge Consultancy Services	Feasibility study for property management computer system (PREMISYS)
Digitus Ltd.	Support to Territorial Operations management information system (TOPSY)
JMS Telecommunications Ltd.	Support on development of communications network
Ron Baker Design Associates	Consultancy for the design of divisional annual reports
ICL	Technical support on hardware and software including installation of new system and super-dualling of two ICL 2988 machines
Plessey Telenet	Crime report information system
MFT	Consultancy on finance systems
PTC Communications Ltd.	Consultancy on traffic tickets systems
Geoff Ford	Consultancy on Mechnical and Electrical Branch cost information systems
Gibb	Consultancy on payroll system

HEALTH

Milk Tokens

Mrs. Dunwoody: To ask the Secretary of State for Health how many firms supplying liquid milk against welfare tokens have indicated that they no longer intend to participate in the scheme after the changes proposed by his Department; and what proposals he is making to ensure that beneficiaries do not suffer.

Mr. Freeman: A total of 115 out of a total of 17,000 suppliers have indicated an intention to cease participation in the scheme. However, very few beneficiaries have reported that their normal supplier has refused to accept tokens. Local social security offices are able to offer advice about alternative suppliers. Where, exceptionally, the local office is satisfied that a token cannot be exchanged for milk a beneficiary can receive a payment in lieu.

NHS Trusts

Mr. Pendry: To ask the Secretary of State for Health what provisions will be made for people with disabilities in self-governing trust hospitals.

Mrs. Virginia Bottomley: Under the Bill proposals, district health authorities will be responsible for planning and securing through contracts a comprehensive range of services, which will include services for people with disabilities, to meet the health care needs of their population. In doing this they will contract with a range of service providers, including NHS trusts.

Mr. Pendry: To ask the Secretary of State for Health what application the Disabled Persons (Services, Consultation and Representation) Act 1986 will have to people with disabilities in self-governing trust hospitals.

Mrs. Virginia Bottomley: National Health Service trusts will remain an integral part of the NHS and will accordingly remain subject to a range of legislation which applies to NHS facilities.

Nurses

Mr. Stern: To ask the Secretary of State for Health how many regrading appeals for nurses remain outstanding in each regional health authority.

Mrs. Virginia Bottomley: Information concerning appeals to employing authorities in England is not collected centrally.

Mr. McAllion: To ask the Secretary of State for Health if he will list in the *Official Report* the different kinds of conversion courses currently available to nurses within the National Health Service in England and Wales.

Mrs. Virginia Bottomley: The English National Board for Nursing, Midwifery and Health Visiting has approved courses to enable enrolled nurses to convert to being registered general nurses, registered mental nurses, registered nurses in mental handicap, first level nurses trained in the nursing of sick children, and registered general nurses and district nurse (joint qualification). Individual courses approved by the board can vary in a number of respects. Increased use is being made of distance and open learning approaches. Recognition of prior learning can mean that the traditional 52-week conversion course can be reduced in length to as little as 26 weeks.

The hon. Member may wish to approach my right hon. Friend the Secretary of State for Wales about the position in Wales.

Therapy

Mr. Ashley: To ask the Secretary of State for Health how many qualified (1) speech therapists, (2) physiotherapists and (3) occupational therapists are employed centrally by his Department; and in each category what are the numbers employed in the National Health Service.

Mr. Freeman: The Department currently employs one speech therapy officer, two physiotherapy officers and two occupational therapy officers, all full-time. The speech therapy officer and one physiotherapy officer are on secondment from the National Health Service. One occupational therapy officer is on secondment from a local authority. The table shows the whole-time equivalents of qualified therapists employed in the National Health Service at 30 September 1988, the latest date for which figures are available:

	Number
Physiotherapists	9,590
Occupational therapists	4,870
Speech therapists	2,730

Mr. Ashley: To ask the Secretary of State for Health if he will increase the number of qualified speech therapists employed centrally by his Department to oversee policy designed to overcome the gap between the 20·5 speech therapists (whole-time equivalents) per 100,000 population required if current methods of intervention were maintained and assistants were used, and the 5·7 national average figure per 100,000 now available.

Mr. Freeman: No. The Department's speech therapy officer is already actively working with other officials to consider the problem of matching the supply and demand for speech therapy. I refer the right hon. Member to the reply that I gave him on 26 March at column *46*.

Mr. Ashley: To ask the Secretary of State for Health if he will list the duties of the therapy officers employed by his Department.

Mr. Freeman: The duties of the therapy officers are to provide advice and support to Ministers and to other officials on matters concerned with all aspects of policy for the development of therapy services, including education and employment, in the National Health Service, local government and the voluntary and private sectors, to assist in taking forward policies relating to these services, and to liaise with professional bodies and other relevant organisations and services.

Mr. Ashley: To ask the Secretary of State for Health what representations he has received regarding the review of the functions of therapy officers; and if he will state the objectives of the review.

Mr. Freeman: The objectives of the review are set out in the terms of reference which are as follows:

(a) to review the value and costs of the service provided to the Department by the therapy officers;
(b) to consider other models for the provision of advice on therapy matters to the Department;
(c) to advise on whether the present arrangements constitute the most effective use of resources for the provision of this advice;
(d) if not, to advise on whether an alternative model or models would be more effective, and if so which, and
(e) without prejudice to the consideration of other models, to review the budgetary and management arrangements for therapy officers employed by the Department, and to make recommendations.

Apart from the letter which the right hon. Member sent my right hon. and learned Friend the Secretary of State on 29 March we have received no representations about the review.

Access to Ministers

Mr. Ashley: To ask the Secretary of State for Health if (1) the therapy officers, (2) the chief medical officer and (3) the chief nursing officer in his Department have direct access to him.

Mr. Freeman: Therapy officers give advice on a wide range of professional issues to policy branches which take it into account as appropriate in offering advice to Ministers. The chief medical officer and the chief nursing officer have direct access to my right hon. and learned Friend the Secretary of State.

Health Reform Group

Mr. Michael Morris: To ask the Secretary of State for Health, pursuant to his answer to the hon. Member for Bury, South (Mr. Sumberg) of 20 February, *Official Report*, column *695*, what is the Health Reform Group; and who are its members.

Mrs. Virginia Bottomley: The Health Reform Group is an independent group of medical practitioners who support the Government's proposals to improve the Health Service. We have no details of its membership.

Awards

Ms. Armstrong: To ask the Secretary of State for Health what is the annual cost of running his Department's office of the central committee on distinction awards.

Mrs. Virginia Bottomley: The total cost for the year ended 31 March 1989 (the latest available) was £131,188. This figure was made up as follows: Department of Health staff costs £81,684, committee members' expenses £32,954 and salaries of the chairman and vice-chairman of the advisory committee on distinction awards £16,550.

Ms. Armstrong: To ask the Secretary of State for Health what criteria are used when making hospital consultants merit awards.

Mrs. Virginia Bottomley: There are no formal criteria for awards. The chairman of the advisory committee on distinction awards issued general guidelines to members of the regional and higher awards committees this year and a copy has been placed in the Library. The committees look for qualities such as clinical excellence, special achievement in direct services to patients, training, teaching and research and outstanding management effort.

Ms. Armstrong: To ask the Secretary of State for Health whether he will publish the number of holders of hospital consultants' merit awards in each district health authority.

Mrs. Virginia Bottomley: The Department does not maintain statistics on distinction awards in each district health authority.

Drug Budgets

Mr. Michael Morris: To ask the Secretary of State for Health when he expects to issue the further working paper on the implementation of indicative drug budgets to which he referred in his answer to the hon. Member for Northampton, South of 30 January, *Official Report*, column *130*.

Mrs. Virginia Bottomley: We intend to publish in May a further working paper on the operation of the indicative prescribing scheme.

Mr. Michael Morris: To ask the Secretary of State for Health how soon after the month end the monthly statement on prescribing costs will be issued to general practitioner practices, family practitioner committees and regional health authorities.

Mrs. Virginia Bottomley: Monthly statements of expenditure on drugs, medicines and listed appliances prescribed by general practitioners will normally be issued at all levels within four weeks of the end of the month in which the costs were incurred.

Medical Negligence

Mr. Wigley: To ask the Secretary of State for Health how much he estimates it will cost his Department in the current financial year for payments that arise from claims of compensation for medical negligence.

Mr. Freeman: For 1990-91 the cost of payments in compensation for medical negligence by hospital doctors is estimated at £50 million for the United Kingdom. Not all of this will be met by health authorities. On 1 January 1990 the financial responsibility for this compensation was transferred from the medical defence organisations to the National Health Service. Because hospital doctors in the National Health Service are no longer required to subscribe to a medical defence organisation, English health authorities have about £27 million (£34 million United Kingdom) available in 1990-91 from the contributions made by them as employers to doctors' subscriptions.

In addition, under the arrangements for the transfer of financial responsibility the medical defence organisations have set up funds from their reserves which health authorities can draw on to help meet the cost of the more substantial cases which should enable the cost to be kept within the original provision for subscriptions.

Mr. Wigley: To ask the Secretary of State for Health how many brain-damaged children have been awarded compensation for medical negligence in the past five years; what has been the average size of award in each year: and what have been the highest and lowest awards.

Mr. Freeman: This information is not available centrally.

General Practitioners

Mr. Michael Morris: To ask the Secretary of State for Health what are the most recent available figures for average general practitioner list sizes; and what steps are being taken to have more up-to-date figures available.

Mrs. Virginia Bottomley: Information provided by family practitioner committees (FPCs) in census returns enable the Department to calculate average list sizes.

The average general practitioner list size for England at 1 October 1988 (the latest available) was 1,999.

From 1 April 1990 all family practitioner committees will have computer systems for general practitioner payments. The intention is that the Department's information requirements will be taken directly from these rather than from manual returns as currently.

It is expected that this will lead to more timely submission of data for the 1 October 1990 census and beyond.

Dead Register

Mr. Key: To ask the Secretary of State for Health if he will make a statement about the future of the dead register currently maintained by the Office of Population Censuses and Surveys.

Mr. Freeman: The dead register consists of more than 80 million index cards stored by local authority area. These cards relate to people who changed address, left the country, died or changed name during the period of national registration between 1939 and 1952. The space needed for computerisation of the National Health Service central register has necessitated moving the dead register away from the Office of Population Censuses and Surveys site and it is now costing nearly £50,000 per annum in storage.

The main usage is for medical research studies and currently there are very few users. The Office of Population Censuses and Surveys considers that it is unnecessary to maintain the dead register for its own core needs and has approached the Medical Research Council about the need to maintain it for medical research purposes. In the event that this is considered necessary the Office of Population Censuses and Surveys would need payment. A decision is required by the summer when the renewal of the storage contract is due.

Ambulance Dispute

Mr. Cohen: To ask the Secretary of State for Health what is the final cost to each regional health authority of cover using police and armed forces and other bodies during the ambulance workers' dispute; and what was the total cost to public funds of the dispute.

Mr. Tony Banks: To ask the Secretary of State for Health if he will give details of his latest estimate of the total costs arising out of the recent ambulance dispute; and how much has been *(a)* paid and *(b)* requested from authorities responsible for providing (i) military, (ii) police and (iii) non-NHS ambulance services during the period of the dispute.

Mrs. Virginia Bottomley: The cost to the end of February 1990 (the last month for which bills have been received from the Ministry of Defence) was £4·8 million. The final cost of military assistance is not yet known.

Information is not held centrally about the cost to regional health authorities of using police and other non-military bodies during the recent dispute.

Defensive Medicine

Mr. Wigley: To ask the Secretary of State for Health what research his Department has undertaken on defensive medicine in the United Kingdom.

Mrs. Virginia Bottomley: None. The introduction of medical audit will ensure that doctors examine the nature and appropriateness of the care that they provide.

General Practitioners, Cumbria

Mr. Martlew: To ask the Secretary of State for Health if he will review the decision of the Cumbria family practitioner committee to allow the general practitioner

practice of Dickinson, Wheeler and Reed specifically to exclude the area Raffles, and Raffles in Carlisle, from their practice.

Mrs. Virginia Bottomley: No. I understand that the practice concerned is in Dalston and some distance from Carlisle in a rural area. This practice has never encouraged people from the urban area to register with it. There are in fact some 40 doctors serving the population of Carlisle, including the two estates.

OVERSEAS DEVELOPMENT

Uganda

Mr. Ernie Ross: To ask the Secretary of State for Foreign and Commonwealth Affairs how much aid, and in what form, was given by Her Majesty's Government to Uganda for each of the last five years.

Mrs. Chalker: Gross British bilateral aid to Uganda over the period 1984-88, the latest five-year period for which figures are available, was as follows:

£ millions

	1984	*1985*	*1986*	*1987*	*1988*
Programme aid	1·126	0·206	0·005	0·016	17·126
Other financial aid	0·474	2·123	1·524	2·980	2·941
Technical assistance	2·701	2·867	2·784	3·510	6·392
Pensions	0·939	0·896	0·852	1·996	0·354
Emergency aid	0·173	0·244	1·056	0·070	0·436
Debt relief	1·667	1·660	1·166	0·983	0·631
Commonwealth Development Corporation		1·175	1·189	2·624	0·710
Total	7·080	9·171	8·576	12·179	28·590

In addition, Britain's share of multilateral aid to Uganda over the period 1984-87 was:

	£ millions
1984	8·58
1985	7·70
1986	5·31
1987	9·11

Figures for later years are not yet available.

Grassland Research

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs when he expects he will be able to make a statement on the outcome of the Minister for Overseas Development's contacts with Professor Hall about grassland research.

Mrs. Chalker: My officials will be holding discussions with Professor Hall and other interested parties such as the Natural Resources Institute during the next six weeks. I will therefore be writing to the hon. Member at the end of May, by when we should know the position.

Caribbean

Mr. Butler: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the current level of assistance given to islands in the Caribbean.

Mrs. Chalker *[pursuant to her reply, 2 April 1990, c. 418]:* I regret that the reply that I gave my hon. Friend omitted the separate but substantial sums provided to Jamaica through the Commonwealth Development Corporation. In 1988 these amounted to £14·647 million.

DUCHY OF LANCASTER

Lancashire Estates (Income)

60. **Mr. Jack:** To ask the Chancellor of the Duchy of Lancaster what are the principal determining factors which affect the income of the estates for which he is responsible in Lancashire.

Mr. Kenneth Baker: The factors which affect the income of the estates are, in general, those affecting the agricultural economy. Most of the farms are dairy units and I am pleased to say that the farmers concerned have adapted well to the regime of milk quotas.

Local Government Finance

61. **Mr. Hind:** To ask the Chancellor of the Duchy of Lancaster what representations he has received from tenants of the Duchy regarding the community charge.

Mr. Kenneth Baker: I have had no representations from Duchy tenants either for or against the community charge.

Visits

62. **Mr. Sumberg:** To ask the Chancellor of the Duchy of Lancaster when he next intends to pay an offical visit to the Duchy.

Mr. Kenneth Baker: I have no plans to do so in the very near future.

Mr. John Evans: To ask the Chancellor of the Duchy of Lancaster when he next expects to visit St. Helens.

Mr. Kenneth Baker: I have no plans to visit St. Helens at present.

Official Duties

63. **Mr. Tony Banks:** To ask the Chancellor of the Duchy of Lancaster how much time he has spent on Duchy business since the last time he answered oral questions.

Mr. Kenneth Baker: I spend up to a quarter of my time carrying out my duties as Chancellor of the Duchy of Lancaster and as a member of the Government.

HOUSE OF COMMONS

Guillotines

Mr. Richard Shepherd: To ask the Lord President of the Council when guillotines were first introduced on Lords amendments; and if he will list all such guillotines and supplemental guillotines since 1979.

Sir Geoffrey Howe: The first occasion on which an allocation of time order governing consideration of Lords amendments was made was on 27 April 1953, when a supplemental order guillotining debate on Lords amendments to the Transport Bill was agreed to.

The following allocation of time orders relating to consideration of Lords amendments have been made since the beginning of the 1979-80 Session:

Session	Bill	Date	Type of order
1979-80	Education (No. 2)	2 April 1980	Supplemental
	Social Security	22 May 1980	Supplemental
	Housing	6 August 1980	Supplemental
1980-81	Transport	28 July 1981	Supplemental
	British Nationality	26 October 1981	Supplemental
1981-82	Oil and Gas (Enterprise)	24 June 1982	Supplemental
	Employment	25 October 1982	Supplemental
1984-85	Local Government	8 July 1985	Supplemental
	Transport	29 October 1985	Supplemental
1985-86	Gas	21 July 1986	Supplemental
	Social Security	23 July 1986	Supplemental
1986-87	Local Government Finance	11 March 1987	Supplemental
	Abolition of Domestic Rates etc. (Scotland)	13 May 1987	Supplemental
1987-88	Social Security	14 March 1988	Free-standing
	Education Reform	18 July 1988	Supplemental
	Local Government Finance	20 July 1988	Supplemental
	Firearms (Amendment)	2 November 1988	Supplemental
	School Boards (Scotland)	11 November 1988	Free-standing (one order covering 2 bills)
	Housing		
1988-89	Prevention of Terrorism (Temporary Provisions)	14 March 1989	Supplemental
	Official Secrets	2 May 1989	Supplemental
	Water	3 July 1989	Supplemental
	Local Government and Housing	8 November 1989	Free-standing (one order covering 2 bills)
	Employment		
	Self-Governing Schools etc. (Scotland)	14 November 1989	Supplemental
1989-90 (up to and including 18 April 1990)	Education (Student Loans)	4 April 1990	Free-standing

Sound System

Dame Elaine Kellett-Bowman: To ask the Lord President of the Council whether he will make a statement on the sound system in the House.

Sir Geoffrey Howe: During recent months, I have received a number of representations from hon. and right hon. Members about the quality of the sound in the Chamber and the matter has also been raised several times on the Floor of the House.

The sound system in the Chamber has been under review for the last 10 years, originally under the aegis of the former Sound Broadcasting Committee. The Select Committee on Televising of Proceedings of the House inherited the responsibilities of the Sound Broadcasting Committee and has continued to keep the issue under active consideration. When the Select Committee came into being in 1988 it was decided that, although there might be doubts about the efficiency of the sound system, there should be no attempt to make significant changes either for or during the television experiment. The sound system in the Chamber at present is, therefore, almost exactly the same and works under exactly the same system of operation as it has done for more than five years.

There were complaints earlier this year that microphones at the Dispatch Box were not providing a good signal of the Front-Bench speakers. A series of experiments were undertaken with different microphones at the Dispatch Box and new placings of the microphones above the Government and Opposition Front-Bench speakers. The present microphones and their placings, designed to overcome the loss of audibility when Front-Bench speakers turn to address Members behind them, provide the best combination so far.

There have also been complaints about the quality of reception in the small loudspeakers in the back of the Benches. The level of amplification has not, as had been suggested, been lowered to suit the demands of broadcasting. In fact the level of sound has been raised as far as possible without causing feedback but it is clear that some Members still have difficulty in hearing when there is a lot of noise in the Chamber. During the Easter recess, therefore, an inspection was carried out with the support of the BBC research department to evaluate the extent to which the existing amplification equipment is performing to its original specifications and to identify possible alternative systems for later tests.

This work is part of a study being undertaken by a working party under the chairmanship of the supervisor of broadcasting. The working party is examining the technical options for the modernisation or replacement of the sound system. In addition, Mr. Richard Wright, head of sound operations for news and current affairs at the BBC, has been appointed as a specialist adviser to the Select Committee and will also assist the working party in its deliberations. The working party will report to the Chairman of the Select Committee by early June. As a separate issue, the working party will also address the question of sound quality in Committee Rooms.

However, the general conclusion likely to be reached is that the sound system, which was installed several decades ago, is unlikely to have an effective life beyond the next five

years. Given the inevitably long lead-time associated with drawing up the specifications and costings for a new system, and with approval by the House and installation, it is vital that work should begin now.

The first practical steps towards identifying the tecnnical options have already been taken, with the recent installation on the Opposition side of the Chamber of a single new type of smaller "capacitator" microphone. This has produced good results in terms of audibility, although a problem of reduced physical stability needs further work.

It is, however, important to stress that the constraints of the layout and architecture of the Chamber will always limit the scope for improvement in audibility. The simultaneous requirement for the House to be able to hear the Member with the Floor speaking at a normal volume, whilst avoiding undue distraction from the inevitable background noise in a lively debating Chamber, is likely to stretch even the most up-to-date technology to its limits. When the House is very noisy only a system of individual microphones and individual hearing aids would be able to cope; and this, it has always been understood, would be unacceptable to the House.

The overriding concern of the Select Committee will be to ensure that the House is equipped with as efficient a system of sound reinforcement as possible, subject only to the practical constraints I have outlined.

SOCIAL SECURITY

Widows' Benefit

Mr. Dewar: To ask the Secretary of State for Social Security how many widows in Scotland are in receipt of widows' benefit.

Mrs. Gillian Shephard: As at 31 March 1989, the latest date for which figures are available, the number of widows in Scotland in receipt of widow's benefit was 39,000.

Local Government Finance (Rebates)

Mr. Dewar: To ask the Secretary of State for Social Security how many people were receiving *(a)* domestic rates and *(b)* poll tax rebates in Scotland in each year from 1986-87; and if he will express the figures as a percentage of total domestic ratepayers or poll tax payers.

Mrs. Gillian Shephard: The information requested is in the table.

	Numbers receiving rate rebates (000s)	*Proportion of housing stock per cent.*
1986-87	785	38
1987-88	785	38
1988-89	640	31

	Number of individual chargepayers receiving rebates (000s)	*Proportion of registered chargepayers per cent.*
1989-90	1,150	30

Source: Estimated number of recipients derived from local authority rate rebate and community charge benefit caseload returns. Housing stock figures and community charge register information from Scottish Office.

Mr. Maxton: To ask the Secretary of State for Social Security if he will provide a table for the following household types: *(a)* single pensioner, *(b)* other single adult, *(c)* two adults, *(d)* three or more adults and *(e)* all households listing the following detail: (i) the number receiving rate bills, (ii) the total value of their gross rate bills, (iii) the numbers entitled to rebates and (iv) the total value of rebates in 1987-88 and 1988-89 in Scotland.

Mrs. Gillian Shephard *[pursuant to her reply, 19 March 1990, c. 402]:* I regret that a correction is necessary. The estimated number of ratepayers in Scotland receiving rate rebates in 1988-89 is 640,000 and not 688,000 as shown in the published table.

Disability

Mr. Alfred Morris: To ask the Secretary of State for Social Security what response he has received to "The Way Ahead: Benefits for Disabled People" from the Disability Alliance; and if he will make a statement.

Mr. Scott: The Disability Alliance has sent me a written response and was represented at a meeting that I held on 5 April with the Disability Benefits Consortium to discuss "The Way Ahead." We shall give careful consideration to all the alliance's comments in carrying forward the detailed work on our proposals.

Mr. Wigley: To ask the Secretary of State for Social Security if he has given any consideration to the introduction of a basic minimum income for all disabled people, irrespective of how their disability arose; and if he will make a statement.

Mr. Scott: There is a number of factors which have led us to conclude that a single disability income scheme is not the right course of action. First, we have aimed to provide a more simple and coherent system of financial help for disabled people. A single scheme which strived to cover a whole range of specific needs would be significantly more complicated than existing benefits, both for claimants to understand and for doctors and staff to adjudicate and administer. Secondly, by introducing the sort of points-related benefit suggested by some commentators, an unacceptably high number of people would stand to lose benefit entitlement. One of our major objectives is to provide a system which can get help quickly and effectively to those most in need.

Residential Homes

Mr. Meacher: To ask the Secretary of State for Social Security how many elderly persons in private residential or nursing homes who are in receipt of income support have fees which are below the income support limits by: *(a)* less than £5 a week, *(b)* £5 to £10 per week, *(c)* £10 to £20 per week, *(d)* £20 to £30 per week, *(e)* £30 to £40 per week, *(f)* £40 to £50 per week, *(g)* £50 to £60 per week, *(h)* £60 to £70 per week, *(i)* £70 to £80 per week, and *(j)* over £80 per week; what percentage each of these totals is of (i) all elderly residents in these houses and (ii) all residents in receipt of income support; and if he will provide information so far as possible broken down between residential and nursing homes.

Mrs. Gillian Shephard: The information is not available. Data is collected on a sample basis, the size of which precludes the provision of reliable estimates in the form requested.

Vibration White Finger

Mr. Frank Field: To ask the Secretary of State for Social Security what is the number of claims submitted on vibration white finger to the two local Birkenhead offices; and if he will detail the number of staff hours so far involved in processing these claims.

Mr. Scott: A total of 1,141 new claims and 835 review applications have been received to date by the two social security offices serving the Birkenhead area. Details of staff hours expended on these particular claims are not available and could be provided only at disproportionate cost.

WALES

Surplus School Places

Mr. Gareth Wardell: To ask the Secretary of State for Wales if he will publish for each county in Wales, the number of surplus places in *(a)* primary schools and *(b)* secondary schools; and if he will give details of the criteria he uses to ascertain surplus place numbers.

Mr. Roberts: The table shows the total number of surplus places in primary and secondary schools in each county based on the latest available figures received from each local education authority. The criteria recommended for determining the capacities of schools are set out in Welsh Office circular 20/88, "Educational Quality in Wales: The Response to Falling School Rolls" for primary schools, whilst for secondary schools they are in Welsh Office circular 47/88, "Admission of Pupils to County and Voluntary Schools". Copies of both circulars are in the Library of the House.

Surplus Places in Maintained Schools in Wales

County	*Primary*	*Secondary*	*TOTAL*
Clwyd	9,964	2,493	12,907
Dyfed	9,671	1,949	11,620
Gwent	11,159	9,836	20,696
Gwynedd	4,928	3,834	8,762
Mid Glamorgan	9,683	4,274	13,957
Powys	3,194	2,525	5,719
South Glamorgan	6,996	6,935	13,929
West Glamorgan	2,021	11,218	13,239
Wales	57,616	43,212	100,828

Orthodontic Surgeons

Mr. Gareth Wardell: To ask the Secretary of State for Wales if he will publish in the *Official Report* a list of those health authorities in Wales which employ the services of an orthodontic consultant surgeon.

Mr. Grist: All district health authorities in Wales employ the services of an orthodontic consultant surgeon.

Interest Rates

Mr. Gareth Wardell: To ask the Secretary of State for Wales how many representations he has received, since occupying his present post, on the effect on new investment of high interest rates.

Mr. Peter Walker: Although precise figures are not available, I have received very few representations about the effect of interest rates on new investment.

Health Service

Mr. Michael: To ask the Secretary of State for Wales how many general practitioners and general practitioner practices in each county in Wales have indicated an interest in becoming holders of a practice budget.

Mr. Grist: The information requested is shown in the table:

Family practitioner committee	*Number of general practitioners*	*Number of GP practices*
Clwyd	34	6
Dyfed	27	6
Gwent	12	3
Gwynedd	4	1
Mid Glamorgan	53	9
Powys	14	3
South Glamorgan	26	5
West Glamorgan	47	9

FPC areas are co-terminous with counties.

Mr. Michael: To ask the Secretary of State for Wales what estimate he has made of the contribution that will be made by charitable giving and fund-raising towards the deficit projected by the South Glamorgan health authority during 1990-91.

Mr. Grist: My right hon. Friend has made no such estimates. He would not expect the authority to rely upon donations to meet any part of the deficit which it is currently projecting, since it would clearly be unwise to become dependent upon a source of funding which may not be recurrent. Donations can be of considerable assistance in funding developments which might not otherwise be given priority by the authority within its modified revenue and capital allocations. However, they should not be used in substitution for firm budgetary control.

Mr. Michael: To ask the Secretary of State for Wales what is his policy on the extent of the contribution made by charitable donations and fund-raising events to the funding of the Health Service in Wales.

Mr. Grist: My right hon. Friend and I welcome the voluntary and charitable contributions which members of the public and organisations wish to make to health authorities. Sometimes such gifts are associated with the funding of a specific service or facilities and on other occasions they are not. In each case it is a private matter between the health authority and the giver. Such arrangements are not covered by any central guidelines and have not been the subject of departmental initiative.

In determining health authority spending allocations voluntary funding and charitable donations are not considered and no central record of such gifts is maintained.

Bovine Spongiform Encephalopathy

Dr. David Clark: To ask the Secretary of State for Wales how many cattle have been confirmed as having bovine spongiform encephalopathy in each county of Wales for each year since the disease was discovered.

Mr. Peter Walker: The number of confirmed cases of bovine spongiform encephalopathy in each county in Wales during 1987, 1988, 1989 and 1990 (to 13 April) was:

County	Number of cases 1987	1988	1989	[1]1990
Clwyd	0	13	58	31
Dyfed	8	64	212	111
Mid Glamorgan	0	5	15	3
South Glamorgan	0	8	29	3
West Glamorgan	0	1	3	0
Gwent	0	20	60	32
Gwynedd	0	7	26	8
Powys	0	13	56	31

[1] (to 13 April).
There were no cases reported in 1986.

Local Government Finance

Mr. Malcolm Bruce: To ask the Secretary of State for Wales if he will publish in the *Official Report* in relation to each local authority in Wales and the average for all local authorities in Wales for the financial year 1990-91 *(a)* the level of net expenditure per head of population, *(b)* the level of net expenditure per head of population as set out in the Government's assessment of expenditure need, *(c)* the level of income per head of population from personal, standard and collective community charges, *(d)* the income from revenue support grant per head of population, *(e)* the income from non-domestic rates per head of population and *(f)* the income from other sources per head of population.

Mr. Peter Walker: The information requested is given in the table:

Pounds per head in 1990-91[1]

Local Authority	Net expenditure[2]	Standard spending assessment	Income from community charge[3]	Revenue support grant	Non-domestic rates share	Other income[4]
Alyn and Deeside	127	123	30	64	32	102
Colwyn	129	120	36	61	32	182
Delyn	132	113	38	54	32	329
Glyndwr	130	111	50	52	32	305
Rhuddlan	153	130	50	71	32	302
Wrexham Maelor	133	124	37	65	32	266
Carmarthen	111	126	10	67	32	n/a
Ceredigion	139	134	16	75	32	n/a
Dinefwr	108	118	17	59	32	n/a
Llanelli	138	143	30	82	32	n/a
Preseli Pembrokeshire	133	131	16	72	32	246
South Pembrokeshire	123	143	7	84	32	381
Blaenau Gwent	204	168	51	109	32	579
Islwyn	169	158	38	99	32	189
Monmouth	124	110	36	51	32	298
Newport	173	162	61	100	32	467
Torfaen	154	141	40	82	32	163
Aberconwy	149	127	49	68	32	219
Arfon	163	147	43	88	32	250
Dwyfor	180	155	59	96	32	250
Meirionnydd	173	134	57	75	32	229
Ynys Môn	194	140	75	81	32	437
Cynon Valley	186	170	42	108	32	168
Merthyr Tydfil	194	187	36	126	32	547
Ogwr	158	142	43	83	32	200
Rhondda	224	199	41	138	32	504
Rhymney Valley	160	138	47	78	32	n/a
Taff Ely	138	141	24	82	32	n/a
Brecknock	131	126	35	67	32	228
Montgomeryshire	128	113	18	54	32	198
Radnorshire	111	113	25	54	32	270
Cardiff	191	143	75	84	32	272
Vale of Glamorgan	119	123	23	64	32	n/a
Port Talbot	163	159	31	100	32	170
Lliw Valley	118	126	19	67	32	n/a
Neath	196	138	21	79	32	369
Swansea	205	174	48	115	32	301
Clwyd	764	703	213	387	171	205
Dyfed	779	756	168	440	171	167
Gwent	755	731	169	416	171	227
Gwynedd	769	752	161	436	171	282
Mid Glamorgan	807	786	166	471	171	229
Powys	842	838	146	522	171	n/a
South Glamorgan	789	772	167	456	171	184
West Glamorgan	802	750	205	434	171	191
Average Wales	944	897	218	521	203	n/a

[1] For consistency, the population denominator used throughout the table is the relevant population. This is defined in the Distribution of Non-Domestic Rates (Relevant Population) Report for Wales. Note that this definition excludes those aged under 18 years.
[2] Provisional budgeted net revenue expenditure as reported by local authorities.
[3] In the case of districts, the transfer from the collection fund; in the case of counties, the aggregate of precepts on the relevant charging authorities' collection funds.
[4] The provisional estimated income from specific and supplementary grants and from sales, fees, charges and other income. Note that these amounts are not included in net expenditure.

Flooding

Mr. Flynn: To ask the Secretary of State for Wales (1) what action he intends to take to avert flooding in the reenlands of south Gwent;

(2) if he will calculate the likelihood of a major flood in the Peterstone-Wentlooge and St. Brides areas of Gwent in the event of a tidal surge;

(3) what reports he has received of the overtopping of the sea defences in south Gwent, and the flooding in Newport and Caerleon during the recent storms; and if he will make a statement;

(4) if he will make an assessment of the expected rise in sea levels in the Severn estuary as a result of global warming and its effect on sea and river defences;

(5) whether he has received any representations from the National Rivers Authority and other bodies on action that may be required to improve the sea walls in the Peterstone-Wentlooge and St. Brides areas of Gwent to reduce the risk of flooding.

Mr. Grist: There will always be some risk of a major flood in the Peterstone-Wentlooge and St. Brides areas of Gwent during extreme events.

Under section 136 of the Water Act 1989 the National Rivers Authority has a duty to exercise a general supervision over all matters relating to flood defence. The Department is aware that overtopping of sea defences occurred in south Gwent and that there was flooding in Newport and Caerleon during the recent storms. No representations have been received on action that may be required to improve sea walls in the area specified.

Current estimates suggest that mean sea levels are likely to be between 25 and 40 cm higher by the year 2050. It is not possible to establish with any degree of certainty the degree of sea level rise on a local basis. The increased funding that is being provided by the Department for sea defence schemes is intended to build up the programme to enable defences to withstand the currently expected risk.

Environmentally Sensitive Areas

Mr. Geraint Howells: To ask the Secretary of State for Wales what recent representations he has received from the National Farmers Union of Wales in respect of the operation and level of payments of the ESA scheme; and if he will make a statement.

Mr. Peter Walker: None.

FOREIGN AND COMMONWEALTH AFFAIRS

Cambodia

Mr. Frank Field: To ask the Secretary of State for Foreign and Commonwealth Affairs if he is yet in a position to publish the report resulting from the recent United Kingdom mission investigating the political situation in Cambodia; and if he will make a statement.

Mr. Sainsbury: I refer the hon. Member to the reply given by my right hon. Friend the Minister of State, Foreign and Commonwealth Office to the hon. Member for Cynon Valley (Mrs. Clwyd) on 31 January.

Iraq

Mr. Cryer: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the current position relating to arms sales to Iraq; what agreements or treaties prohibit such exports; and what routine measures are taken to enforce compliance by British manufacturers.

Mr. Waldegrave: Exports of defence-related material to both Iran and Iraq are governed by the guidelines announced by the then Secretary of State for Foreign and Commonwealth Affairs in the House on 29 October 1985. These are applied on a case-by-case basis in the light of prevailing circumstances, including the ceasefire and developments in the peace negotiations. Under the nuclear non-proliferation treaty we control the export of sensitive nuclear-related material and technology. As a member of the missile technology control regime, we control exports of missile-related material and technology. Our export controls are implemented under the Export of Goods (Control) Order 1989. All export licence applications are given the most careful scrutiny.

Libya

Mr. Flynn: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his latest assessment of the capability of the Rabta chemical plant in Libya to produce chemical warfare agents.

Mr. Waldegrave: We have no doubt that the Rabta plant is intended to produce chemical weapons on a large scale. It remains unclear what has been the effect of the reported fire on 14 March.

TRANSPORT

Channel Tunnel

6. **Mr. Geraint Howells:** To ask the Secretary of State for Transport if he will make a statement on the progress of the channel tunnel.

Mr. Portillo: The channel tunnel is a private sector project. I understand that more than 40 per cent. of tunnelling has been completed and is now progressing at record levels.

44. **Mr. Gow:** To ask the Secretary of State for Transport what rate of return he expects will be secured by British Rail on its investment to be undertaken as a result of the prospective opening of the channel tunnel.

Mr. Portillo: The real rate of return on British Rail's investment for channel tunnel services is expected to be at least 8 per cent.

52. **Mr. Tony Banks:** To ask the Secretary of State for Transport what representations he has received regarding the channel tunnel link and the site of the second London terminal.

Mr. Portillo: The Department has received a large number of such representations.

53. **Mr. Matthew Taylor:** To ask the Secretary of State for Transport what representations his Department has received regarding channel tunnel links with Cornwall.

Mr. Portillo: I have received a number of representations about channel tunnel links with Cornwall.

Mr. Fearn: To ask the Secretary of State for Transport (1) what evacuation procedures Eurotunnel has designed to ensure that people who have impaired hearing or impaired eyesight can be quickly evacuated in the event of fire;

(2) what tests there have been to examine the effects of a high-speed derailment in the channel tunnel;

(3) what consideration he has given to the conclusions of the intergovernmental commission and the Channel Tunnel Safety Authority on segregation of passengers from light vehicles, passenger cars and coaches from LPG;

(4) if he has any plans to increase the time fire doors on the shuttle rakes are required to resist fire to match the time Eurotunnel is given to rescue passengers from a train stranded in the channel tunnel; and if he will make a statement;

(5) if he has set any criteria for the numbers of drivers required to be present at all times on the two locomotives with which each train using the channel tunnel is to be equipped;

(6) how many evacuees from a carriage carrying passengers not segregated from their vehicles a neighbouring carriage with 50 cm between each vehicle in it could accommodate; and what projections he has made of how long it would take to transfer the passengers from one carriage to another in such circumstances;

(7) what criteria he has laid down for the time taken to evacuate a large coach full of people in smoke; whether he has any plans to vary the criteria where large numbers of elderly or handicapped people are carried; and if he will make a statement;

(8) what reports his Department has studied into the effects of a high-speed derailment in the channel tunnel and the safety of passengers travelling in train carriages and the safety of passengers travelling in their cars with full fuel tanks;

(9) if he will make a statement on the conclusions of the Channel Tunnel Safety Authority's report "Non-segregation of Drivers and Passengers from their Vehicles";

(10) if the service tunnel of the channel tunnel will be able to be used to evacuate passengers safely at the same time as it is being used to deploy rescue teams and emergency services to the scene of an incident.

Mr. Portillo: I refer the hon. Member to the answers I gave to the hon. Member for Leicester, East (Mr Vaz) on 8 January, *Official Report*, column *464*, and to my hon. Friend the Member for Hastings and Rye (Mr Warren) on 22 January, *Official Report*, column *491*.

Approval of Eurotunnel's proposed designs and operating procedures is a matter for the Channel Tunnel Intergovernmental Commission which is advised on safety matters by the independent Channel Tunnel Safety Authority.

The safety authority has now published its report reviewing the principal factors on which it based its advice to the intergovernmental commission on the non-segregation of drivers and passengers from their vehicles. A copy has been placed in the Library of the House. The report refers to the authority's view that drivers and passengers should not be allowed to travel in vehicles containing or carrying LPG. With regard to the effects of a high-speed derailment in the tunnel, the report records the authority's stipulation that Eurotunnel should carry out a special study of the behaviour of rolling stock under accident conditions. I understand that the authority is discussing with Eurotunnel the exact nature of the further tests required.

Eurotunnel's operating rules will have to cover matters such as the number of train drivers required to be present on the locomotives and the evacuation procedures for passengers, including the elderly and those with disabilities. Under the concession agreement, Eurotunnel is required to submit these rules for intergovernmental commission approval. When it does so, it will be for the safety authority to advise on whether the proposals are acceptable. Section 19 of the Channel Tunnel Act 1987 requires Eurotunnel to obtain from the intergovernmental commission a certificate stating that the commission is satisfied with Eurotunnel's code of practice on the conveyance of disabled persons.

Mr. Trotter: To ask the Secretary of State for Transport when he now expects to receive from British Rail its investment proposals for the trains to be used for the through passenger services to be introduced from the continent to the north of Britain.

Mr. Portillo: I understand that negotiations on the price of the trains are continuing and that BR now intends to submit its proposals in the summer.

Roll on/Roll off Ferries

8. **Mr. Janner:** To ask the Secretary of State for Transport whether he proposes to take powers to require improvements in the design of roll on/roll off ferries.

Mr. McLoughlin: My right hon. Friend the Secretary of State for Transport already has such powers by virtue of the Merchant Shipping Act 1979. On 2 April we announced the results of a Department of Transport-sponsored research programme into ways of improving the safety of ro-ro passenger ferries. This work will have significant implications for developments in ferry design throughout the world, and we have already taken steps to ensure its full consideration at the International Maritime Organisation next month.

Disabled People

13. **Mr. Wallace:** To ask the Secretary of State for Transport whether he plans any further measures to promote improved access to means of transport by disabled people.

Mr. Atkins: Our plans are set out comprehensively in the document, "Transport and Disability: a Statement of Aims and Priorities".

36. **Mr. Tom Clarke:** To ask the Secretary of State for Transport what plans he has to improve transport facilities for people with disabilities.

Mr. Atkins: Our plans are set out in "Transport and Disability: a Statement of Aims and Priorities".

We are seeking to make public transport easier to use including development of wheelchair access. We are working with vehicle designers and manufacturers to influence car design and control modifications, so as to increase opportunities for personal mobility for even the most severely disabled people.

We are also developing guidelines on design for pedestrian areas to help elderly and disabled people.

Electrification

15. **Mr. Livsey:** To ask the Secretary of State for Transport what proposals he has received for further electrification of the British Rail network.

Mr. Portillo: In the last two years alone, we have approved a further four electrification schemes for British Rail. We would welcome any further proposals from British Rail which meet its investment criteria.

50. **Mr. McAllion:** To ask the Secretary of State for Transport what is his estimate of the cost of electrifying the east coast rail line north of Edinburgh.

Mr. Portillo: It is for British Rail to estimate the cost of any electrification schemes which it wishes to propose.

Traffic Congestion (London)

16. **Mr. Bernie Grant:** To ask the Secretary of State for Transport whether he now intends to spend the £3·7 billion allocated to the road building plans for London on measures which will help to reduce congestion in the capital.

Mr. Parkinson: No financial provision was made for schemes recommended by consultants, so their rejection does not make funds available to spend on other measures. Investment of more than £6 billion is already planned to improve the transport systems that serve London.

32. **Ms. Ruddock:** To ask the Secretary of State for Transport if he will make a further statement about his plans to reduce the current levels of traffic congestion in central London.

Mr. Atkins: We are planning to start a red route pilot scheme from Highgate to Commercial road in the summer. Discussions with the local authorities are under way and there will be consultation with residents and traders. We shall also be consulting on the legislation to implement the proposals in "Traffic in London", which will be brought forward at the earliest opportunity.

33. **Mr. Cox:** To ask the Secretary of State for Transport what plans he has for the introduction of traffic-calming measures in London.

Mr. Atkins: Traffic-calming measures in London are most appropriate to local roads, which are the responsibility of the local authorities. My Department will consider grant where there are safety benefits. We will be discussing with the authorities concerned any proposals they may have for appropriate measures associated with red routes and the modest trunk road improvements we are proposing following consultation on the London assessment studies.

London Regional Transport

19. **Mr. John Marshall:** To ask the Secretary of State for Transport if he will make a statement about investment in London Regional Transport since 1986.

Mr. Portillo: Investment by London Regional Transport has increased by 50 per cent. in real terms since 1985-86 to £425 million in 1989-90. Over the next three years it will double again.

31. **Mr. Simon Hughes:** To ask the Secretary of State for Transport if he will set performance targets for the standard of service offered by London Regional Transport.

Mr. Portillo: I have already done so. I refer the hon. Member to my reply to my hon. Friend the Member for Fulham (Mr. Carrington) on 20 December at column *280*.

Horne Report

20. **Mr. Corbett:** To ask the Secretary of State for Transport what representations he has received seeking early implementation of the Horne report.

Mr. Atkins: We have received many representations from hon. Members and others seeking implementation of the Horne report's recommendations for control of public utilities' street works.

MV Marine

21. **Mr. McAvoy:** To ask the Secretary of State for Transport whether the marine accident investigation branch has yet received a copy of the Bahamian authorities' report into the loss of the MV Marine; and if he will make a statement.

Mr. McLoughlin: The marine accident investigation branch has not yet received a copy of the Bahamian authorities' report into the loss of the MV Marine. The sad loss of this vessel, and her six British crew, was debated in this House on 27 March in an Adjournment debate initiated by my hon. Friend the Member for Tynemouth (Mr. Trotter).

Newcastle Western Bypass

22. **Mr. Cousins:** To ask the Secretary of State for Transport when he expects the next stage of the Newcastle western bypass to open.

Mr. Atkins: On current planning the next stage of the bypass is due for completion in October 1990.

Midland Railway Line

23. **Mr. Flannery:** To ask the Secretary of State for Transport what recent discussions he has had with the British Railways Board about investment in the midland St. Pancras-Sheffield railway line.

Mr. Portillo: Whilst we have not had any recent discussions with British Rail on this, I know that British Rail will be providing faster trains in the new May timetable and we would be happy to see any further investment proposals which British Rail considers worth while.

British Rail (Meetings)

24. **Mr. Hind:** To ask the Secretary of State for Transport when he next plans to meet the chairman of British Rail; and what will be discussed.

25. **Mr. Leighton:** To ask the Secretary of State for Transport when he will next meet the chairman of British Rail; and what matters he proposes to discuss.

Mr. Parkinson: I next plan to meet the chairman of British Rail on Wednesday 25 April when we shall discuss a variety of railway issues.

30. **Mr. Strang:** To ask the Secretary of State for Transport when he last met the chairman of British Rail; and what subjects were discussed.

37. **Mr. Yeo:** To ask the Secretary of State for Transport when he last met the chairman of British Rail and what subjects were discussed.

Mr. Portillo: My right hon. Friend last met the chairman of British Rail on 19 April when they discussed a variety of railway issues.

34. **Mr. Macdonald:** To ask the Secretary of State for Transport when he next plans to meet the chairman of British Rail; and what matters will be discussed.

42. **Mr. Henderson:** To ask the Secretary of State for Transport when he next plans to meet the chairman of British Rail; and what matters will be discussed.

43. **Mr. Andrew Smith:** To ask the Secretary of State for Transport when he next plans to meet the chairman of British Rail; and what matters will be discussed.

54. **Mr. Orme:** To ask the Secretary of State for Transport when he next plans to meet the chairman of British Rail; and what matters will be discussed.

Mr. Portillo: I refer the hon. Members to the answer given to my hon. Friend the Member for Pembroke (Mr. Bennett) earlier today.

British Rail Engineering

27. **Mrs. Dunwoody:** To ask the Secretary of State for Transport what arrangements he has made to clawback any of the profit made by the British Rail Engineering Company following its privatisation.

Mr. Portillo: The claw-back provision agreed between British Rail and the purchasers applies to profits made in the medium term from the sale or development of BREL land.

Langbaurgh (Roads)

28. **Mr. Holt:** To ask the Secretary of State for Transport what representations he has received from Cleveland county council on roads in Langbaurgh, in particular the Guisborough bypass.

Mr. Atkins: Officials of the Department and Cleveland county council regularly meet to discuss the road network improvement programme in the county. The Guisborough bypass is one of the county council schemes which is raised for discussion from time to time.

Transport Investment Policy

29. **Mr. Fearn:** To ask the Secretary of State for Transport what is the amount of Government money to be invested in each form of transport over the next three years in order to achieve the stated aim of a balanced transport policy.

Mr. Parkinson: During the next three years, investment in transport by my Department and the nationalised industries for which I am responsible will come to £11·5 billion and plans would support some £2·5 billion by English local authorities. About £7 billion will be invested in rail, bus, air and ports and some £7 billion on roads if local authorities' present allocation between modes continues.

Manchester Airport

35. **Mr. Butler:** To ask the Secretary of State for Transport if he will pay an official visit to Manchester airport.

Mr. McLoughlin: My right hon. Friend visited Manchester airport in February. He and I have also met airport company directors on a number of occasions.

London Underground

38. **Mr. Dykes:** To ask the Secretary of State for Transport if he will meet the chairman of London Underground Ltd. to discuss improvements promised for the Metropolitan line.

Mr. Portillo: My right hon. Friend and I have regular meetings with the chairman of London Underground Limited to discuss various matters, including service improvements. Improvements being considered by LUL for the Metropolitan line include the modernisation of rolling stock, resignalling and a new train reversing facility at Moorgate, to provide greater flexibility and speed of response to unforeseen service difficulties. From 14 May, services from Amersham and Uxbridge will run to the City all day, rather than just at peak times as at present. The quality of service objectives set by my right hon. Friend on 20 December 1989 are designed to ensure that passengers on all lines get the best service that London Underground can provide.

39. **Mr. Boateng:** To ask the Secretary of State for Transport when he next plans to meet the chairman of London Underground; and whether he will be discussing matters of safety.

Mr. Portillo: I meet the chairman regularly. Safety is the top priority and can be discussed at any time either at or outside our regular meetings.

London (Buses)

40. **Mr. Carrington:** To ask the Secretary of State for Transport what plans his Department has to increase the use of buses in London.

Mr. Portillo: The Government believe that the use of buses in London will increase only if bus operators are able to offer improved standards of service. Our goal is to create an environment in which operators have the ability and the incentive to raise standards of service. Our policy of promoting competition in the London bus market, the quality of service objectives which we have set for LRT bus services and the proposals in "Traffic in London" are all intended to further this goal.

Third Party Insurance

41. **Mr. French:** To ask the Secretary of State for Transport what administrative and legislative measures he proposes to take to reduce the number of vehicles being driven without third party insurance cover.

Mr. Atkins: Enforcement of motor insurance law is for the police, who have wide powers to inspect drivers' insurance certificates. We have no plans to change current legislation or administrative procedures.

Regional Airports

45. **Mr. Amos:** To ask the Secretary of State for Transport what is the level of Government financial support for regional airports for the current financial year and for the previous year.

Mr. McLoughlin: My Department authorised borrowing totalling £29 million in 1989-90 for the development of facilities at local authority airports. For 1990-91 borrowing approvals totalling £59 million will be available. The Department does not pay grant for airport development.

49. **Mr. Irvine:** To ask the Secretary of State for Transport if he has made any estimates of the future growth of passenger traffic in regional airports.

Mr. McLoughlin: The Department's most recent air traffic forecasts for the United Kingdom, published in December 1988, predict that passenger movements at regional airports will be in the following ranges:

Million passengers per annum

	Number
1988	30·9
1995	42·1—51·0
2000	52·4—68·2
2005	62·6—87·4

The figures indicate that regional airports' share of United Kingdom passenger traffic is expected to increase from 33 per cent. to over 37 per cent. by 2005.

Network SouthEast

46. **Mr. Ian Taylor:** To ask the Secretary of State for Transport what recent representations he has received regarding the quality of service provided by Network SouthEast.

Mr. Portillo: My right hon. Friend receives many representations about Network SouthEast, the majority of which are about quality of service. He met the Central Transport Consultative Committee on 26 March.

Breath Tests

47. **Ms. Mowlam:** To ask the Secretary of State for Transport whether he will make a statement on his policy on the introduction of properly monitored random breath tests for drivers.

Mr. Atkins: My right hon. and learned Friend the Home Secretary announced on 21 March (*Official Report*, c. *635*) the Government's view that existing police powers to stop and breath test drivers strike the right balance between effective enforcement of the law and the freedom of the individual.

We shall continue to encourage the police to make the fullest possible use of the wide breath-testing powers available to them.

Rail Industry

48. **Mr. Pike:** To ask the Secretary of State for Transport when he next proposes to meet representatives of the trade unions in the rail industry.

Mr. Portillo: My right hon. Friend has no immediate plans to do so.

British Rail (Privatisation)

51. **Mr. David Evans:** To ask the Secretary of State for Transport what recent representations he has received supporting the privatisation of British Rail.

Mr. Portillo: We have received a number of such representations.

M1 (Lighting)

55. **Mr. Illsley:** To ask the Secretary of State for Transport what representations he has received regarding the lighting of the northerly sections of the M1 motorway.

Mr. Atkins: I refer the hon. Member to the answer that I gave to my hon. Friend the Member for Beverley (Mr. Cran) earlier today.

Light Railway Projects

56. **Mr. Burt:** To ask the Secretary of State for Transport how many light railway projects are planned throughout the United Kingdom.

Mr. Portillo: The Docklands light railway is being extended to Bank and Beckton, and the Tyne and Wear Metro to Newcastle airport.

The Government are providing grant for the £110 million Manchester Metrolink which is to be designed, built, operated and maintained by the private sector. This Department is in touch with the promoters of light rail projects in south Yorkshire, Avon, west midlands, Cleveland, Croydon and Nottingham. We are also aware of about 30 other schemes, most at an early stage of consideration.

Ship Inspections

Mr. Spearing: To ask the Secretary of State for Transport what steps he takes to inspect ships not registered in the United Kingdom concerning their compliance with international or recognised insurance requirements; and how many vessels were inspected for this specific purpose, or in the course of other inspections, respectively in 1989.

Mr. McLoughlin: The Secretary of State has no general powers to inspect ships not registered in the United Kingdom regarding the insurance cover they carry. Special provisions apply to oil tankers. The 1969 civil liability convention for oil pollution damage, enacted in the United Kingdom under the Merchant Shipping (Oil Pollution) Act 1971, requires the Secretary of State to ensure the presence of an appropriate insurance certificate on board vessels which transport oil in bulk. The surveyor general's organisation examines these certificates under its port state control inspection procedure. Customs authorities are similarly charged with inspecting the certificates. There is no available information on how many insurance certificates of non-United Kingdom-registered bulk oil carriers were inspected in 1989, under this procedure.

Road Accidents

Mr. Fearn: To ask the Secretary of State for Transport how many drivers of 25 years and under were involved in traffic accidents where death or serious injury occurred for each of the last five years; what percentage were female; and if he will express the figures as a percentage of the total number of drivers involved in such accidents.

Mr. Atkins: The information requested is given in the tables for the most recent five years for which figures are available. It refers to drivers of all motor vehicles, but excludes riders of two-wheeled motor vehicles.

Accidents involving drivers aged under 25

	Severity of Accident		
	Fatal	*Serious*	*Total*
1984			
Drivers 0-24	1,735	19,520	21,255
Percentage of all drivers	25	26	26
Percentage of Drivers 0-24:			
Female	13	18	18
Male	87	81	82
1985			
Drivers 0-24	1,703	19,173	20,876
Percentage of all Drivers	26	26	26
Percentage of Drivers 0-24:			
Female	12	19	18
Male	87	81	81
1986			
Drivers 0-24	1,790	19,290	21,080
Percentage of all Drivers	26	26	26
Percentage of Drivers 0-24:			
Female	14	19	19
Male	86	80	81
1987			
Drivers 0-24	1,701	18,596	20,297
Percentage of all Drivers	25	26	26
Percentage of Drivers 0-24:			
Female	15	21	20
Male	85	79	79
1988			
Drivers 0-24	1,778	19,286	21,064
Percentage of all Drivers	26	27	27
Percentage of Drivers 0-24:			
Female	13	21	20
Male	86	78	79

Mr. Fearn: To ask the Secretary of State for Transport how many persons under the age of 25 years were killed or seriously injured in traffic accidents for each of the last five years; and if he will express this as a percentage of the total for each category.

Mr. Atkins: The information requested is given in the table, for the most recent five years for which figures are available.

Persons under 25 killed or seriously injured

	Severity of injury		
	Fatal	*Serious*	*Total*
1984			
Persons 0-24	2,256	40,158	42,414
Percentage of all persons	40	55	54
1985			
Persons 0-24	2,037	37,738	39,775
Percentage of all persons	39	53	52
1986			
Persons 0-24	2,028	35,590	37,618
Percentage of all persons	38	52	51
1987			
Persons 0-24	1,931	32,346	34,277
Percentage of all persons	38	50	49
1988			
Persons 0-24	1,862	30,965	32,827
Percentage of all persons	37	49	48

Mr. Fearn: To ask the Secretary of State for Transport how many drivers over the age of *(a)* 60 and *(b)* 70 years were involved in accidents where death or serious injury occurred for each of the last five years; and if he will express this as a percentage of the total for each category.

Mr. Atkins: The information requested is given in the tables, for the most recent five years for which figures are available. It refers to drivers of all motor vehicles, but excludes riders of two-wheeled motor vehicles.

Accidents involving drivers over 60

	Severity of accident		
	Fatal	*Serious*	*Total*
1984			
Drivers 60+	672	6,240	6,912
Percentage of all drivers	10	8	9
Drivers 70+	263	2,110	2,373
Percentage of all drivers	4	3	3
1985			
Drivers 60+	625	6,159	6,784
Percentage of all drivers	10	8	8
Drivers 70+	249	2,246	2,495
Percentage of all drivers	4	3	3
1986			
Drivers 60+	660	6,011	6,671
Percentage of all drivers	10	8	8
Drivers 70+	280	2,128	2,408
Percentage of all drivers	4	3	3
1987			
Drivers 60+	642	5,515	6,157
Percentage of all drivers	10	8	8
Drivers 70+	272	1,994	2,266
Percentage of all drivers	4	3	3
1988			
Drivers 60+	625	5,847	6,472
Percentage of all drivers	9	8	8
Drivers 70+	279	2,150	2,429
Percentage of all drivers	4	3	3

Mr. Fearn: To ask the Secretary of State for Transport how many persons over the age of *(a)* 60 and *(b)* 70 years were killed or seriously injured in traffic accidents for each of the last five years; and if he will express this as a percentage of the total number of deaths and seriously injured.

Mr. Atkins: The information requested is given in the table, for the most recent five years for which figures are available.

Persons over 60 killed or seriously injured

	Severity of injury		
	Fatal	*Serious*	*Total*
1984			
Persons 60+	1,466	8,559	10,025
Percentage of all persons	26	12	13
Persons 70+	987	4,685	5,672
Percentage of all persons	18	6	7
1985			
Persons 60+	1,411	8,439	9,850
Percentage of all persons	27	12	13
Persons 70+	923	4,568	5,491
Percentage of all persons	18	6	7
1986			
Persons 60+	1,491	8,526	10,017
Percentage of all persons	28	12	14
Persons 70+	1,007	4,706	5,713
Percentage of all persons	19	7	8
1987			
Persons 60+	1,395	7,686	9,081
Percentage of all persons	27	12	13
Persons 70+	949	4,281	5,230
Percentage of all persons	19	7	8
1988			
Persons 60+	1,389	8,128	9,517
Percentage of all persons	27	13	14
Persons 70+	948	4,538	5,486
Percentage of all persons	19	7	8

Marine Pollution

Mr. Simon Hughes: To ask the Secretary of State for Transport what steps he is taking to eliminate discharges from shipping harmful to the marine environment; and if he will make a statement.

Mr. McLoughlin: The United Kingdom has acceded to the international convention for the prevention of pollution from ships 1973 and its protocol of 1978, and to two of the optional annexes. Annex I deals with pollution by oil, annex II by chemicals in bulk, annex III by harmful substances carried in packaged form and annex V by garbage. There is a legal obligation for ships registered in the United Kingdom to observe the requirements set out in annexes I, II and V. Annex III comes into force in 1991. Other ships in United Kingdom ports and waters also have to meet these requirements under the terms of the convention. The regulations are enforced by inspections in port and by the regular patrolling of shipping lanes by surveillance aircraft which have been increased by more than 60 per cent. with effect from the beginning of April 1990. These efforts have been strengthened by agreements reached last month at the third North sea conference in The Hague.

Mr. Simon Hughes: To ask the Secretary of State for Transport if he will make a statement on the application of annex V of the MARPOL convention 73/78.

Mr. McLoughlin: Annex V of the MARPOL convention 73/78 came into force internationally on 31 December 1988. The Merchant Shipping (Prevention of Pollution by Garbage) Regulations 1988 (statutory instrument 1988/2292) which came into force on the same day apply the provisions of this annex to United Kingdom ships, and to other ships when they are within the United Kingdom or its territorial waters. The Merchant Shipping (Reception Facilities for Garbage) Regulations 1988 (statutory instrument 1988/2293) require harbour authorities and terminal operators to provide reception facilities for garbage adequate to meet the needs of ships using the harbour or terminal. The Department has organised a poster campaign under the title "Over the Side is Over" to publicise the introduction of annex V and has issued a merchant shipping notice (M1389) to further advise seafarers of its provisions. Marine surveyors who visit ships as part of their duties are instructed to examine and report on the on board arrangements for handling garbage.

Radioactive Material

Mr. Simon Hughes: To ask the Secretary of State for Transport how many movements of radioactive material there were in the United Kingdom in each of the years from 1980-1989; and for each year what percentage of movements were by road, what percentage by rail, and what percentage by air, respectively.

Mr. Atkins: My Department does not collect this information.

The International Atomic Energy Agency is setting up a database and it may be possible to provide information on the mode of transport in future years.

Mr. Simon Hughes: To ask the Secretary of State for Transport if he will make it his policy to prohibit the overnight parking in urban areas of vehicles and trains carrying flasks containing radioactive material; and if he will make a statement.

Mr. Portillo: The Radioactive Substances (Carriage by Road) (Great Britain) Regulations do not permit the overnight parking of road vehicles carrying loaded irradiated fuel flasks in any area to which the general public has access. Flasks carried by rail which need to be kept overnight for operational reasons are held in the security of BR Board's private premises. It would not be practicable to make the distinction in these arrangements between urban and non-urban areas.

Mr. Simon Hughes: To ask the Secretary of State for Transport if he will make it his policy for local authorities with responsibility for emergency planning to be notified in advance of the movement of high-level radioactive material through their areas.

Mr. Atkins: Contingency plans exist to provide a rapid radiological response to any incident involving radioactive materials in transit. Guidance has been provided by the Home Office to local authority emergency services. Prior notification would not contribute further to transport safety.

Railways (Intensified Use)

Mr. Roy Hughes: To ask the Secretary of State for Transport if there are any plans to provide compensation for domestic householders affected by intensified use of existing rail lines.

Mr. Portillo: The Government have no plans to impose such an obligation.

Mr. Roy Hughes: To ask the Secretary of State for Transport what regulations exist concerning the effects of noise in domestic households arising from intensified use of existing rail lines.

Mr. Portillo: None.

Investment Criteria

Mr. Adley: To ask the Secretary of State for Transport when he last reviewed the investment criteria as between road and rail employed by his Department; and what weight he gives to environmental factors therein.

Mr. Portillo: We keep the investment criteria between road and rail under continuous review. Environmental factors, where relevant, are fully taken into account when reaching decisions, although in general it is difficult to place monetary values on environmental effects.

Severn Bridge

Mr. Flynn: To ask the Secretary of State for Transport if he will arrange for tolls on the present Severn bridge to be collected only on the route into Wales.

Mr. Atkins: I have no plans to do so.

Vehicle Excise Duty

Mr. Patrick Thompson: To ask the Secretary of State for Transport when the report of the efficiency scrutiny of vehicle excise duty enforcement will be available.

Mr. Parkinson: I have today placed copies of this report in the Libraries of both Houses. The scrutiny has produced a substantial and lucid study of a major part of the activities of the Department's new driver and vehicle licensing agency. Its 28 principal recommendations propose improvements in the management and detailed policy objectives of vehicle excise duty enforcement. Some can be adopted without delay, some will need the agreement of the police, courts and other Departments, and some would require legislation. As is usual for efficiency scrutiny reports, an action plan on the recommendations is now to be drawn up.

M1 (Repairs)

Mr. Madel: To ask the Secretary of State for Transport when the current repairs to the M1 between junctions 8 and 9 are complete what proportion of that section will have been widened to four lanes; and if he will make a statement.

Mr. Atkins: The major maintenance works in progress consist of essential resurfacing and drainage renewal. No widening is being carried out at this stage.

Hertfordshire county council has recently been commissioned to carry out design work in widening of the M1 between junctions 6A and 10. Possible options will be considered carefully. The public will then be consulted and a preferred option announced in due course.

SCOTLAND

Leukaemia

Mrs. Ray Michie: To ask the Secretary of State for Scotland (1) if he will give a breakdown by age group of the figures supplied in his answer to the hon. Member for Argyll and Bute of 1 March, *Official Report*, column *600*, on recorded cases of leukaemia and non-Hodgkin's lymphoma;

(2) whether the figures in this answer of 1 March, *Official Report*, column *600*, on recorded cases of leukaemia and non-Hodgkin's lymphoma included *(a)* United States naval personnel and their families and *(b)* postcode sectors PA23, PA27 and PA28.

Mr. Michael Forsyth: The breakdown requested is set out in the tables.

United States naval personnel and their families would have been included in these figures if they were treated for cancer in Scottish hospitals.

The tables show the total number of registrations in Dunoon and the surrounding area covered by postcode sectors PA23.7 and PA23.8 during the years 1975 to 1987. For the earlier years, 1968-74, which predate the postcode system, the Dunoon and Kilmun parish was used.

Leukaemia registrations.

As in table.

Non-Hodgkin's lymphoma registrations.

As in table.

Non-Hodgkin's Lymphoma Registrations

Year	Age 0-14	15-24	25-34	35-44	45-54	55-64	65-74	75-84	85+	Total
1968	0	0	0	0	0	0	0	1	0	1
1969	0	0	0	0	0	0	0	0	0	0
1970	0	0	0	0	0	0	2	1	0	3
1971	0	0	0	0	0	0	1	1	1	3
1972	0	0	0	0	0	0	2	0	0	2
1973	0	0	0	0	0	0	2	1	0	3
1974	1	0	0	0	1	0	1	0	0	3
1975	0	0	0	0	0	0	1	1	0	2
1976	0	0	0	0	0	0	0	1	0	1
1977	0	0	0	0	0	0	0	0	0	0
1978	0	0	0	0	0	1	0	0	0	1
1979	0	0	0	0	0	1	0	0	0	1
1980	0	0	0	0	0	0	1	2	0	3
1981	0	0	0	0	0	0	1	0	0	1
1982	1	0	0	0	1	0	1	0	0	3
1983	0	0	0	0	0	1	0	0	0	1
1984	0	0	0	1	1	0	2	0	0	4
1985	0	0	0	0	0	0	0	1	0	1
1986	0	0	0	0	0	0	1	0	0	1
1987	0	0	0	1	0	0	1	1	0	3
Total	2	0	0	2	3	4	16	10	0	37

Leukaemia registrations

Year	Age 0 to 14	15 to 24	25 to 34	35 to 44	45 to 54	55 to 64	65 to 74	75 to 84	85+	Total
1968	0	0	0	0	0	0	1	2	0	3
1969	1	0	0	0	0	0	0	0	0	1
1970	0	0	0	0	0	0	0	0	0	0
1971	0	0	0	0	0	0	0	0	0	0
1972	0	0	0	0	0	0	1	2	0	3
1973	0	0	0	0	0	0	0	0	0	0
1974	0	0	0	0	0	0	0	0	0	0
1975	0	0	0	0	0	0	0	1	0	1
1976	0	0	0	0	1	1	0	1	0	3
1977	1	0	0	0	0	1	1	0	0	3
1978	0	0	0	0	0	0	0	1	0	1
1979	0	0	0	0	0	0	0	0	0	0
1980	0	1	0	0	0	0	1	0	0	2
1981	0	0	0	0	0	0	1	0	0	1
1982	0	0	0	0	0	0	1	1	0	2
1983	0	0	0	0	0	0	0	1	0	1
1984	0	0	0	0	0	0	0	0	0	0
1985	0	0	0	0	0	1	0	1	0	2
1986	0	0	0	0	0	0	0	0	0	0
1987	0	0	0	0	1	0	0	0	0	1
TOTAL	2	1	0	0	2	3	6	10	0	24

Rates Collection

Mr. Dewar: To ask the Secretary of State for Scotland what was the cost of collecting rates in Scotland per pound collected in each year from 1986-87 until the most recent year for which figures are available; and if he will give separate estimates for both domestic and non-domestic rates collection costs for the same period.

Mr. Rifkind: The costs of collecting the rates in Scotland for the years 1986-87 to 1989-90 together with the collection costs per pound collected for the same period are as follows:

	Collection Costs £ million	Cost of collection per £ collected pence
1986-87	10·9	0·57
1987-88	12·1	0·57
1988-89	15·5	0·68
1989-90	1·6	0·13

The information for the years 1986-87 to 1988-89 inclusive is based on the costs relating to the collection of all rates in Scotland. Separate figures are not held centrally for domestic and non-domestic rates for these years. The figures for 1989-90 relate to non-domestic rates only.

Contaminated Land

Mr. Andrew Welsh: To ask the Secretary of State for Scotland if, pursuant to his answer to the hon. Member for Angus, East, *Official Report*, 30 March, column *360*, he will list in the *Official Report*, the findings of the 1988 pilot survey of vacant land in Scotland, and the follow-up study when it is completed.

Lord James Douglas-Hamilton: The main findings of the pilot Scottish vacant land survey were as follows:

There were 7,392 ha of derelict land and 5,060 ha of vacant land recorded in Scotland, a total of 12,452 ha.

There were 5,261 vacant or derelict sites.

Three per cent. of land was known to be contaminated, 7 per cent. suspected and 32 per cent. not suspected. The situation was unknown for 58 per cent.

A commentary outlining the results of the survey has been placed in the Library. More information from the survey is available from the local authorities. The findings of the follow-up study will be published in due course.

Regional Expenditure

Mr. Dewar: To ask the Secretary of State for Scotland if he will give details of the expenditure of each Scottish region and island council, by function, in each year from 1978-79 in *(a)* cash terms and *(b)* constant prices; and if he will indicate the percentage increase in each year in real terms.

Mr. Rifkind: The information requested by the hon. Gentleman has today been placed in the Library of the House.

Scottish Homes

Mr. Galbraith: To ask the Secretary of State for Scotland if he will give for each constituency *(a)* the amount spent by Scottish Homes in the financial year 1989-90, and *(b)* the amount projected to be spent in 1990-91.

Lord James Douglas-Hamilton: In approving Scottish Homes programme for any year, my right hon. and learned Friend also agrees the amounts which Scottish Homes proposes should be spent on particular functions. The allocation of funds to specific areas is then a matter for Scottish Homes.

Birds of Prey

Mr. Tony Banks: To ask the Secretary of State for Scotland how many prosecutions have been taken out against persons alleged to have poisoned or trapped birds of prey in each of the last three years; and how many convictions were secured.

Lord James Douglas-Hamilton: The information requested is not collected centrally.

Pesticides

Mr. Malcolm Bruce: To ask the Secretary of State for Scotland what assessment he has made of the impact on the marine environment resulting from the use of organophosphorous pesticides in salmon farming; and if he will make a statement.

Mr. Lang: I refer to my reply to the hon. Member for Greenock and Port Glasgow (Dr. Godman) on 25 January.

A report on work by DAFS scientists on toxicity of Aquagard to other species is currently being prepared for publication.

Nurses

Mr. McAllion: To ask the Secretary of State for Scotland if he will list in the *Official Report* the different kinds of conversion courses and bridging courses currently available to nurses within the National Health Service in Scotland.

Mr. Michael Forsyth: In Scotland conversion courses are available in general, mental illness, mental handicap and sick children's nursing. They are open to first level registered nurses wishing to qualify in a different field of nursing and to second level nurses seeking eligibility to register as first level. Access by second level nurses is through a flexible programme of bridging studies tailored to individual needs.

Crofters (Building Grants)

Mr. Maclennan: To ask the Secretary of State for Scotland how many applicants, for each of the last 10 years, have been refused assistance under the crofters etc. building grants and loans scheme on the grounds of their income being considered too low to meet the loan repayments.

Lord James Douglas-Hamilton *[holding answer 20 April 1990]:* During the past 10 years only four applications have been refused solely on the grounds that an applicant had insufficient income, and could not provide a satisfactory guarantee or guarantor, for repayment of a loan.

Ambulance Dispute

Dr. Godman: To ask the Secretary of State for Scotland what was the final cost to each health board of the provision of cover by the police and other bodies during the ambulance service dispute; and what was the total cost to public funds of the dispute.

Mr. Michael Forsyth *[holding answer 20 April 1990]:* Final costs of the assistance provided by police and other bodies during the dispute are not yet available. Those costs incurred by health boards will be reimbursed by the Common Services Agency.

Road Casualties

Dr. Godman: To ask the Secretary of State for Scotland if he has made any analysis of the likely effects on the total of road casualties if the clock were to be advanced by one hour throughout the next five years.

Lord James Douglas-Hamilton *[holding answer 20 April 1990]:* I refer the hon. Member to paragraphs 28 to 36 of the Green Paper "Summer Time: A Consultation Document" (Cm. 722), copies of which are in the Library of the House.

TRADE AND INDUSTRY

Iraq (Arms Component Exports)

Mr. Flynn: To ask the Secretary of State for Trade and Industry if he will initiate an investigation into the role played by Euromac Ltd. of Thames Ditton in the sale of nuclear weapons components to Iraq.

Mr. Ridley: Any evidence of alleged breaches of the United Kingdom's export controls is carefully investigated. The particular incident to which the hon. Member refers is currently the subject of legal proceedings.

Mr. Dalyell: To ask the Secretary of State for Trade and Industry on what date he received the first indications that there was a problem in relation to the export from Walter Somers and Company concerning forgings and related equipment destined for Iraq.

Mr. Ridley: Earlier this month.

Hong Kong

Mr. John Marshall: To ask the Secretary of State for Trade and Industry what is the level of British exports to Hong Kong; and what is the level of invisible income from Hong Kong.

Mr. Redwood: Information on the value of United Kingdom visible exports to Hong Kong is published in the "Overseas Trade Statistics of the United Kingdom", *Business Monitor* MM20, tables Ib and V. Information on invisible income is not available.

Accounting Practices

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry whether he will introduce legislation to require auditors to adopt an active approach to satisfy themselves regarding the going concern assumption specified in paragraph 10 of schedule 4 of the Companies Act 1985.

Mr. Redwood: No. Auditing guidelines already advise auditors of the need, when planning, performing and evaluating the results of their audit procedures, to be satisfied that the going concern basis of the accounts is appropriate.

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry whether he will appoint an independent committee of inquiry to examine the possibility of requiring all large companies to have an annual social audit.

Mr. Redwood: No. I refer the hon. Member to the answer that I gave to his question on 3 April at column *507*.

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry whether he will amend the Partnerships Acts to require all firms authorised to act as auditors to file annual reports and accounts.

Mr. Redwood: No. I refer the hon. Member to the answer that I gave to his question on 21 February at column *781*.

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry whether he will introduce legislation to require company auditors to state in their audit report the matters for which they claim not to be responsible.

Mr. Redwood: No. I refer the hon. Member to the answer that I gave to his question on 5 April at column *803*.

Shareholder Rights

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry whether, following the recent House of Lords ruling on Caparo Industries plc *v.* Dickman and Otters (1) he will introduce legislation to restore the shareholder rights existing prior to that case;

(2) he will introduce legislation to clarify auditor responsibility to shareholders.

Mr. Redwood: We have no plans to do so.

Cotton Goods

Mr. Henderson: To ask the Secretary of State for Trade and Industry what is his assessment of the implications for sales of cotton goods in north-east Lancashire if the multi-fibre arrangement is not renewed.

Mr. Redwood *[holding answer 18 April 1990]:* The implications of the non-renewal of the multi-fibre arrangement for sales of cotton goods produced in north-east Lancashire will depend on a number of factors. These include the exact arrangements for phasing out MFA restrictions over a transitional period, which remain to be negotiated, and the extent to which Lancashire production is competitive in meeting the needs of customers. The Government are continuing to press the case within the EC for satisfactory transitional arrangements.

DEFENCE

Ship Charters

Mr. Gareth Wardell: To ask the Secretary of State for Defence if he intends to use only British merchant ships for Ministry of Defence charters.

Mr. Archie Hamilton: I refer the hon. Member to the answer I gave to my hon. Friend the Member for Harborough (Sir J. Farr) on 18 April, *Official Report*, column *939*.

Joint Ocean Surveillance Information Centre

Mr. Cohen: To ask the Secretary of State for Defence (1) from which subheads of which votes the annual operating costs of the joint ocean surveillance information centre are taken;

(2) if he will make a statement on the joint ocean surveillance information centre;

(3) in which year the joint ocean surveillance information centre was established;

(4) what geographical areas are covered by the joint ocean surveillance information centre;

(5) what is the annual operating cost of the joint ocean surveillance information centre;

(6) what sources of information are used to input data into the joint ocean surveillance information centre;

(7) where the joint ocean surveillance information centre is located;

(8) whether information gathered by the joint ocean surveillance information centre would be used as a real-time data input into *(a)* UKADGE or *(b)* NADGE;

(9) whether the United States of America makes any financial contribution to the annual operating cost of the joint ocean surveillance information centre.

Mr. Archie Hamilton: The annual operating costs of the joint ocean surveillance intelligence centre, which was established in 1990 and is located at HMS Warrior, are some £2·7 million from votes 1A1 and 2F. It would not be in the public interest to disclose the other information for which the hon. Gentleman has asked.

Over-the-horizon Radar

Mr. Cohen: To ask the Secretary of State for Defence (1) from which subheads of which votes the United Kingdom's financial contribution to the cost of construction in support of the proposed relocatable over-the-horizon radar to be built at RAF Brawdy and associated sites will be taken;

(2) from which subheads of which votes the United Kingdom financial contribution to the cost of design work for the construction in support of the proposed relocatable over-the-horizon radar to be built at RAF Brawdy and associated sites will be taken.

Mr. Alan Clark: The United Kingdom's financial contribution to construction, including design work, in support of a two-year trial of a United States over-the-horizon radar in the United Kingdom will be taken from the Royal Navy and Royal Air Force subheads of defence vote 2.

Mr. Cohen: To ask the Secretary of State for Defence from which subheads of which votes the United Kingdom's financial contribution to the cost of the proposed relocatable over-the-horizon radar equipment to be installed at RAF Brawdy and associated sites will be taken.

Mr. Alan Clark: The United Kingdom Government will be making no financial contribution to the costs of the United States over-the-horizon radar equipment to be located for a two-year trial in the United Kingdom.

Mr. Cohen: To ask the Secretary of State for Defence from which subheads of which votes the United Kingdom's financial contribution to the annual operating costs of the proposed relocatable over-the-horizon radar will be taken.

Mr. Alan Clark: The United Kingdom's financial contribution to the running costs of the two-year trial of an over-the-horizon radar will be taken from the Royal Navy and the Royal Air Force subheads of defence votes 1 and 2.

Mr. Cohen: To ask the Secretary of State for Defence (1) if he will list each of the joint United Kingdom-United States over-the-horizon research, development, testing and evaluation experiments in which his Department has participated or contributed funds;

(2) if he will make a statement on the over-the-horizon radar experiment known as "Cobra Mist";

(3) what is the bearing by true north of the centreline of the sector that will be covered by the proposed relocatable over-the-horizon radar;

(4) what were the dates of *(a)* commencement and *(b)* cessation of the over-the-horizon experiment known as "Cold Witness";

(5) what were the dates of *(a)* commencement and *(b)* cessation of the over-the-horizon experiment known as "Cobra Mist";

(6) where was the site of the experimental radar system that was used during the over-the-horizon experiment known as "Cold Witness";

(7) where was the site of the experimental radar system that was used during the over-the-horizon experiment known as "Cobra Mist";

(8) whether the radar used during the over-the-horizon experiment known as "Cold Witness" had its receiver and transmitter antenna at the same location;

(9) whether the radar used during the over-the-horizon experiment known as "Cobra Mist" had its receiver and transmitter antenna at the same location.

Mr. Alan Clark: This information is classified.

Mr. Cohen: To ask the Secretary of State for Defence (1) if he will make a statement on the over-the-horizon radar experiment known as "Cold Witness";

(2) what is the connection between the over-the-horizon radar experiments "Cobra Mist" and "Cold Witness" and the proposed relocatable over-the-horizon radar to be built at RAF Brawdy and associated sites.

Mr. Alan Clark: "Cold Witness" was at one time the name given to a joint United Kingdom-United States programme of studies aimed at testing the feasibility of siting an over-the-horizon radar in the United Kingdom. I refer the hon. Member to the written answer given to the former right hon. Member for Western Isles on 21 December 1984 at column *378*.

The results of the joint programme of studies have now been fully considered, and a decision has been taken in principle to undertake a joint two-year trial of an over-the-horizon radar in the United Kingdom.

Mr. Cohen: To ask the Secretary of State for Defence what are the dimensions of the receiving antenna for the proposed relocatable over-the-horizon radar to be installed at Blakehill in terms of *(a)* longest length and *(b)* area covered.

Mr. Alan Clark: The length of the receiving antenna of the proposed over-the-horizon radar, to be sited at Blakehill radio station, Wiltshire, is 8,500 ft. The total area required for the installation is 145 acres.

Mr. Cohen: To ask the Secretary of State for Defence what are the dimensions of the transmitting antenna for the proposed relocatable over-the-horizon radar to be installed at RAF Brawdy in terms of *(a)* longest length and *(b)* area covered.

Mr. Alan Clark: The length of the transmitting antenna of the proposed over-the-horizon radar, to be sited at St. David's airfield, Pembrokeshire, is 2,480 ft. The total area required for the installation is 85 acres.

Mr. Cohen: To ask the Secretary of State for Defence what exclusion zones are planned round the transmitting antenna of the proposed relocatable over-the-horizon radar to be built at RAF Brawdy for people at ground level.

Mr. Alan Clark: The transmitter site for the two-year trial of an over-the-horizon radar in the United Kingdom will be at the MOD-owned St. David's airfield, Pembrokeshire. A safety exclusion zone, within which a radio-frequency hazard could exist, will be established around the transmitter. This safety exclusion zone will be well within the boundary of the site.

Mr. Cohen: To ask the Secretary of State for Defence what exclusion zones are planned round the transmitting antenna of the proposed relocatable over-the-horizon radar to be built at RAF Brawdy for aircraft.

Mr. Alan Clark: Notification of a high intensity radio transmission area (HIRTA) will be made as part of the process of application for military clearance to use the site. Details will be made available to the national air traffic services and the civil aviation community.

Mr. Cohen: To ask the Secretary of State for Defence what is *(a)* the maximum range and *(b)* the minimum range of the proposed relocatable over-the-horizon radar.

Mr. Alan Clark: The theoretical maximum and minimum ranges of an over-the-horizon radar are 1,600 nautical miles and 500 nautical miles respectively.

Mr. Cohen: To ask the Secretary of State for Defence what is the United Kingdom financial contribution to the cost of the proposed relocatable over-the-horizon radar equipment.

Mr. Alan Clark: None. The equipment for the trial of an over-the-horizon radar in the United Kingdom will be provided by the United States Government.

Mr. Cohen: To ask the Secretary of State for Defence what is the number of *(a)* United Kingdom military personnel, *(b)* United Kingdom civilian personnel, *(c)* United States military personnel and *(d)* United States civilian personnel who will be based at the transmitter site of the proposed relocatable over-the-horizon radar.

Mr. Alan Clark: No United Kingdom or United States military personnel will be based at the transmitter site of the proposed over-the-horizon radar. Up to 19 civilian maintenance and support staff will be based there; the proportion that will be United Kingdom personnel has yet to be determined.

Mr. Cohen: To ask the Secretary of State for Defence (1) what is the number of *(a)* United Kingdom personnel, *(b)* United Kingdom civilian personnel, *(c)* United States military personnel and *(d)* United States civilian personnel who will be based at the receiver site of the proposed relocatable over-the-horizon radar;

(2) what is the number of *(a)* United Kingdom personnel, *(b)* United Kingdom civilian personnel, *(c)* United States military personnel and *(d)* United States civilian personnel who will be based at the operations control centre of the proposed relocatable over-the-horizon radar.

Mr. Alan Clark: Sixty United Kingdom military personnel will be based at the receiver site of the proposed over-the-horizon radar, including the control centre. A small number of United States military personnel, and a number of civilian staff of both nationalities, will also be stationed at Blakehill. Precise numbers have yet to be determined.

Mr. Cohen: To ask the Secretary of State for Defence what is the proposed location for the operations control centre for the relocatable over-the-horizon radar.

Mr. Alan Clark: The control centre for the two-year trial of an over-the-horizon radar in the United Kingdom will be collocated with the receiver at the Blakehill radio station, Wiltshire.

Mr. Cohen: To ask the Secretary of State for Defence what is the total acreage of land to be used by the proposed relocatable over-the-horizon radar station at RAF Brawdy and associated sites.

Mr. Alan Clark: The total area required at St. David's airfield, Dyfed, the site of the transmitter for a two-year trial of an over-the-horizon radar in the United Kingdom is 85 acres, including buildings and a safety exclusion zone around the installation. The total area required at Blakehill radio station, Wiltshire, the site of the receiver, is 145 acres, including buildings.

Mr. Cohen: To ask the Secretary of State for Defence (1) what is the United Kingdom's financial contribution to the cost of construction in support of the proposed relocatable over-the-horizon radar;

(2) what is the United Kingdom's financial contribution to the cost of design work for the construction in support of the proposed relocatable over-the-horizon radar.

Mr. Alan Clark: The United Kingdom Government will bear the full cost of preparing the sites, including all design and construction work, for the two-year trial of an over-the-horizon radar. The maximum cost of this work is expected to be £11·3 million. It is not practicable to separate the cost of design work from that of the construction itself.

Mr. Cohen: To ask the Secretary of State for Defence what studies his Department has carried out into the potential problems of interference with the signal returns to a relocatable over-the-horizon radar caused by aircraft flying through the radar beams close to the transmitter site.

Mr. Alan Clark: The characteristics of the over-the-horizon radar, and the way in which it is to be operated during its two-year trial, lead us to conclude that there will be no such problems.

Mr. Cohen: To ask the Secretary of State for Defence what will be the United Kingdom's financial contribution to the annual operating costs of the proposed relocatable over-the-horizon radar.

Mr. Alan Clark: The cost of the United Kingdom's contribution, including manpower, to the operating costs of the proposed two-year trial of an over-the-horizon radar will be about £3 million in each year.

Mr. Cohen: To ask the Secretary of State for Defence when he was first made aware of United States proposals to instal a relocatable over-the-horizon radar at RAF Brawdy and associated sites.

Mr. Alan Clark: Defence Ministers have been aware for a number of years of the joint UK-US programme of studies aimed at testing the feasibility of siting an over-the-horizon radar system in the United Kingdom. I refer the hon. Member to the written answers given by my predecessor, my right hon. Friend the then Member for Bosworth, to the hon. Member for Houghton and Washington (Mr. Boyes) and the then right hon. Member for Western Isles on 21 December 1984 at column *378*.

Mr. Cohen: To ask the Secretary of State for Defence whether any formal agreement has been signed between Her Majesty's Government and the United States Government, or any armed service or agency under the control of the United States Government, regarding use of the proposed relocatable over-the-horizon radar.

Mr. Alan Clark: A memorandum of understanding between the United Kingdom and United States Governments was signed on 20 April 1990 covering the planned two-year trial of a United States navy over-the-horizon radar in the United Kingdom.

Mr. Cohen: To ask the Secretary of State for Defence (1) if the proposed relocatable over-the-horizon radar to be built at RAF Brawdy and associated sites will be linked to the joint ocean surveillance information centre;

(2) whether information gathered from the proposed relocatable over-the-horizon radar to be built at RAF Brawdy and associated sites would be used as a real-time data input into *(a)* UKADGE or *(b)* NADGE.

Mr. Alan Clark: It would be premature to consider the possible operational assignment of an over-the-horizon radar in the United Kingdom before the results of its planned two-year trial have been fully assessed.

Mr. Nicholas Bennett: To ask the Secretary of State for Defence what is the necessity for the proposed over-the-horizon radar installation on the site of the former St. David's airfield, Pembrokeshire.

Mr. Alan Clark: Studies have indicated that an over-the-horizon radar (OTHR) situated in the United Kingdom could substantially enhance our air defence and early warning capabilities. No firm decision has been taken to put such a radar into operational service. We have, however, decided in principle to embark on a two-year joint trial, with the United States Government, of a United States navy OTHR to demonstrate whether the possible advantages of this radar can be achieved in practice.

Mr. Nicholas Bennett: To ask the Secretary of State for Defence what estimates he has as to the annual running costs of the proposed over-the-horizon radar installation on the site of the former St. David's airfield, Pembrokeshire.

Mr. Alan Clark: Once the proposed over-the-horizon radar transmitter is installed, the running costs of its two-year trial are expected to be limited to those of manpower, maintenance and the consumption of utilities and spares. It is not possible to be more precise at this stage.

Mr. Nicholas Bennett: To ask the Secretary of State for Defence why the hon. Member for Pembroke was not given prior warning of the proposal to construct an over-the-horizon radar installation on the site of the former St. David's airfield in his constituency.

Mr. Alan Clark: I wrote to my hon. Friend on 29 March 1990, as soon as possible after a formal decision had been taken in principle to undertake a two-year trial of an over-the-horizon radar in the United Kingdom.

I greatly regret that, in error, my hon. Friend was not informed in November 1988 that consideration was being given to undertaking the trial.

Mr. Nicholas Bennett: To ask the Secretary of State for Defence when Preseli-Pembrokeshire district council was first informed of the proposed over-the-horizon radar installation at the former St. David's airfield, Pembrokeshire.

Mr. Alan Clark: There is no formal requirement for the Ministry of Defence to inform the Preseli-Pembrokeshire district council of the proposed installation of an over-the-horizon radar at St. David's airfield. I understand, however, that the Pembrokeshire national park authorities plan fully to consult local communities and all other interested parties once the formal notice of proposed development has been submitted.

Mr. Nicholas Bennett: To ask the Secretary of State for Defence (1) what impact the installation of the proposed over-the-horizon radar at St. David's airfield, Pembrokeshire, would have on the local tourist industry;

(2) what measures are proposed to protect the environment of the Pembrokeshire national park in the event of the construction of the proposed over-the-horizon radar installation taking place on the site of the former St. David's airfield, Pembrokeshire;

(3) what impact the proposed over-the-horizon radar installation at the former St. David's airfield, Pembrokeshire, would have on the local farming community;

(4) what impact the proposed over-the-horizon radar installation on the site of the former St. David's airfield, Pembrokeshire, would have on the local economy of the area.

Mr. Alan Clark: This will be one of the aspects to be fully considered by the independent environmental impact assessment of the proposed installation, which will be undertaken shortly.

Mr. Nicholas Bennett: To ask the Secretary of State for Defence what financial contribution is to be made by the United States Government towards the construction of the proposed over-the-horizon radar installation on the site of the former St. David's airfield, Pembrokeshire.

Mr. Alan Clark: The United States Government will be responsible for providing, installing and preparing for operation the over-the-horizon radar planned to be situated in the United Kingdom for a two-year trial.

Mr. Nicholas Bennett: To ask the Secretary of State for Defence whether, if approved for construction, the proposed over-the-horizon radar installation on the site of the former St. David's airfield, Pembrokeshire, will be built by private enterprise companies after tender.

Mr. Alan Clark: Yes.

Mr. Nicholas Bennett: To ask the Secretary of State for Defence if he will give the exact Ordnance Survey grid reference for the proposed over-the-horizon radar installation at the former St. David's airfield, Pembrokeshire.

Mr. Alan Clark: The proposed over-the-horizon radar transmitter to be installed at St. David's airfield, Dyfed, will be situated in the area around grid reference SM 7907 east/2551 north. The exact location will depend on the outcome of the planned environmental impact assessment.

Mr. Nicholas Bennett: To ask the Secretary of State for Defence whether any interference would be caused to radio, television or other telecommunications equipment by the operation of the proposed over-the-horizon radar installation on the site of the former St. David's airfield, Pembrokeshire; and if he will make a statement.

Mr. Alan Clark: The design of the planned over-the-horizon radar transmitter to be installed at St. David's airfield, Dyfed, is such that no interference to radio, television or other telecommunications facilities is expected.

Mr. Nicholas Bennett: To ask the Secretary of State for Defence what information he has as to any hazards to health which might be found within the boundary of the proposed over-the-horizon radar installation on the site of the former St. David's airfield, Pembrokeshire.

Mr. Alan Clark: The proposed over-the-horizon radar transmitter to be installed at St. David's airfield, Dyfed, will emit high-frequency electromagnetic radiation. In common with radiation from similar sources, such as radio broadcast transmitters, such radiation can, at very close ranges, be harmful. A safety exclusion zone will therefore be installed around the transmitter; its boundary will be well within the MOD perimeter boundary of the airfield.

Mr. Nicholas Bennett: To ask the Secretary of State for Defence how many other sites were considered for the proposed over-the-horizon radar installation which is proposed for the former St. David's airfield, Pembrokeshire.

Mr. Alan Clark: A total of 166 sites were considered for the installation of either the transmitter or the receiver for the proposed trial of an over-the-horizon radar in the United Kingdom.

Mr. Nicholas Bennett: To ask the Secretary of State for Defence who was informed of the proposed over-the-horizon radar installation for St. David's airfield, Pembrokeshire, in November 1988; and what response was received from those so informed.

Mr. Alan Clark: The then Parly Under-Secretary of State for the Armed Forces, my hon. Friend the Member for Kettering (Mr. Freeman), wrote to inform my hon. Friend the Member for Wiltshire, North (Mr. Needham) and the hon. Member for Ceredigion and Pembroke, North (Mr. Howells) on 22 November 1988 that the Ministry of Defence was considering the installation of an over-the-horizon radar for a two-year trial; but that no decisions had been made. I greatly regret that, in error, my hon. Friend was not similarly informed at that date that we were considering undertaking the trial.

My hon. Friend the Member for Wiltshire, North was subsequently, at his request, briefed more fully by my hon. Friend the then Parly Under-Secretary of State for the Armed Forces, in April 1989.

The Pembrokeshire national park authorities were separately notified in late 1988 that the Ministry was considering the use of St. David's airfield as the transmitter site for this trial.

Mr. Nicholas Bennett: To ask the Secretary of State for Defence how many representations he has received to date on his proposal to construct an over-the-horizon radar installation on the site of the former St. David's airfield, Pembrokeshire; and if he will make a statement on the nature of the representations.

Mr. Alan Clark: In addition to a number of parliamentary questions on the subject, I have received to date four letters from members of the public expressing concern about the possible environmental effects of the installation of an over-the-horizon radar transmitter at St. David's airfield, Dyfed.

Mr. Nicholas Bennett: To ask the Secretary of State for Defence if he will give details of the acreage and number of buildings and other ancillary equipment which would be used on the former St. David's airfield for the proposed over-the-horizon radar installation if approved.

Mr. Alan Clark: The total land area required for the installation of an over-the-horizon radar transmitter at St. David's airfield, Dyfed, is about 85 acres, including a safety exclusion zone around the installation. Included in this area will be a single-storey temporary building and about 15 equipment containers.

Mr. Nicholas Bennett: To ask the Secretary of State for Defence what consideration was given to the siting of the proposed over-the-horizon radar installation within the Royal Air Force station at Brawdy, Pembrokeshire.

Mr. Alan Clark: RAF Brawdy, as an operational airfield with limited available space, would not be capable of accommodating an over-the-horizon radar transmitter with its associated safety exclusion zone.

Mr. Nicholas Bennett: To ask the Secretary of State for Defence whether he will make a visit to the St. David's area of Pembrokeshire to discuss his Ministry's proposals for an over-the-horizon radar installation on the site of the former St. David's airfield, Pembrokeshire.

Mr. Alan Clark: I have no immediate plans to do so; but officials from my Department, together with United States Government representatives, plan to make a full public presentation of our proposals to the local community and other interested parties once a formal notice of proposed development, supported by an independent environmental impact assessment, has been submitted to the Pembrokeshire national park authorities. We expect this to take place in late summer.

Mr. Nicholas Bennett: To ask the Secretary of State for Defence when Dyfed county council was first informed of the proposed over-the-horizon radar installation at the former St. David's airfield, Pembrokeshire.

Mr. Alan Clark: There is no formal requirement for the Ministry of Defence to inform Dyfed county council of the

proposed installation of an over-the-horizon radar at St. David's airfield. I understand, however, that the Pembrokeshire national park authorities plan fully to consult local communities and all other interested parties once the formal notice of proposed development has been submitted.

Mr. Nicholas Bennett: To ask the Secretary of State for Defence what estimate he has as to the number of *(a)* United States armed forces personnel, *(b)* Royal Air Force personnel, *(c)* other military personnel and *(d)* civilians who would be employed at the proposed over-the-horizon radar installation on the site of the former St. David's airfield, Pembrokeshire after construction.

Mr. Alan Clark: No United Kingdom or United States military personnel will be based at the transmitter site of the proposed over-the-horizon radar. Up to 19 civilian maintenance and support staff will be based there after construction is complete.

Mr. Rogers: To ask the Secretary of State for Defence what assessment has been made of the effects on civil aircraft of the proposed trials of a new radar transmitter at RAF Brawdy.

Mr. Alan Clark: As is the case with all transmitting systems, there is a high intensity radio transmission area (HIRTA) associated with the proposed over-the-horizon radar transmitter at St. David's airfield, Dyfed, within which it would be unsafe for aircraft which are susceptible to induced electrical currents to operate. Notification of this HIRTA will be made as part of the process of application for military clearance to use the site. Full details will be made available to the national air traffic services and the civil aviation community.

Mr. Nicholas Bennett: To ask the Secretary of State for Defence if he will give details of the number, height, width and construction of the aerials proposed for the over-the-horizon radar installation at the former St. David's airfield, Pembrokeshire.

Mr. Alan Clark: The proposed over-the-horizon radar transmitter to be installed at St. David's airfield, Dyfed, will consist of 35 aerials. These will consist of metal lattice masts with the copper aerial elements vertically strung from a wire that runs down from the top of the aerial to a pole in front. Sixteen of the aerials will be about 135 ft high; the rest will be lower. The total land required for the installation is about 2,480 ft by 1,450 ft; this includes the safety exclusion zone surrounding the installation.

Mr. Nicholas Bennett: To ask the Secretary of State for Defence what financial contribution towards the annual running costs of the proposed over-the-horizon radar installation on the site of the former St. David's airfield, Pembrokeshire, is to be made by the United States Government.

Mr. Alan Clark: The United States Government will be responsible for providing spares, specialist support and system maintenance for the trial of an over-the horizon radar in the United Kingdom; they will also provide the personnel necessary to support their own participation in the trial.

Mr. Nicholas Bennett: To ask the Secretary of State for Defence what estimates he has as to the likely construction costs of the proposed over-the-horizon radar installation at St. David's airfield, Pembrokeshire.

Mr. Alan Clark: The construction costs of the proposed over-the-horizon radar transmitter at St. David's airfield, Dyfed, are estimated to be about £3·5 million.

Mr. Nicholas Bennett: To ask the Secretary of State for Defence if he will give details of the consultation process which he intends to institute for consideration of his proposals for an over-the-horizon radar installation at the former St. David's airfield, Pembrokeshire.

Mr. Alan Clark: In accordance with the formal notification procedures established by the Government in 1984 for developments to be undertaken by Government Departments, the Ministry of Defence plans to submit a notice of proposed development (NOPD) to the appropriate planning authority, Pembrokeshire national park, in respect of the proposed installation of an over-the-horizon radar at St. David's airfield, Dyfed. This will be supported by a full and independent environmental impact assessment. Once the NOPD has been submitted, it is intended to give a full public presentation of proposals for the installation jointly with the United States authorities. We expect this to take place in late summer. I also understand that the Pembrokeshire national park authorities intend fully to consult the local community and all other interested parties once the formal NOPD has been submitted.

Mr. Nicholas Bennett: To ask the Secretary of State for Defence what estimate he has as to the number of people who would be employed on the construction of the over-the-horizon radar installation on the site of the former St. David's airfield, Pembrokeshire.

Mr. Alan Clark: This will depend on the detailed proposals of the contractor who wins the competition to carry out this work.

Mr. Nicholas Bennett: To ask the Secretary of State for Defence when the Pembrokeshire national park was first informed of the proposed over-the-horizon radar installation on the site of the former St. David's airfield, Pembrokeshire.

Mr. Alan Clark: The authorities of the Pembrokeshire national park, which is the appropriate planning authority in this case, were notified in late 1988 that the Ministry of Defence was considering the possible use of St. David's airfield as the transmitter site for the two-year trial of an over-the-horizon radar in the United Kingdom.

Mr. Nicholas Bennett: To ask the Secretary of State for Defence what is the proposed date for the start of construction of the over-the-horizon radar installation; and what is the likely construction period.

Mr. Alan Clark: Construction is planned to start in mid to late 1991 and is expected to take about a year to complete.

Mr. Rogers: To ask the Secretary of State for Defence whether any of the proposed trials of a new radar transmitter at RAF Brawdy will test its ability to integrate with NATO communications systems.

Mr. Alan Clark: The proposed two-year trial of an over-the-horizon radar in the United Kingdom will not specifically include its ability to integrate with NATO communications systems.

Mr. Rogers: To ask the Secretary of State for Defence what assessment has been made of the effects on the human body of the proposed trials of a new radar transmitter at RAF Brawdy.

Mr. Alan Clark: My Department has no plans to trial a new radar transmitter at RAF Brawdy.

Communications

Mr. Cohen: To ask the Secretary of State for Defence (1) if he will make a statement on Royal Navy use of the SSIXS—the submarine satellite information exchange system—communications system;

(2) whether SSIXS channels can be used by the Royal Navy without clearance from United States authorities.

Mr. Archie Hamilton: It is not our usual practice to disclose information of this nature.

Norwegian Sea

Mr. Cohen: To ask the Secretary of State for Defence if he will make a statement on the implications for United Kingdom defence policy of Royal Navy involvement in the United States maritime strategy with regard to plans for the defence of the Norwegian sea.

Mr. Archie Hamilton: United States maritime strategy is designed to meet United States requirements. NATO as a whole is agreed on the need for forward maritime defence in the Norwegian sea to safeguard vital transatlantic and cross-channel reinforcement and resupply routes and to enhance the security of the northern flank. The Royal Navy makes a significant contribution to these tasks.

Mr. Cohen: To ask the Secretary of State for Defence if he will make a statement on the Royal Navy's policy of forward defence in the Norwegian sea.

Mr. Archie Hamilton: I refer the hon. Gentleman to paragraph 5 of the article entitled "The Forward Defence of Europe" which is to be found on pages 15 and 16 of volume 1 of the Statement on the Defence Estimates 1988.

NATO Maritime Operations

Mr. Cohen: To ask the Secretary of Defence (1) if he will make a statement on the NATO concept of maritime operations;

(2) what is his policy on the NATO concept of maritime operations;

(3) whether the concept of maritime operations is now official NATO doctrine.

Mr. Archie Hamilton: NATO's concept of maritime operations is a concept developed by the NATO military authorities, in consultation with member nations, for the employment of allied maritime forces in support of NATO's defensive strategy. It is taken fully into account in United Kingdom planning for maritime operations.

Kola Peninsula

Mr. Cohen: To ask the Secretary of State for Defence whether there has been any noticeable change in the level of Soviet naval activity in and around the Kola peninsula in the last five years.

Mr. Archie Hamilton: There has been no noticeable change in the level of Soviet naval activity in and around the Kola peninsula in the last five years.

Environmental Guidelines

Mr. Nicholas Bennett: To ask the Secretary of State for Defence what environmental guidelines his Department follows in deciding on the location of new installations.

Mr. Alan Clark: Where appropriate, the MOD undertakes full environmental impact assessments in accordance with the regulations laid down in the appropriate DOE, Welsh Office and Scottish Office circulars.

Radar Transmissions

Mr. Rogers: To ask the Secretary of State for Defence what research has been carried out for his Department in the last 10 years into the effects of radar transmissions on the human body.

Mr. Alan Clark: None.

Mr. Rogers: To ask the Secretary of State for Defence what plans exist to carry out research into the effects of radar transmissions on the human body.

Mr. Alan Clark: None.

Compensation

Mr. Nicholas Bennett: To ask the Secretary of State for Defence what arrangements his Department has to compensate local residents who may be affected by the construction of Ministry of Defence installations.

Mr. Alan Clark: Where applicable, the MOD observes the provisions of the Land Compensation Act 1973.

RAF Brawdy

Mr. Nicholas Bennett: To ask the Secretary of State for Defence if he will make a statement on the proposed construction of a new tower at RAF Brawdy, giving details of its height, width, cost and purpose.

Mr. Archie Hamilton: The height of the new tower to be erected at RAF Brawdy will be 17·44m from ground level to the top of the cabin roof. The internal diameter will be 3·6m while the reinforced concrete walls will be 200mm thick, giving an overall diameter of 4m. The total estimated cost of the project is commercially confidential.

The purpose of the tower is to support a secondary surveillance radar head which will improve the air traffic control facilities of the station.

Iraq (Exports)

Mr. Dalyell: To ask the Secretary of State for Defence on which date he and the Minister of State for Defence Procurement, the hon. Member for Plymouth, Sutton (Mr. Clark) were first alerted to the fact that there was a problem over the Sheffield Forgemasters' export to Iraq.

Mr. Alan Clark: Earlier this month.

Mr. Winnick: To ask the Secretary of State for Defence if he will list the dates when the hon. Member for

Bromsgrove (Sir H. Miller) contacted his Department regarding export orders for Iraq; what was the subject of the hon. Member's representations on behalf of Walter Somers; and what was the response of his Department.

Mr. Alan Clark: These matters are being looked into at present.

Voluntary Release

Mr. Brazier: To ask the Secretary of State for Defence (1) whether the premature voluntary release survey form for other ranks contains a question on house purchase;

(2) what have been the results from surveys over the last five years of members of the *(a)* Army and *(b)* Royal Air Force involved in premature voluntary release relating to the satisfaction level among officers with regard to house purchase opportunities; where this ranks in terms of dissatisfaction in relation to other items; and if he will place a copy of the blank forms for premature voluntary release surveys of (i) officers and (ii) other ranks in the Library;

(3) what surveys involving house purchase satisfaction levels exist for the Army and the Royal Air Force other than those relating to premature voluntary release; if he will give the results for the last five years, indicating the ranking in relation to other items for dissatisfaction; whether a survey is carried out at JDSC among Army high-fliers; whether there is a Royal Air Force equivalent; whether there are any equivalents for other ranks in either service; and if he will place a copy of any blank forms relating to such surveys in the Library.

Mr. Archie Hamilton: My noble Friend the Parliamentary Under-Secretary of State for the Armed Forces will write to my hon. Friend.

Binary Hydrogen Fuel

Mr. Flynn: To ask the Secretary of State for Defence if his Department has done any recent research on the development of binary hydrogen fuel for firing long-range projectiles from artillery carriers.

Mr. Alan Clark: No. My Department is not undertaking and has not recently undertaken research in the development of binary hydrogen fuel for artillery purposes.

Mr. Colin Wallace

Mr. McFall: To ask the Secretary of State for Defence if the Heyhoe report relating to his Department's maladministration on the Colin Wallace case has been completed.

Mr. Archie Hamilton: The report by Mr. David Heyhoe on the Ministry of Defence's handling of papers relating to the case of Mr. Colin Wallace has been completed and is being studied. As my right hon. Friend has undertaken, its conclusions will be made available to the House.

Explosion (Deal)

Mr. Mates: To ask the Secretary of State for Defence when a report on the explosion at the Royal Marines school of music at Deal on 22 September 1989 was commissioned; by what date it was due to have been completed; when he received the report; and when, and in what form, it will be made available.

Mr. Archie Hamilton: A board of inquiry was directed by the Commandant-General Royal Marines on 29 September 1989 to investigate all aspects of security in force at the Royal Marines school of music (RMSM) Deal, with particular reference to the period preceding the terrorist bomb explosion on 22 September. The board was instructed to present its report to the Commandant-General by 24 October. My right hon. Friend received advice on the report on 8 December and is considering its recommendations. The report is classified and will not be published. I would, however, expect a summary of its principal findings to be made available to the House of Commons Select Committee on Defence when my right hon. Friend has completed his deliberations.

Genetically Engineered Organisms

Mr. Simon Hughes: To ask the Secretary of State for Defence (1) how many animals have been involved in tests undertaken by or on behalf of his Department for each of the last five years in which genetically engineered micro-organisms were involved; what was the nature and purpose of these tests; and if he will make a statement;

(2) what funds were deployed by his Department on work in connection with genetically engineered micro-organisms in *(a)* 1984, *(b)* 1985, *(c)* 1986, *(d)* 1987, *(e)* 1988 and *(f)* 1989; how many personnel were involved in such work; and if he will make a statement;

(3) if he will make a statement on the purpose of work carried out by his Department in connection with genetically engineered micro-organisms.

Mr. Neubert: As we have repeatedly made clear, the United Kingdom has no chemical or biological weapons and no plans to acquire any. All research undertaken by or commissioned by the MOD in the chemical and biological field is defensive in nature and is to provide information which assists in the provision of effective protective measures against the threat that chemical and biological weapons might be used against the United Kingdom armed forces.

It is not our policy to go into details of specific research areas. Such information could enable an informed observer to gain a useful insight into the scope and direction of MOD work, to the detriment of national security.

Defence Export Services

Mrs. Mahon: To ask the Secretary of State for Defence which countries were visited by representatives of the defence export services organisation in 1989.

Mr. Alan Clark: DESO representatives travelled extensively during 1989 and visited numerous countries. Because of the confidentiality of many of the matters involved it is not the practice to list individual countries visited.

Mrs. Mahon: To ask the Secretary of State for Defence if he will list the overseas offices of the defence export services organisation, giving in each case the date when the office was opened.

Mr. Alan Clark: DESO's interests are covered by MOD staff at embassies throughout the world, but specific defence sales offices have been set up in:

Washington	(1972)
New Delhi	(April 1984)
Riyadh	(January 1984)
Kuala Lumpur	(June 1986)
Seoul	(August 1988)
Ankara	(August 1988)
Kuwait	(February 1988)
Canberra	(August 1989)

Space Research Corporation

Mr. O'Neill: To ask the Secretary of State for Defence whether his Department had any information regarding the Space Research Corporation prior to 11 April.

Mr. Alan Clark: My Department was aware of the existence of the company before that date.

AGRICULTURE, FISHERIES AND FOOD

Sea Erosion

Mr. David Porter: To ask the Minister of Agriculture, Fisheries and Food what studies he has asked the National Rivers Authority to undertake into protecting land and dwellings from sea erosion, particularly in Suffolk and Norfolk; and if he will make public such reports.

Mr. Maclean: My officials have encouraged the National Rivers Authority (NRA)—and previously the former regional water authorities to undertake studies of the coastline generally.

In particular, we have provided grant aid towards a major study of the coastline between the Humber and the Thames which was originally commissioned by the former Anglian water authority and is now being carried out on behalf of the NRA.

The initial phases of the study are complete and the resulting sea defence management atlas has been made available to interested parties. The remaining phase of the study is designed to lead to a better understanding of coastal processes and should be complete by summer 1991. The data are expected to be used to support the subsequent development of coastal management strategies and again will be made available to interested parties.

Mr. David Porter: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on his criteria for evaluating agricultural land, land of special scientific or heritage interests and dwellings in terms of sea defence schemes; and if he has plans to review the criteria.

Mr. Maclean: It is one of the conditions of grant that a proposed sea defence scheme must be economically worth while. The basic criterion is that its discounted benefits should at least equal its discounted cost.

Valuation of agricultural land depends on the extent of flood damage expected in the absence of a scheme. In general, land subject to slight flooding, leading to a lower value land use, would be valued by assessing the consequent drop in gross margin, more severe flooding causing irreversible loss, would usually be valued at the "risk-free" market price of the land.

A number of approaches are used to value land of special scientific or heritage interest. This may involve finding the price a conservation body is willing to pay for the land, or encouraging visitors to place a monetary value on their enjoyment of the site. (It is also a condition of grant that schemes must be environmentally sympathetic).

As with agriculture, the approach to property valuation depends on the frequency and severity of flooding likely to occur in the absence of a scheme. Minor losses are treated as recurrent losses and evaluated using well established techniques; for more severe damage the "risk-free" open market value of the property is used.

Mr. David Porter: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement about the future of the coastline of Suffolk and Norfolk, in terms of sea defences and natural erosion, and his Department's plans until the end of the century.

Mr. Maclean: We fully recognise the need for improvements to coastal defences constructed in East Anglia following the floods in 1953 and now reaching the end of their useful life. Several major grant-aided schemes are already under way or in the course of preparation. Government grant allocated to the Anglian region has increased by 28 per cent. this year and represents over half of the total provision to the NRA.

We review national long-term flood defence needs annually and the National Rivers Authority Anglian region's 10-year needs programme, which will take account of improvements in understanding of coastal processes, plays an important role in the considerations.

The criteria are kept under continual review. We encourage and actively support research aimed at the improvement of evaluation techniques and Middlesex polytechnic is currently developing, with Ministry funding, a manual for the assessment of the benefits of coast protection and sea defence which will represent a considerable advance in this field.

Birds of Prey

Mr. Tony Banks: To ask the Minister of Agriculture, Fisheries and Food what information he has on the number and species of birds of prey poisoned in England and Wales during 1988, 1989 and 1990 to date.

Mr. Maclean: Information on the poisoning of wild, farmed, and domestic creatures by pesticides is collected by the agriculture departments through wildlife incident investigation schemes. Reports on the results are published. The report for 1988 will be published soon. A report on 1989 is in draft and will be published after it has been accepted by the independent Advisory Committee on Pesticides.

The information requested for England and Wales is as follows:

	Numbers		
Species	*1988*	*1989*	*1990*
Barn Owl	3	0	0
Buzzard	6	18	2
Goshawk	0	1	0
Hen Harrier	0	0	1
Kestrel	0	3	0
Little Owl	2	0	0
Peregrine Falcon	1	1	0
Red Kite	0	11	0
Sparrowhawk	2	1	0
Tawny Owl	0	1	0
Totals	14	36	3
(Incidents involved)	13	27	2

Consumer Panel

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food if he will give biographical details of each of the members of his consumer panel, including their involvement with particular organisations.

Mr. Gummer: The information requested has been published in a Food Safety Directorate press release issued today. A copy has been sent to the hon. Member.

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food if he will list the organisations which submitted names of individuals to him to serve on the consumer panel.

Mr. Gummer: The following organisations were invited to submit names of individuals to serve on the consumer panel: Consumers Association, Consumers in the European Community Group, the National Consumer Council, the General Consumer Council for Northern Ireland, the Scottish Consumers Council and the Welsh Consumers Council.

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food how many individuals' names were submitted to him to serve on his consumer panel.

Mr. Gummer: Nine people were appointed to serve on the consumer panel—all nine names were submitted by the organisations which were requested to make nominations.

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food whether he will publish the contact addresses for the individuals represented on his consumer panel.

Mr. Gummer: The panel secretariat is the contact point for requests for interviews and further information.

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food what criteria he used in selecting the individuals to serve on his consumer panel.

Mr. Gummer: The criteria for selecting individuals to serve on the panel were that they should be able to represent the views and concerns of ordinary consumers. They have been nominated by consumer organisations but they serve in an individual capacity and do not represent any particular organisation.

Whaling

Mr. Tony Banks: To ask the Minister of Agriculture, Fisheries and Food what steps have been taken by Her Majesty's Government to implement resolution 929 (1989) of the parliamentary Assembly of the Council of Europe in respect of the powers of the International Whaling Commission to be extended to dolphin and porpoise species of cetaceans.

Mr. Curry: We have for a long time insisted that the convention of the International Whaling Commission (IWC) as drafted already covers small cetaceans. A significant number of members of the IWC however take the opposite view and do not acknowledge that it has the legal competence to regulate catches of small cetaceans. Nevertheless we will continue our efforts alongside other like-minded countries within the IWC. In addition we work through other international fora for the protection of small cetaceans, most recently in relation to the indiscriminate use of large-scale drift nets.

Mr. Tony Banks: To ask the Minister of Agriculture, Fisheries and Food if Her Majesty's Government will support an extension of the international whaling convention moratorium on all quotas in commercial whaling; and if he will make a statement.

Mr. Curry: The United Kingdom played a leading role in the International Whaling Commission in securing the current moratorium on commercial whaling. We shall continue our policy that the moratorium should be maintained until the scientific committee of the IWC can clearly advise that the state of stocks is satisfactory and that a management procedure which safeguarded the stocks has been devised.

Drift Net Fishing

Mr. Tony Banks: To ask the Minister of Agriculture, Fisheries and Food what information he has about those EEC countries which have banned the use of drift net fishing.

Mr. Curry: Within the European Community, drift nets are used for fishing for a range of commercial species and are subject to control and regulation under individual member states' legislation. Most recently Italy introduced a ban last October on drift netting for swordfish by its fishermen in the Mediterranean.

Mr. Tony Banks: To ask the Minister of Agriculture, Fisheries and Food if he has made any representations to the French Government about the slaughter of dolphins arising from drift net fishing; and if he will make a statement.

Mr. Curry: No. Recent reports are unclear but marine mammals can be accidentally caught in nets. Much concern recently has been focused on the tuna fisheries in the Pacific ocean and the European Community has supported the United Nations resolution which was passed in December to deal with the indiscriminate use of large-scale pelagic drift netting on the high seas.

Bovine Spongiform Encephalopathy

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food what percentage of cattle herds in December 1989 in each of the respective countries of Great Britain, where bovine spongiform encephalopathy was confirmed, had *(a)* a single case, *(b)* two cases or *(c)* three or more.

Mr. Gummer: The information is as follows:

	One case	*Two cases*	*Three or more cases*
England	63·0	18·9	18·1
Wales	80·9	11·8	7·3
Scotland	88·1	7·9	4·0

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food how many offsprings of cows which had been confirmed as having bovine spongiform encephalopathy have been continuously monitored in each county of England and Wales.

Mr. Gummer: The identities of known offspring of confirmed BSE cases are recorded as part of the Ministry's epidemiological investigations into the disease. These

records are compared with the identities of suspect cases of BSE reported to the Ministry as part of this on-going study. The numbers of offspring recorded in each county are as follows:

County	*Offspring*
Avon	77
Bedfordshire	21
Berkshire	43
Buckinghamshire	61
Cambridge	13
Cheshire	73
Cleveland	2
Clwyd	15
Cornwall	485
Cumbria	95
Derbyshire	66
Devon	642
Dorset	499
Durham	9
Dyfed	153
Essex	28
Glamorgan Mid	3
Glamorgan South	16
Glamorgan West	1
Gloucestershire	169
Gwent	38
Gwynedd	6
Huntingdonshire	280
Hereford and Worcester	111
Hertfordshire	16
Humberside	20
Isle of Wight	45
Kent	93
Lancashire	110
Leicestershire	159
Lincolnshire	53
London	1
Merseyside	2
Norfolk	87
Northamptonshire	45
Northumberland	17
Nottinghamshire	32
Oxon	107
Powys	33
Salop	167
Somerset	351
Staffordshire	80
Suffolk	74
Surrey	75
Sussex East	91
Sussex West	194
West Midlands	4
Warwickshire	43
Wiltshire	276
Yorkshire North	197
Yorkshire South	11
Yorkshire West	14

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food what is the annual incidence of bovine spongiform encephalopathy in the total population of adult cattle in Great Britain for the year ending 16 March.

Mr. Gummer: The annual incidence of confirmed cases for the year 17 March 1989—16 March 1990 is 0·2 per cent.

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food if he will list by age the cattle confirmed as having bovine spongiform encephalopathy in 1989 in England and Wales.

Mr. Gummer: The information is as follows:

Age (Years)	*Number of Cases*
[1]	1
2	28
3	586
4	2,138
5	1,874
6	667
7	125
8	37
9	8
10	2
11	3
12	1
15	1

[1] One year 10 months.

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food what is the incidence in percentage terms of bovine spongiform encephalopathy-affected dairy herds in each county of England and Wales at 31 December 1989.

Mr. Gummer: The information is as follows:

County	*Percentage*
Cleveland	5·49
Durham	4·36
Tyne and Wear	2·78
Northumberland	7·48
Cumbria	3·18
North Yorkshire	6·60
South Yorkshire	4·12
West Yorkshire	2·05
Humberside	6·40
Lancashire	4·80
Merseyside	10·26
Manchester	0·99
Derbyshire	4·10
Leicestershire	12·46
Nottinghamshire	6·93
Cheshire	4·93
Shropshire	7·88
Staffordshire	3·88
Hereford and Worcester	9·46
Warwickshire	9·34
West Midlands	4·55
Lincolnshire	12·96
Norfolk	14·93
Suffolk	13·79
Bedfordshire	13·64
Cambridgeshire	15·94
Northamptonshire	15·04
Essex	8·02
Hertfordshire	17·65
London	3·03
Berkshire	25·00
Buckinghamshire	8·70
Oxford	19·08
Hampshire	31·97
Isle of Wight	17·46
Surrey	20·94
West Sussex	33·33
Kent	23·31
East Sussex	15·43
Gloucestershire	18·13
Avon	10·44
Wiltshire	25·37
Dorset	26·31
Somerset	16·41
Devon	13·47
Cornwall	14·65
Gwynedd	2·66
Clwyd	3·57
Powys	3·10
Dyfed	3·76
South Glamorgan	9·85

County	Percentage
Mid Glamorgan	4·88
West Glamorgan	0·88
Gwent	7·87

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food how many cattle have been confirmed as having bovine spongiform encephalopathy, in each county of England, for each year since the disease was discovered.

Mr. Gummer: The information is as follows:

Confirmed cases reported in 1986

	Number
Kent	4
Cornwall	1
Devon	1
Somerset	1

Confirmed cases reported in 1987

	Number
Bedfordshire	2
Cambridgeshire	2
Essex	2
Lincolnshire	3
Norfolk	3
Northamptonshire	1
Suffolk	6
Cheshire	7
Derbyshire	3
Hereford and Worcester	10
Lancashire	2
Leicestershire	6
Nottinghamshire	3
Shropshire	13
Staffordshire	5
West Midlands	1
Warwickshire	4
Cumbria	8
Durham	2
North Yorkshire	7
Berkshire	5
Buckinghamshire	8
Hampshire	12
Isle of Wight	1
Kent	20
Oxfordshire	5
Surrey	7
East Sussex	4
West Sussex	7
Avon	9
Cornwall	61
Devon	85
Dorset	30
Gloucestershire	19
Somerset	32
Wiltshire	17

Confirmed cases reported in 1988

	Number
Bedfordshire	4
Cambridgeshire	8
Essex	3
Hertfordshire	9
Lincolnshire	32
Norfolk	32
Northamptonshire	13
Suffolk	31
Cheshire	35
Derbyshire	25
Hereford and Worcester	55
Lancashire	50
Leicestershire	51
Manchester	1
Merseyside	2
Nottinghamshire	9
Shropshire	55
Staffordshire	40
West Midlands	2
Warwickshire	16
Cleveland	2
Cumbria	44
Durham	3
Humberside	8
North Humberland	17
North Yorkshire	74
South Yorkshire	3
West Yorkshire	11
Berkshire	34
Buckinghamshire	11
Hampshire	116
Isle of Wight	13
Kent	62
Oxfordshire	46
Surrey	35
East Sussex	28
West Sussex	82
Avon	18
Cornwall	265
Devon	308
Dorset	169
Gloucestershire	111
Somerset	170
Wiltshire	144

Confirmed cases reported in 1989

	Number
Bedfordshire	22
Cambridgeshire	22
Essex	34
Hertfordshire	35
Lincolnshire	62
Norfolk	87
Northamptonshire	66
Suffolk	75
Cheshire	130
Derbyshire	81
Hertford and Worcester	131
Lancashire	104
Leicestershire	169
Manchester	5
Merseyside	3
Nottinghamshire	42
Salop	181
Staffordshire	108
West Midlands	7
Warwickshire	74
Cleveland	9
Cumbria	109
London	4
Durham	22
Humberside	23
North Humberland	24
North Yorkshire	231
South Yorkshire	14
West Yorkshire	17
Berkshire	47
Buckinghamshire	51
Hampshire	331
Isle of Wight	48
Kent	174
Oxfordshire	118
Surrey	69
East Sussex	102
West Sussex	181
Avon	138
Cornwall	545
Devonshire	816

	Number
Dorset	671
Gloucestershire	231
Somerset	533
Wiltshire	473
Tyne and Wear	1

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food what percentage of the farms by county in England and Wales, on which cattle were found to have bovine spongiform encephalopathy, also had sheep on them.

Mr. Gummer: The information is as follows:

County	*Percentage*
Bedfordshire	100·0
Cambridgeshire	58·3
Essex	51·7
Hertfordshire	54·5
Lincolnshire	72·0
Norfolk	53·6
Northamptonshire	76·8
Suffolk	47·1
Cheshire	63·2
Derbyshire	61·5
Hertford and Worcester	83·7
Lancashire	75·8
Leicestershire	73·2
Manchester	50·0
Merseyside	40·0
Nottinghamshire	62·2
Shropshire	80·1
Staffordshire	61·1
West Midlands	81·8
Warwickshire	79·4
Dyfed	76·6
Mid Glamorgan	80·0
South Glamorgan	70·6
West Glamorgan	100·0
Gwent	83·1
Gwynedd	83·3
Powys	79·0
Cleveland	77·8
Cumbria	88·1
Durham	76·9
Humberside	52·9
Northumberland	84·0
Tyne and Wear	0·0
North Yorkshire	72·5
South Yorkshire	40·9
West Yorkshire	54·5
Berkshire	72·5
Buckinghamshire	79·5
Hampshire	61·9
Isle of Wight	60·7
Kent	88·9
London	66·7
Oxfordshire	74·7
Surrey	71·4
East Sussex	88·2
West Sussex	69·7
Avon	55·6
Cornwall	66·7
Devon	88·5
Dorset	56·5
Gloucestershire	74·0
Somerset	63·4
Wiltshire	60·4
Clwyd	69·1

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food if he will publish a table showing the number of confirmed cases of BSE for each county of England and Wales for the four-week period ended 16 April.

Mr. Maclean: The information is as follows:

County	*Numbers*
Avon	21
Bedfordshire	3
Berkshire	2
Buckinghamshire	8
Cambridgeshire	1
Cheshire	24
Cleveland	1
Clwyd	7
Cornwall	68
Cumbria	25
Derbyshire	17
Devon	111
Dorset	88
Durham	3
Dyfed	28
Essex	4
Mid Glamorgan	3
West Glamorgan	1
Gloucestershire	26
Gwent	5
Hampshire	19
Hereford and Worcester	11
Hertfordshire	7
Humberside	7
Isle of Wight	8
Kent	16
Lancashire	24
Leicestershire	19
Lincolnshire	5
Manchester	1
Norfolk	24
Northamptonshire	5
Northumberland	3
Nottinghamshire	7
Oxon	15
Powys	4
Salop	19
Somerset	71
Staffordshire	15
Suffolk	10
Surrey	8
East Sussex	7
West Sussex	21
West Midlands	1
Warwickshire	6
Wiltshire	49
North Yorkshire	55
South Yorkshire	3
West Yorkshire	4

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food how many cattle were notified as having bovine spongiform encephalopathy in each of the two months prior to 100 per cent. compensation being paid; and what are the figures for the months following that date.

Mr. Gummer: Increased compensation was paid from 14 February 1990. The information requested on a weekly basis for Great Britain is as follows:

Week ending	*Number of suspects*
5 January 1990	245
12 January 1990	292
19 January 1990	284
26 January 1990	294
2 February 1990	309
9 February 1990	329
16 February 1990	362
23 February 1990	367
2 March 1990	424
9 March 1990	393

Week ending	Number of suspects
16 March 1990	392
23 March 1990	351
30 March 1990	329
6 April 1990	323
13 April 1990	278

Honey Bees

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food if he will list the number of bee officers employed by his Ministry for each year since 1988; and if he will make a statement.

Mr. Gummer: The number of bees officers employed by the Ministry in both 1988 and 1989 was 35. In order to make the most effective use of resources inspection of bees is concentrated on those colonies where foul brood is suspected or which have a recent history of the disease.

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food what action he is taking to control varroasis in honey bees; and if he will make a statement.

Mr. Gummer: At present the Importation of Bees Order 1980 prohibits imports of all bees of the genus Apis (honey bees), except under licence from countries of high bee health status which are free from varroasis. It remains our aim to keep this country free of varroasis. The European Community Commission has proposed that after 1992 national measures on animal health, including bee health should be replaced by European Community controls. Discussions are still at an early stage and we shall continue to press for the best possible safeguards.

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food whether he has plans to include Apis Bombus in the Bee Control Order 1980; and if he will make a statement.

Mr. Gummer: I have at present no plans to extend the powers under the Bees Act 1980 to exclude importation of bees of the genus Bombus (bumble bees). However, I am keeping this issue under careful review and would be prepared to consider action to control the importation of bumble bees should there be evidence that their importation poses a risk to the health of United Kingdom honey bees.

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food in which of his Ministry's offices his bee officers are located; and if he will make a statement.

Mr. Gummer: In 1989 bees officers were located in Ministry offices as follows:

	Officers
South-East	
Guildford	4
Oxford	1
Maidstone	2
Eastern	
Chelmsford	3
Huntingdon	2
Lincoln	1
Norwich	2
Northern	
Beverley	2
Carlisle	1
Newcastle	2
Northallerton	1
Midlands and Western	
Crewe	1
Nottingham	1
Preston	1
Worcester	2
South Western	
Exeter	2
Gloucester	2
Taunton	4
Truro	1
Total	35

This wide distribution ensures that all parts of the country are covered in cases of actual or suspected outbreaks of foul brood.

North Riding Lamb Ltd.

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food if he will place in the Library the results of his report on the tests on lamb carcases carried out at North Riding Lamb Ltd. prior to Christmas 1989.

Mr. Gummer: My officials will shortly be writing to the managing director of North Riding Lamb Ltd. to inform him of the results of tests on previously certified lamb carcases.

It is not our practice to place in the Library details of correspondence between the Department and the individuals or companies on matters such as this.

Irradiated Food

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food if he will list the maximum permitted becquerel levels in different foodstuffs on food produced in *(a)* the United Kingdom, *(b)* the European Community and *(c)* Third world countries (i) in 1988 and (ii) currently; whether he has plans to change these levels; and if he will make a statement.

Mr. Gummer: In 1986, as a result of the Chernobyl accident, a limit of 1,000 becquerels of radiocaesium per kilogramme was introduced in the United Kingdom for home-produced sheepmeat. This remains the current limit.

In the event of a future nuclear accident, the levels which would automatically apply to food produced throughout the European Community were established in Council regulation (Euratom) No. 3954/87. These maxima still apply today, supplemented by Council regulation (Euratom) 2218/87, and are given in the table.

Guidance on similar levels to be applied to food traded internationally was promulgated by the Codex Alimentarius Commission in July 1989.

No changes are envisaged in the above position.

Foodstuffs (becquerels per kilogramme)

	Baby foods	*Dairy produce*	*Other foodstuffs except minor foodstuffs*[1]	*Liquid foodstuffs*
Isotopes of strontium, notably Sr-90	75	125	750	125
Isotopes of iodine, notably I-131	150	500	2,000	500
Alpha-emitting isotopes of plutonium and transplutonium elements, notably Pu-239 Am-241	1	20	80	20
All other nuclides of half-life greater than 10 days, notably Cs-134, Cs-137	400	1,000	1,250	1,000

[1] For minor foodstuffs as defined in Commission Regulation (Euratom) No. 944/89, the maximum permitted levels to be applied are 10 times those applicable to "other foodstuffs except minor foodstuffs".

Sewage Sludge

Mr. Simon Hughes: To ask the Minister of Agriculture, Fisheries and Food what research he has conducted to establish the presence of viruses in sewage sludge dumped in the North sea; and if he will make a statement on the implications of the results of the research for the fishing industry.

Mr. Curry: Under the conditions of licensed dumping at sea the concentrations of viruses offshore at sewage sludge disposal sites will generally be much lower than in inshore areas near sewage outfalls. The Ministry is therefore concentrating its research on viruses on shellfish in inshore waters receiving sewage discharges. The Department of the Environment is funding research by the water research centre to assess the risk of contracting illnesses from sea bathing.

There have been complaints from some fishermen of illness as a result of fishing at disposal sites. The Ministry has taken these complaints seriously and in spring 1989 asked the National Federation of Fishermen's Organisations to arrange for evidence to be provided to the employment medical advisory service. Over the last year four cases have been referred to EMAS, including one medical history which is being evaluated.

The Ministry's studies of disposal sites have shown no clear relationship between the prevalence of disease in fish stocks and the presence of sewage sludge in these areas.

Mr. Simon Hughes: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the extent and nature of his Department's monitoring of sewage sludge disposal grounds.

Mr. Curry: I refer the hon. Member to the first report of the marine pollution management group's co-ordinating group on monitoring of sewage sludge disposal sites. This was issued as aquatic environment monitoring report No. 20 by the Ministry of Agriculture, Fisheries and Food's directorate of fisheries research.

A copy is in the Library of the House.

Organic Farming

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food, further to his answer to the hon. Member for South Shields on 18 December 1989, *Official Report*, column *31*, whether the Soil Association or British Organic Growers would also be eligible to receive grant aid.

Mr. Gummer: My Department is already grant-aiding the United Kingdom register of organic food standards (UKROFS) with £60,000 per annum. It also supports research directly related to organic farming amounting to £198,000 last year and other research of assistance to organic farmers amounting to £892,000 last year. Other aids to organic farmers were listed in the written answer given on 16 January to a question from the hon. Member for Truro (Mr. Taylor), *Official Report*, columns *215-16*. Further grant aid to the Soil Association or British Organic Growers is not envisaged.

Mr. Tom Arnold: To ask the Minister of Agriculture, Fisheries and Food what European Community support is being made available to farmers intending to change from traditional to organic methods.

Mr. Maclean: Payments for leaving land fallow under the set aside scheme can assist with the cost of conversion to organic farming, whilst grants can be made under the farm and conservation grant scheme towards investment in organic production. Both schemes are part funded by the European agricultural guidance and guarantee fund. Similar funding arrangements would apply to the pilot whole farm organic extensification scheme, on which a consultation document will be issued shortly. For details of the full range of assistance to the organic sector I refer my hon. Friend to the written answer given to the hon. Member for Truro (Mr. Taylor) on 16 January 1990 at columns *215-16*.

Contaminated Food

Mr. Simon Hughes: To ask the Minister of Agriculture, Fisheries and Food if he has any plans to transfer responsibility for dealing with food contamination arising from a nuclear incident to local authorities; and if he will make a statement.

Mr. Maclean: We have no plans to change the present arrangements.

Tuberculosis

Mr. Simon Hughes: To ask the Minister of Agriculture, Fisheries and Food what research has been carried out to establish whether tuberculosis infection can be spread from badgers to cattle; and if he will make a statement.

Mr. Maclean: It has been demonstrated under laboratory conditions that badgers infected with bovine tuberculosis can transmit the disease to cattle. Additionally, since the removal of all badgers from a study area in Avon during 1981, there have been no instances of tuberculosis infection in cattle in the area.

Environmental Research

Mr. Simon Hughes: To ask the Minister of Agriculture, Fisheries and Food how much, for each year from 1980 to 1989, inclusive, was spent on environmental research by his Department.

Mr. Gummer: All research and development funded by MAFF takes environmental consideration fully into account. That work which is specifically concerned with the environment is listed in the second edition of the "Register of Government-funded Agriculture/ Environment R and D in the United Kingdom", a copy of which I am placing in the Library of the House. Details for 1980-83 are not readily available and could be produced only at disproportionate cost. Details for 1989 are not yet available.

Pesticides

Mr. Simon Hughes: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the use of the controlled droplets application method of applying pesticides.

Mr. Maclean: This method of applying pesticides uses equipment which generates spray droplets by means, most commonly, of a spinning disc rather than by conventional hydraulic pressure spray nozzles. Britain has a good record of innovation in the important area of finding effective ways of delivering pesticide to the target. Practical equipment for applying sprays by rotary atomisers was substantially developed in the mid-1970s and a number of systems for generating spray droplets of a controlled size are now available to users. The Government welcome all the efforts which are being made by equipment manufacturers to minimise the amount of pesticide which needs to be sprayed and to make it easier for users to meet their obligations to avoid pesticide drifting into areas where it might harm people, creatures, plants or the environment in general.

Mr. Simon Hughes: To ask the Minister of Agriculture, Fisheries and Food what estimates he has in respect of the quantities of formulated pesticides sprayed on farmland in *(a)* 1970, *(b)* 1975, *(c)* 1980, *(d)* 1985 and *(e)* 1989; and what percentage for each year it is estimated was applied by (i) tractor, and (ii) aerial spraying.

Mr. Maclean: Estimates based on pesticide usage surveys of farms and holdings in England and Wales are as follows:

Year	*Quantity of active ingredient of all pesticides applied by all methods (tonnes)*	*Applied from the air (percentage by area treated)*
1970	22,062	[1]—
1975	25,497	[1]—
1980	35,533	1·74
1985	34,124	1·80
1989	29,361	0·23

[1] Not available.

Mr. Dalyell: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement *(a)* on the progress of his expert working party on cereal control failure as a result of misapplied chemicals, *(b)* what studies his Department is sponsoring in relation to those genes which trigger toxin production and *(c)* what studies his Department is conducting on resistance to insecticides, in view of the 1990 explosion in aphid populations.

Mr. Gummer: I am not aware of the expert working party to which the hon. Member refers in part *(a)* of his question.

On part *(b)*, I assume that the hon. Member is referring to those genes which reduce Bacillus thuringiensis toxin. Although my Department is not providing funds directly to research on the insertion of genes into crop plants, it is financially supporting the work of the researchers (funded by the Department of Education and Science) to incorporate the more applied aspects of genetic improvement into their integrated research programmes.

On part *(c)*, my Department is supporting extensive programmes of research into the genetics and biochemistry of pesticide resistance in cereal aphids, flies and other pests of growing and stored crops.

Environmentally Sensitive Areas

Mr. Simon Hughes: To ask the Minister of Agriculture, Fisheries and Food what plans he has to increase the levels of support offered to farmers under the environmentally sensitive areas scheme; and if he will make a statement.

Mr. Maclean: We have no plans at present to increase the level of support offered to farmers in ESAs. Payment levels in ESAs are reviewed three years after the scheme is established. We carried out a payments review on ESAs designated in 1987 (Broads, Pennine dales, Somerset levels and moors, south downs and west Penwith) last year and concluded there was no strong evidence to suggest an increase or decrease in their levels. We shall be carrying out a payments review of ESAs designated in 1988 later this year. The rate of uptake in ESAs has been well up to expectations which suggests that payments are pitched broadly at the right levels.

Mr. Geraint Howells: To ask the Minister of Agriculture, Fisheries and Food what would be the cost, at present uptake, of increasing the payment for ESAs from £64 to £90 per hectare; what estimate he has made of the percentage increase in land governed by the ESA scheme of such an increase; and what the inclusion of such additional land under the ESA would cost.

Mr. Maclean: The level of ESA payments varies between £10 and £300 per hectare reflecting the agricultural and environmental circumstances of each area. In no ESA is there a current payment rate of £64 per hectare.

Mr. Geraint Howells: To ask the Minister of Agriculture, Fisheries and Food what recent representations he has received *(a)* from the National Farmers Union and *(b)* from other sources in respect of the operation and levels of payment of the ESA scheme; and if he will make a statement.

Mr. Maclean: During the course of our review of ESA payments in those areas designated in 1987 (Broads, Pennine dales, Somerset levels and moors, south downs, west Penwith) the NFU reiterated its view that ESA payments should be index-linked. We received no representations from other sources. The level of ESA payments are reviewed three years after the area is designated. We concluded that the recent review showed no strong evidence to suggest payments should be increased or decreased from their current levels. The rate of uptake in ESAs has been well up to expectations which suggests that payments are pitched broadly at the right levels.

Mr. Geraint Howells: To ask the Minister of Agriculture, Fisheries and Food when he plans to review the level of payments made under the ESA scheme; and if he will make a statement.

Mr. Maclean: The levels of payments in ESAs are reviewed three years after each scheme is introduced. We carried out a payments review on those ESAs designated in 1987 (Broads, Pennine dales, Somerset levels and moors, south downs, west Penwith) last year and concluded there was no strong evidence to suggest an increase or decrease in their levels. We shall be carrying out a payments review of those ESAs designated in 1988 later this year. The rate of uptake in ESAs has been well up to expectations which suggests that payments are pitched broadly at the right level.

Microwaves

Mr. Matthew Taylor: To ask the Minister of Agriculture, Fisheries and Food what further research has been commissioned in the current year into the safety of microwaves in respect of food cooked therein; and if he will make a statement.

Mr. Maclean: Following on from the extensive research commissioned by this Department last year on the performance of domestic microwave ovens on heating food, three further studies are being funded this year:

a. Evaluation of the decline in power when domestic ovens are used continuously, (Institute of Food Research—Completion date June 1990).

b. Assessment of the performance of commercial microwave ovens, (Campden Food and Drink Research Association—Completion date Autumn 1990).

c. The influence of the physical, thermal and electrical properties on the quality of food heated by microwaves, (Campden Food and Drink Research Association—Completion date March 1991).

Meat Restructuring

Mr. Matthew Taylor: To ask the Minister of Agriculture, Fisheries and Food, pursuant to the answer to the hon. Member for Taunton (Mr. Nicholson) of 9 February, *Official Report*, column *824*, whether he will review his decision to curtail research into factors controlling meat restructuring processes; and if he will make a statement.

Mr. Maclean: This research project was considered thoroughly during the near-market review and, as explained in the reply on 9 Februar; to the hon. Member for Taunton (Mr. Nicholson) at column *824* was clearly identified as being suitable for industrial support. No new information has led us to review this decision.

Extensification

Mr. Geraint Howells: To ask the Minister of Agriculture, Fisheries and Food what further plans he has to encourage extensification schemes; and if he will make a statement.

Mr. Gummer: I refer the hon. Member to the reply given to the hon. Member for Newport, West (Mr. Flynn) on 2 April at column *448*.

Arctic Fox Farms

Mrs. Mahon: To ask the Minister of Agriculture, Fisheries and Food if he will give the locations of the three arctic fox farms in England and Scotland.

Mr. Maclean: No. We do not publish this information.

Monetary Compensatory Amounts

Mr. Strang: To ask the Minister of Agriculture, Fisheries and Food (1) what is the gap in percentage terms between the green pound and the pound sterling for each of the common agricultural policy commodities at the latest convenient date;

(2) what was the size of the monetary compensatory amounts on each of the commodities covered by the Agriculture Council at the most recent convenient date.

Mr. Maclean: The real monetary gaps (RMGs) which represent the percentage difference between green and market rates of exchange and the United Kingdom monetary compensatory amounts (MCAs), to be applied for the week beginning 23 April 1990, are shown in the table.

	RMG *Per cent.*	*MCA* *Per cent.*
Beef	−16·450	−15·0
Milk	−20·273	−18·8
Pigmeat	−12·872	−11·4
Eggs and Poultry	−20·273	−16·2
Cereals and Sugar	−21·194	−19·7
Olive Oil	−21·194	−11·2
Sheepmeat	−21·549	—

Notes:

1. Negative MCAs are normally calculated by deducting a franchise of 1·5 points from the RMG. A 10 point franchise is deducted from the RMG in the olive oil sector.

2. The eggs and poultry MCA is calculated by deducting a 5 point franchise from the cereals RMG.

3. No MCA is applied in the sheepmeat sector.

ENERGY

Electricity Supply

Mr. Simon Hughes: To ask the Secretary of State for Energy what is the basis for the assumption that the area supply companies in the electricity industry will require a £5 billion programme of capital investment; and if he will make a statement.

Mr. Baldry: The estimated capital expenditure of £5 billion is based on the public electricity supply companies' (the successors to the area boards) assessment of the investment requirements of their local networks over the next five years. It includes projected expenditure on providing new connections, reinforcing the network where necessary and replacement of old equipment. The actual level of expenditure will be a matter for the companies themselves, subject to their licence and statutory obligations.

Energy Conservation

Mr. Simon Hughes: To ask the Secretary of State for Energy what plans he has to advise prospective house purchasers on how to save energy; and if he will make a statement.

Mr. Peter Morrison: The Energy Efficiency Office within my Department provides information and advice on energy efficiency in the home, and runs publicity campaigns for which those moving and improving their homes are a priority target. It is also lending its support to home energy labelling schemes, designed to inform house purchasers on energy running costs.

Mr. Simon Hughes: To ask the Secretary of State for Energy (1) what plans he has to promote energy efficiency and energy conservation by means of media advertisements; and if he will make a statement;

(2) what funds have been allocated for *(a)* the current and *(b)* the next financial year for advertising aimed at encouraging the public to save energy.

Mr. Peter Morrison: The total marketing budget of the Energy Efficiency Office in support of its programmes, including publications, seminars and workshops throughout the country, is £2·6 million in the current financial year. Plans for the advertising component of this budget are not finalised. The marketing budget for the next financial year has yet to be determined.

Mr. Simon Hughes: To ask the Secretary of State for Energy if he will permit energy conservation measures as an option to meet the requirements of the non-fossil fuel obligation; and if he will make a statement.

Mr. Peter Morrison: No. Energy efficiency is being promoted by other means. The NFFO is designed to maintain diversity in generation and to share out the additional costs of achieving that diversity.

Mr. Simon Hughes: To ask the Secretary of State for Energy why the energy efficiency demonstration scheme was closed in 1989.

Mr. Peter Morrison: The energy efficiency demonstration scheme was terminated when it was replaced by the best practice scheme, which has a wider scope and coverage.

Mr. Simon Hughes: To ask the Secretary of State for Energy what incentives exist to encourage electricity generating companies to invest in energy-saving measures; and if he will make a statement.

Mr. Baldry: Electricity generators have substantial commercial incentives to minimise their fuel costs by improving the thermal efficiency of their existing generating plant and by building more efficient plant in future. This will improve their competitive position compared with any other generators which fail to do so.

Best Practice Scheme

Mr. Simon Hughes: To ask the Secretary of State for Energy what is the budget for the best practice scheme operated within his Department; what are its primary objectives; and if he will make a statement.

Mr. Peter Morrison: The budget for the best practice programme for 1990-91 is £11·9 million. The programme's primary objectives are to foster research, development, demonstration and dissemination of energy-efficient technologies and techniques and so to advance and spread good practice in energy efficiency in industrial processes, commercial and public sectors and buildings including housing.

Sizewell B

Mr. Simon Hughes: To ask the Secretary of State for Energy if he will make it his policy to require Sizewell B nuclear plant to be fitted with a special filtered containment venting system; and if he will make a statement.

Mr. Baldry: The question of whether filtered vented containment should be fitted at Sizewell B is a matter for Nuclear Electric, which must satisfy the Health and Safety Executive's nuclear installations inspectorate (NII) on the safety of the station. If the NII concludes that the balance of safety considerations favours the use of filtered vented containment, it has the power to require it to be fitted.

Methane Leakage

Mr. Simon Hughes: To ask the Secretary of State for Energy what recent information he has on leakage levels of methane from the gas distribution system; and if he will make a statement.

Mr. Peter Morrison: Information on methane emissions from a variety of sources, including the gas distribution system, is contained in table 2.12 on page 24 of the 1989 edition of the Department of the Environment's publication, "Digest of Environmental Protection and Water Statistics". A copy of this publication is in the Library of the House.

The Department of the Environment is currently undertaking a study to improve the understanding of methane emissions and thereby the accuracy of the inventory.

Office of Electricity Regulation

Mr. Simon Hughes: To ask the Secretary of State for Energy if he will outline the powers and duties of the Office of Electricity Regulation in respect of investments by the electricity generating companies.

Mr. Baldry: The director has no specific powers or duties relating to investment in electricity generation, beyond his general duties under the Electricity Act 1989. In a competitive market, special regulatory powers should not be necessary.

Renewable Energy

Mr. Simon Hughes: To ask the Secretary of State for Energy if he has made an assessment of the implications of the recent European Commission ruling in respect of subsidy for renewable energy schemes for the development and application potential of the schemes; and if he will make a statement.

Mr. Peter Morrison: I refer the hon. Member to my answer on 18 April to the hon. Member for Cardiff, West (Mr. Morgan) at column *853*.

Mr. Home Robertson: To ask the Secretary of State for Energy if he will make a statement on the nature, scale and implications of any changes or corrections that have been made recently to the assessment of the costs of renewable energy in reports and papers for which his Department is responsible.

Mr. Peter Morrison: Each renewable energy technology is reappraised periodically in the light of the most

up-to-date information. For example, a study to update the prospects for wave energy in the United Kingdom is currently under way. The Department of Energy through its agent, the energy technology support unit, makes available to the public any new information through publication of project results and studies.

Mr. Home Robertson: To ask the Secretary of State for Energy what is his assessment of the cost of offshore wave energy, calculated on the basis of a return on investment equivalent to that achieved by the Central Electricity Generating Board over the past five years.

Mr. Peter Morrison: As I announced to the House on 13 November 1989, an updating study to review cost, technical and commercial viability and prospects for wave energy in the United Kingdom is currently under way. Progress reports on that study will be made available as the work is undertaken and the final report will be published.

Electricity Generating Industry

Mr. Simon Hughes: To ask the Secretary of State for Energy if he will make a statement on the potential benefits and disbenefits resulting from the introduction of least-cost planning to the electricity generating industry.

Mr. Baldry: "Least-cost planning" can sometimes increase energy efficiency in highly regulated and vertically integrated energy monopolies. In competitive industries, such as that being established in electricity generation in England and Wales, it would not increase energy efficiency but would create unnecessary bureaucracy, thereby risking inappropriate market distortions and consequent inefficiency.

Environmental Research

Mr. Simon Hughes: To ask the Secretary of State for Energy how much was spent in each year, from 1980 to 1989 inclusive, on environmental research by his Department.

Mr. Peter Morrison: Environmental issues are taken into account across the range of my Department's R and D programmes, but in general the environmental elements of individual programmes or projects are not separately costed.

National Society for Clean Air

Mr. Simon Hughes: To ask the Secretary of State for Energy whether he regularly obtains for his departmental library copies of reports produced by the National Society for Clean Air; and if he has any plans to meet representatives from that organisation.

Mr. Wakeham: My Department's library obtains the society's members' handbook and the annual pollution handbook. I have no plans to meet representatives of the society.

Energy Audits

Mr. Simon Hughes: To ask the Secretary of State for Energy if he will make a statement on the support being offered by his Department to home energy audits.

Mr. Peter Morrison: The Energy Efficiency Office (EEO) within my Department promotes and publishes a guide to householders who might wish to conduct an energy audit of their home themselves. Under the proposed home energy efficiency scheme, the EEO would offer support for the provision of expert advice on energy efficiency to householders on low incomes. For other householders who seek expert advice, the regional offices of the EEO can suggest appropriate consultants.

Radioactive Material (Transport)

Mr. Simon Hughes: To ask the Secretary of State for Energy what security measures are taken to ensure the safe transport by road and rail of radioactive material.

Mr. Baldry: It would not be in the nation's interest to divulge security measures. The existing arrangements are kept under continuous review and I am satisfied that they are adequate to protect public safety. I refer the hon. Gentleman to the answer given by my right hon. Friend the Member for Croydon, Central (Mr. Moore) to the then Member for Newham, North-West (Mr. Lewis) on 27 July 1982 at column *438*.

EMPLOYMENT

Pop Concerts (Safety)

Mr. Janner: To ask the Secretary of State for Employment how much money was spent by the Health and Safety Executive in fulfilling its obligations under the Health and Safety at Work etc. Act 1974 in respect of safety at pop concerts during the last year.

Mr. Nicholls: The information requested is not available as it is not possible to identify separately from other responsibilities the level of resources spent by the Health and Safety Executive on safety at pop concerts.

Agricultural Inspectorate

Mr. Simon Hughes: To ask the Secretary of State for Employment what is the target frequency of visits by inspectors of the agricultural division of the Health and Safety Executive to farm premises; what is the actual frequency of visits to farm premises; and if he will make a statement.

Mr. Nicholls: The Health and Safety Executive's agricultural inspectorate's programme of preventive visits to work premises, including farm premises, is planned on the basis of an inspection rating system which is reviewed at each visit to the premises. In addition, an annual review is undertaken to take into account the period since the last preventive inspection.

Information is not available on the actual frequency of visits to farm premises, but between 1 April 1988 and 31 March 1989 agricultural inspectors made a total of 32,041 inspection visits.

Mr. Simon Hughes: To ask the Secretary of State for Employment what steps the agricultural inspectorate of the Health and Safety Executive is taking to ensure compliance with the code of practice on the sale and supply, including storage, of pesticides approved for agricultural use; what assessment he has made of the extent to which the code is being observed; and if he will make a statement.

Mr. Nicholls: Inspectors in the Health and Safety Executive's agricultural inspectorate are responsible for

seeking compliance with the Food and Environment Protection Act (FEPA) 1985 and the code of practice for suppliers of pesticides at premises for which they have enforcement responsibility under the Health and Safety at Work etc. Act 1974 and other health and safety legislation. Inspectors consider compliance with FEPA at preventive inspection visits and at visits for other purposes such as to investigate accidents, complaints and dangerous occurrences.

Information is not available on the extent to which the code of practice is being observed.

Labour Statistics

Mr. McAllion: To ask the Secretary of State for Employment how many full-time workers there were in *(a)* Scotland and *(b)* the United Kingdom in the most recent year for which figures are available.

Mr. Nicholls: In December 1989, there were 17,071,000 full-time employees in employment in Great Britain. Details of full-time employment are not available on a regional basis.

Skill Centres

Mr. Cryer: To ask the Secretary of State for Employment on what date those persons tendering for the skill centres were informed that £11 million was to be made available to the prospective purchaser; and if he will make a statement.

Mr. Eggar: The Skills Training Agency was offered for sale by private tender, and bidders were invited to submit offers. The sale of training businesses announced on 13 February, *Official Report*, columns *141-42*, will involve a payment from the Government to Astra of some £11 million. This is a price determined in the sale process after open and competitive bids and subsequent negotiations. It reflects the costs of turning round a business which is currently unprofitable and creating a training business with good prospects of viability.

Earnings

Mr. McAllion: To ask the Secretary of State for Employment what was the average earnings figure for all full-time workers in *(a)* Scotland and *(b)* the United Kingdom in the most recent year for which figures are available.

Mr. Nicholls: The latest available information on average earnings for full-time employees in Scotland and Great Britain is published in table X5, part A, of the 1989 new earnings survey report, a copy of which is in the Library.

Private Security Firms

Mr. McAllion: To ask the Secretary of State for Employment whether there is any mandatory minimum rate of pay for employees of private security firms operating in the United Kingdom.

Mr. Nicholls: No. Pay in the security industry is a matter for businesses to determine in the light of all the relevant circumstances.

Mr. McAllion: To ask the Secretary of State for Employment what steps he is taking to monitor and to influence the employment conditions and rates of pay being applied by private security firms in the United Kingdom.

Mr. Nicholls: None. Pay and conditions are a matter for the industry to determine in the light of all relevant circumstances.

Employment Training

Mr. McLeish: To ask the Secretary of State for Employment if he will make a statement on the new flexibility available to training and enterprise councils, including the new eligibility rules, in the delivery of employment training.

Mr. Eggar: Training and enterprise councils (TECs) will have considerable freedom and flexibility in the delivery of employment training. The TECs' operating agreement outlines the arrangements for the delivery of employment training and details the eligibility rules. A copy of this document is available in the Library.

Youth Training

Mr. McLeish: To ask the Secretary of State for Employment what was the total expenditure in both cash and real terms on youth training excluding community industry in each of the years 1987-88 to 1989-90 and the planned expenditure in each of the years 1990-91, 1991-92 and 1992-93 for Great Britain and each of the standard regions.

Mr. Nicholls: Expenditure on YTS and planned expenditure on youth training for Great Britain are as follows:

	Column 1 Real Prices £ million	*Column 2 Cash Prices £ million*
1987-88	1,137·7	987·8
1988-89	1,063·4	993·8
1989-90	983·0	983·0
1990-91	836·0	878·2
1991-92	728·4	778·5
1992-93	679·5	732·8

The figures shown in column 1 are at constant (estimated) 1989-90 prices and were calculated by use of the GDP deflator index shown in the Chancellor's autumn statement.

The figures exclude community industry (included under the heading "Youth Training" in the public expenditure White Paper), evaluation, research and development and marketing.

This information is not available by standard regions.

Mr. McLeish: To ask the Secretary of State for Employment if he will list all of the changes to youth training for the year 1990-91 and the implications for *(a)* the number of planned entrants, *(b)* the level of expenditure, *(c)* the duration of trainee places and *(d)* the provision for trainees with special needs.

Mr. Nicholls: Youth training will replace YTS nationally from 29 May. Compared with YTS, the main changes are:

except for young people with special difficulties, all young people on the programme are to be offered training

programmes capable of securing for them qualifications at or equivalent to the second level of qualifications in the framework established by the National Council for Vocational Qualifications;

a greater emphasis on training at craft and technician levels;

improved job finding;

greater flexibility concerning eligibility, duration of training and funding of training providers.

Youth training will, of course, be delivered by the training and enterprise councils as they come into operation. In 1990-91, 260,000 young people are expected to join youth training. Planned Exchequer funding is set at £907 million in 1990-91—this figure includes community industry expenditure.

Duration of training will be more flexible than was the case with YTS and will depend upon the time needed by the young person to acquire the skills and the recognised vocational qualifications which are contained in the young person's training plan.

Training and enterprise councils will be expected to ensure that the Government's guarantee of a suitable training place for every school leaver without a job continues to be met. The councils will also be expected to ensure suitable, quality training provision for young people who have disabilities or other significant training needs.

Training and Enterprise Councils

Mr. McLeish: To ask the Secretary of State for Employment if he will publish in the *Official Report* the details of the agreements made with the first 10 training and enterprise councils and, in particular, the arrangements for the delivery of employment training and youth training.

Mr. Eggar: The arrangements for the first 10 TECs, including those for employment and youth training, are given force by the TEC operating agreement, a copy of which is available in the Library. The details of delivery are to be found in the plans for each TEC. Summaries of plans are being prepared and will be placed in the Library on publication within three months following the plans coming into operation.

Quasi-religious Cults

Mr. Meale: To ask the Secretary of State for Employment what is his policy on the inclusion in publications of his Department and its associated agencies of advertising or promotional material for companies linked with quasi-religious cults; and if he will make a statement on the appearance in the Training Agency's open learning map of London of material promoting the activities of Programmes Training Ltd.

Mr. Eggar: The open learning map of London published by the Training Agency provides basic details of nearly 100 organisations producing open learning materials or providing open learning. Programmes Training Ltd. is one of these. The map includes a statement which makes it clear that inclusion of an organisation does not imply Training Agency endorsement of those organisations or a recommendation of their products.

Mr. Meale: To ask the Secretary of State for Employment what is his policy on the provision by the Training Agency of grants to companies sending employees on courses provided by companies associated with quasi-religious cults; and what sums of money have been expended by the Training Agency on grants relating to courses run by Programmes Training Ltd.

Mr. Eggar: The provision of local training grants to companies sending employees on courses ended in March 1989 with the introduction of business growth training.

Mr. Meale: To ask the Secretary of State for Employment what information his Department collects on the activities of religious and quasi-religious cults in the field of employment training; and if he will make a statement.

Mr. Eggar: None. Our policy is that proposals for employment training which could be used either directly or indirectly to promote religious views cannot be accepted for support.

Tourism

Mr. Fearn: To ask the Secretary of State for Employment what assessment his Department has made of whether the recent outbreaks of violence in Britain will influence the number of tourists visiting the United Kingdom this summer; and if he will make a statement.

Mr. Nicholls: The British Tourist Authority does not believe that these events will significantly influence the number of tourists visiting Great Britain.

Health and Safety Executive

Mr. Strang: To ask the Secretary of State for Employment what representations he has received from the Health and Safety Commission concerning the need for further resources for the Health and Safety Executive.

Mr. Nicholls: My right hon. and learned Friend has received from the Health and Safety Commission a draft of its latest plan of work and will be discussing resources with the commission in the forthcoming public expenditure review. Its judgment on the resources required for its work will be considered in that context.

Tributyltin Oxide

Mr. Simon Hughes: To ask the Secretary of State for Employment what uses are still permitted for the biocide TBT; and if he will make a statement.

Mr. Nicholls: The independent Advisory Committee on Pesticides is currently finalising its review of tributyltin oxide (TBTO) and a statement will be issued shortly relating to the approval of pesticides containing TBTO. Currently TBTO is approved as the active ingredient in a variety of pesticide products including wood preservatives and anti-fouling products. The ACP has recently commenced work on other tributyltin compounds used in surface biocides and wood preservatives.

Pesticides

Mr. Simon Hughes: To ask the Secretary of State for Employment to what extent storage of pesticides is subject to the Control of Industrial Major Accident Hazards Regulations 1984; and if he will make a statement.

Mr. Nicholls: Pesticides within the scope of the Control of Industrial Major Accident Hazards (CIMAH) Regulations 1984 are those which:

(i) are listed in schedule 2 to the regulations and are kept in isolated storage above specified threshold quantities; or

(ii) meet the indicative criteria set out in schedule 1, or are listed in schedule 3 and are kept in quantities above specified thresholds, where the storage is associated with a process operation subject to the regulations.

An amendment to the CIMAH regulations is currently in preparation in order to implement the second amending directive (88/610/EEC) to the "Seveso" directive (82/501/EEC). This will broaden the scope of CIMAH so that among other things it will have greater application to the storage of pesticides.

COSH Regulations

Mr. Dobson: To ask the Secretary of State for Employment what number and percentage of employers have completed their workplace assessments as required by section 6 of the Control of Substances Hazardous to Health Regulations 1988.

Mr. Nicholls *[holding answer 20 April 1990]:* There is no requirement under the Control of Substances Hazardous to Health Regulations to notify to the Health and Safety Executive the completion of the assessments required under those regulations. The information requested is not therefore available.

Mr. Dobson: To ask the Secretary of State for Employment if he will give *(a)* the number of prosecutions, *(b)* the average fine and *(c)* the number of improvement and prohibition notices issued to date under the Control of Substances Hazardous to Health Regulations 1988.

Mr. Nicholls *[holding answer 20 April 1990]:* These regulations did not become operative until October 1989. Consequently the information requested, relating to the 1989-90 statistical year, is not yet available.

Written Answers to Questions

Tuesday 24 April 1990

HOME DEPARTMENT

Prescription Charges

Mr. Campbell-Savours: To ask the Secretary of State for the Home Department whether he will set out the arrangements governing repayment schemes relating to prescription charge repayments for policemen, firemen and their families.

Mr. Peter Lloyd: Police regulations and the National Joint Council for Local Authorities Fire Brigades (NJC) scheme of conditions of service provide for the reimbursement of certain National Health Service charges incurred by police officers and local authority fire fighters. These are charges for drugs, medicines and appliances or for dental treatment incurred under sections 77 to 79 of the National Health Service Act 1977 as amended.

The NJC scheme, but not police regulations, also provides discretion for fire authorities to reimburse certain other medical costs in the interests of efficiency. Arrangements for reimbursing charges do not extend to the families of police officers unless they are also members of the service or to the families of firefighters.

Prisoners' Earnings

Mr. Grocott: To ask the Secretary of State for the Home Department what is the range of weekly earnings for prisoners on standard piece rate.

Mr. Mellor: Under the standard piece rate scheme, individual inmates are paid according to their own output or that of a group and may earn up to a maximum of £3·95 per week.

Mr. Grocott: To ask the Secretary of State for the Home Department what are the maximum earnings of a remand prisoner.

Mr. Mellor: In certain very limited circumstances a remand prisoner may earn up to £5·87 per week (the maximum for a sentenced prisoner), but generally the maximum weekly pay is £2·25.

Mr. Grocott: To ask the Secretary of State for the Home Department what is the range of weekly earnings for prisoners on the modified piece scheme.

Mr. Mellor: The modified piece work scheme is an incentive earnings scheme applied to certain workshops and parties with a designated working week of 23 hours or more. The pay range for production workers is from £3·18 to £5·87 per week and for support workers from £2·23 to £5·27 per week.

Television Licences

Mr. Gareth Wardell: To ask the Secretary of State for the Home Department if he will publish for each of the last five years the number of successful prosecutions for not possessing a valid television receiver licence, separately disfinguishing Wales and England.

Mr. Mellor: Information supplied by the national television licence records office is given in the table. The data are based on the areas covered by each television licence inquiry office. The Llandudno office covers part of England and the Shrewsbury office covers part of Wales.

Offenders found guilty of television licence fee evasion

Financial year	*England*	*Wales*
1984-85	95,335	6,521
1985-86	106,482	8,737
1986-87	153,593	11,115
1987-88	140,536	9,845
1988-89	152,194	10,516
1989-90[1]	149,008	11,047

[1] Provisional.

Penal Establishments

Mr. Sheerman: To ask the Secretary of State for the Home Department how many juveniles are currently being held in prison department establishments; in which establishments and in which wings of those establishments they are situated; whether juveniles are at all times separated from young adult or adult offenders; and whether unconvicted juveniles are separated from convicted prisoners.

Mr. Mellor: For the number of juveniles and the establishments in which they were held I refer the hon. Member to the reply given to a question from the hon. Member for Mansfield (Mr. Meale) on 23 April at column *24*. Details of the location of each juvenile within the establishment are not recorded centrally. The table, however, gives the readily available information about accommodation for juveniles in the establishments concerned.

In local prisons and remand centres male juveniles are at all times separated from adult prisoners and, so far as is practicable, are accommodated separately from young adults. Unconvicted prisoners are separated from convicted prisoners so far as this can reasonably be done, but mixing under close supervision may occur for certain regime activities such as education. Wherever possible, convicted juveniles are accommodated in separate wings or discrete units.

In the female prison system sentenced female juveniles are held in establishments which also house young adult and adult female offenders, but their sleeping accommodation is in areas specifically designated for young offenders. Unconvicted female juveniles are not held in prison custody.

Prison service establishments in England and Wales which held juveniles on 31 December 1989; by establishment and locations in which juveniles are held.

Establishment and type	*Location*
REMAND CENTRES:	
Brockhill	A, B, C or D wing
Cardiff	3 or 4 landing
Dorchester	D wing

Establishment and type	Location
Feltham	Nightingale, Heron or Jay
Glen Parva	Unit 8, 9 or 12
Hindley	A, B or C wing
Hull	B wing
Latchmere House	A wing
Low Newton	A, B, C or D wing
Manchester	Remand centre
Norwich	Remand centre
Pucklechurch	A, B or C wing
Risley	Remand centre
Swansea	Young Offender Unit
LOCAL PRISONS:	
Bristol	No specific information
Brixton	B or C wing
Holloway	Level 4 or 5
Manchester	E or G wing
Oxford	Hospital
YOUNG OFFENDER INSTITUTIONS:	
Aylesbury	B or G wing
Bullwood Hall	No specific information
Campsfield House	Juveniles only
Deerbolt	On units 1-7
East Sutton Park	No specific information
Everthorpe	Ss. Andrew, Patrick, David and George wing/unit
Feltham	Nightingale, H or J unit
Finnamore Wood	(1 wing)
Glen Parva	No specific information
Hollesley Bay	Deben unit
Kirklevington	Juveniles only
The Mount	Ellis or Brister House
New Hall	No specific information
Northallerton	B wing
Portland	Hardy or Nelson House
Stoke Heath	No specific information
Styal	No specific information
Swinfen Hall	No specific information
Wellingborough	No specific information
Werrington	North, North West, West or South West dormitory
Whatton	The junior wing

Welsh Courts

Mrs. Clwyd: To ask the Secretary of State for the Home Department (1) what was the total number of males under the age of 17 years remanded in custody in remand centres from Welsh courts during 1988;

(2) what was the total number of males under the age of 17 years who were made subject to unruly certificates from Welsh courts during 1988.

Mr. Mellor: I refer the hon. Member to the reply given to the question from the hon. Member for Ynys Môn (Mr. Jones) on 8 March 1990 at column *821*.

Puppy Farms

Mr. Nicholas Bennett: To ask the Secretary of State for the Home Department what recent representations he has received concerning puppy farms; and if he will make a statement.

Mr. Peter Lloyd: Following the Adjournment debate on 21 December initiated by the right hon. Member for Swansea, West (Mr. Williams), I have received a number of representations on this subject from a variety of sources, including hon. Members, local authorities and members of the public. I am conscious of the need to ensure that all dog breeding establishments comply with the requirements of the law.

Katyn

Mr. Nicholas Bennett: To ask the Secretary of State for the Home Department, in the light of the events of Friday 12 April, whether the circumstances surrounding the massacre of Katyn are no longer within the ambit of the War Crimes Bill provisions.

Mr. John Patten: The Government welcome the recent acknowledgement by the Soviet authorities concerning responsibility for the Katyn massacre. We are unaware of any allegations that any of the perpetrators of the massacre may now be living in the United Kingdom, and there is therefore no reason to broaden the terms of the Bill.

Cardiff Prison

Mr. Michael: To ask the Secretary of State for the Home Department how many prisoners Cardiff prison is designed to accommodate.

Mr. Mellor: Prior to the recent disturbances at Cardiff, the certified normal accommodation was 252 in the local prison and 85 in the remand centre. Some 95 places have since been lost in the local prison, but should be repaired and available for use within the next four weeks.

Mr. Michael: To ask the Secretary of State for the Home Department, how many prisoners were accommodated at Cardiff prison on 1 February, 1 March, 1 April and 15 April, respectively, and how many on each occasion were *(a)* awaiting a court hearing, *(b)* awaiting sentence and *(c)* young prisoners.

Mr. Mellor: The information requested is set out in the table below:

	1 February 1990	*1 March 1990*	*1 April 1990*	*15 April 1990*
Total population	441	451	433	347
(a) awaiting a court hearing[1]	192	206	187	111
(b) awaiting sentence[2]	55	60	56	21
(c) young offenders[3]	80	92	88	0

[1] Includes adult and young offenders, convicted unsentenced and inmates on remand. The number of sentenced inmates subject to a further court appearance is not recorded centrally and could only be provided at disproportionate cost.
[2] Includes young and adult convicted unsentenced.
[3] Includes remand, convicted unsentenced and sentenced.

NORTHERN IRELAND

Home Improvements

Mr. Stott: To ask the Secretary of State for Northern Ireland (1) what steps his Department and/or the Northern Ireland Executive have taken to encourage and assist elderly home owners to take up repair/improvement grants to bring their homes up to acceptable standards;

(2) which voluntary organisations have been providing services on an agency basis to the Housing Executive, in encouraging and assisting elderly home owners to take up repair/improvement grants to bring their homes up to acceptable standards; how long such arrangements have been in operation; and in which areas of Northern Ireland they have operated.

Mr. Peter Bottomley: These matters fall within the day-to-day administration of the renovation grants scheme by the Northern Ireland Housing Executive. I understand that it is estimated that 40 per cent. of applicants for repair grants are elderly and in 1989 the Northern Ireland Housing Executive's priority groups for receipt of such grants was extended to include the elderly. There is a disproportionately lower number of improvement grant applications from the elderly and this reflects not only the financial difficulties facing them but the disruption caused by improvement work.

The Northern Ireland Housing Executive provides advice and guidance via its network of local grants offices throughout the Province to elderly home-owners wishing to take up repair and improvement grants to bring their homes up to acceptable standards. In response to the level of demand the executive also provides a dedicated home improvements for the elderly service in three of its six regions (Belfast, south-east and north-east) through which assistance is provided at each stage in the grants process from preliminary inspection through to completion. A similar type of service is also available to rural dwellers in the executive's west region.

Voluntary organisations continue to play a vital role in providing assistance to elderly and disabled home owners. The Northern Ireland Housing Executive is currently finalising an agreement with Fold Housing Trust for a "Care and Repair" agency service which is intended to provide a comprehensive service of advice and assistance to the elderly, disabled and those in financial hardship. Within the next 18 months this service is expected to be made available throughout the Province and initial estimates are for an annual turnover of around 400 cases of which approximately 200 would be grant-aided.

Until now voluntary organisations have provided a home improvements for the elderly service on an agency basis in various parts of the Province as follows:

(i) from 1982 Fold Housing Trust has provided a service in the south-east and north-east regions;
(ii) from 1982 to 1987 the Northern Ireland Federation of Housing Associations provided a service in the Belfast area; and
(iii) from January 1988 Shelter (NI) has provided a service in the Strabane and Londonderry areas.

Hedgerows

Mr. Colvin: To ask the Secretary of State for Northern Ireland how many miles of hedgerows have been removed, and how many miles planted *(a)* since 1 January 1960 and *(b)* since 1979.

Mr. Peter Bottomley: The information is not available because grants for the removal of hedgerows stopped a number of years ago.

Bus Services

Mr. Page: To ask the Secretary of State for Northern Ireland what conclusions he has reached on the report by the Monopolies and Mergers Commission on the bus services in Northern Ireland provided by Ulsterbus Ltd. and Citybus Ltd.; and if he will make a statement.

Mr. Peter Bottomley: I have today placed in the Library of the House the initial response produced by the Department of the Environment for Northern Ireland, in consultation with the Northern Ireland Transport Holding Company and the bus companies, to the report submitted by the Monopolies and Mergers Commission in June 1989.

I am grateful to the commission for the comprehensive review it carried out and the series of 58 recommendations it made. The commission found an effective, low-cost and lean organisation with short chains of command supported by loyal, hard-working and often courageous staff. The report noted the high level of civil disorder with which the companies have had to cope, reflected in the destruction of over 1,100 buses since 1969. It especially commented on the dedication of staff at all levels in maintaining services in the face of severe harassment.

The commission confirmed that the companies do not operate against the public interest. The report contained 58 recommendations most of which have been accepted and, where appropriate, are being implemented. This should result in a marked improvement of services to the public and the management of the companies. The companies are still considering the feasibility of a few recommendations.

The Department continues in dialogue with the companies about the implementation of the recommendations and I will report on progress to the House in due course.

Lough Foyle

Mr. William Ross: To ask the Secretary of State for Northern Ireland what is his estimate of the area of land lost to the sea between the estuary of the River Roe and Magilligan Point during the last *(a)* five years, *(b)* 10 years, *(c)* 15 years and *(d)* 20 years; what evidence he has on changes in the rate of erosion; what evidence he has on the long term change in the level of the land above sea level in that area; and whether he has any approaches to the EEC for funding for coastal protection works to protect the environment of the Lough Foyle foreshore.

Mr. Peter Bottomley *[holding answer 3 April 1990]:* The information is not available.

The expenditure necessary to stop erosion on this portion of the Lough Foyle coast could not be justified as the cost of coastal protection works would be greatly in excess of the value of the land at risk, consequently EC funding has not been sought.

Police Rent Allowances

Mr. Shersby: To ask the Secretary of State for Northern Ireland if he will make an estimate of the cost to public funds of *(a)* uprating rent allowance for the Royal Ulster

Constabulary by the index agreed by the police negotiating board and *(b)* by the movement in the retail price index since the force maximum was last reviewed.

Mr. Cope *[holding answer 5 April 1990]:* The actual indices for the period 1 April 1988 to 1 April 1990 are not yet available, but it is estimated that uprating by the index recommended by the PNB would cost approximately £5·8 million and uprating by the retail prices index would cost approximately £5 million.

Farm Woodlands Scheme

Mr. McNamara: To ask the Secretary of State for Northern Ireland what measures he is taking to improve uptake under the farm woodlands scheme.

Mr. Peter Bottomley *[holding answer 18 April 1990]:* The farm woodlands scheme has, since its inception, had extensive advisory and media coverage and will be widely publicised again in August-September prior to the new planting year.

The scheme as it is administered in Northern Ireland is, for all practical purposes, identical with the scheme in the rest of the United Kingdom with the same terms and conditions. The scheme is being kept under review throughout the United Kingdom and any measures adopted to improve uptake will apply in Northern Ireland.

Vehicle Imports

Mr. William Ross: To ask the Secretary of State for Northern Ireland if he will publish a table of how many motor vehicles, what types and class, were imported as *(a)* new vehicles and *(b)* secondhand vehicles into Northern Ireland from the Irish Republic in each of the last five years; and what percentage of the total sales of (i) new vehicles and (ii) secondhand vehicles this represents in each class and type in each year, or as much of such information as is available to him.

Mr. Peter Bottomley *[holding answer 19 April 1990]:* The Department of Environment for Northern Ireland does not hold information about actual sales of new or second-hand vehicles.

The information set out in the tables relates to vehicles registered for the first time in Northern Ireland and vehicles imported as new or having previously been registered and used in the Republic of Ireland.

	A *New (excl Imports)*	*B* *Imported new from ROI (not previously registered)*	*C* *B as per cent. of A and B*	*D* *Registered in ROI prior to importation to NI*	*E* *D as per cent. of A and B and D*
			per cent.		*per cent.*
Private cars					
1984	57,107	5,285	8·47	[1]	—
1985	55,599	4,328	7·22	[1]	—
1986	53,019	872	1·61	[1]	—
1987	53,769	221	0·40	595	1·09
1988	55,051	380	0·68	2,085	3·62
1989	53,520	133	0·24	3,203	5·63
Light goods (not over 1,525 kg used for commercial purposes)					
1984	3,533	869	19·74	[1]	—
1985	3,818	662	14·77	[1]	—
1986	3,312	237	6·67	[1]	—
1987	3,334	278	7·69	[1]	—
1988	3,129	267	7·86	[1]	—
1989	2,994	300	9·10	[1]	—
Heavy goods vehicles (over 1,525 kg)					
1984	1,953	5	0·25	[1]	—
1985	2,503	6	0·23	[1]	—
1986	2,238	1	0·04	[1]	—
1987	2,173	4	0·18	[1]	—
1988	2,183	712	24·59	[1]	—
1989	2,201	794	26·51	[1]	—

[1] Figures not available.

Fish Stocks

Mr. William Ross: To ask the Secretary of State for Northern Ireland if he will publish a table to show how many cases of pollution of rivers and lakes were known to him in each of the last three years; how many in each year resulted in fish kill; and how many of these cases were the result of pollution by *(a)* the Department of the Environment and *(b)* the Department of Agriculture.

Mr. Peter Bottomley *[holding answer 19 April 1990]:* The number of pollution incidents investigated on behalf of the Department of the Environment by the Fisheries Conservancy Board for Northern Ireland and the Foyle Fisheries Commission over the last three years and the number of associated fish kills are as follows:

	1987	*1988*	*1989*
Pollution incidents	995	1,001	903
Fish kills	33	27	57

Pollution investigations were also undertaken by environmental health (rivers) officers who act in conjunction with the fisheries bodes as required. We are unable to identify incidents directly attributable to the Department of Agriculture for Northern Ireland. For the

three years in question there were 39, 32 and 36 incidents respectively reported which involved sewage or water treatment works.

Mr. William Ross: To ask the Secretary of State for Northern Ireland what research has been carried out into the stocks of brown trout in Lough Neagh over the past decade; and where the results of such research have been published.

Mr. Peter Bottomley *[holding answer 19 April 1990]:* None that I am aware of.

Mr. William Ross: To ask the Secretary of State for Northern Ireland whether the stocks of brown trout in Lough Neagh are now higher or lower than was the case five years, 10 years and 15 years ago; and whether the size and weight of the fish has increased or decreased.

Mr. Peter Bottomley *[holding answer 19 April 1990]:* In the absence of any research into the stocks of brown trout in Lough Neagh and detailed catch statistics from fishermen, it is not possible to state whether the stocks of brown trout are now higher or lower than was the case five years, 10 years and 15 years ago or whether the size and weight of fish has increased or decreased.

The spawning record shows that there are fluctuations from year to year in the number of redds counted in the various tributaries of the Lough Neagh catchment, but as a general guide they do not indicate any long-term trend in the overall state of the stock.

A copy of the spawning record is provided at table V in the 1988 annual report of the Fisheries Conservancy Board for Northern Ireland, a copy of which is available in the Library.

Belfast Ministerial Visit

Mr. Kilfedder: To ask the Secretary of State for Northern Ireland what was the total cost of the police and Army security operation mounted for the visit to Belfast of the Prime Minister of the Republic of Eire; and whether any part of the cost will be met from *(a)* European Community funds, *(b)* the Eire Government and *(c)* the Institute of Directors.

Mr. Cope: The extra cost of the police operation could be obtained only at disproportionate cost. None of the cost will be met from European Community Funds, the Government of the Republic of Ireland or the Institute of Directors. The cost of the Army operation is a matter for my right hon. Friend the Secretary of State for Defence.

Woburn House, Millisle

Mr. Kilfedder: To ask the Secretary of State for Northern Ireland what was the cost of carpeting, furnishing and general refurbishment of Woburn house, Millisle, when it was decided to use it as a prison officers' school; how many staff are employed; and what is the number of recruits in training.

Mr. Cope: Woburn house became the Northern Ireland prison service college on 12 January 1981. As payment records are not retained beyond the minimum of seven years in accord with Her Majesty's Treasury regulations the information required is not available.

As at 19 April 1990, there was a total of 54 staff employed at the prison service college, Woburn house, Millisle. There are presently 24 recruits in full-time training at the college—21 males and three females. Other part-time and short courses are run at the college as well.

Mr. Kilfedder: To ask the Secretary of State for Northern Ireland whether any valuation was made of the woodworking and other equipment formerly housed at the young offenders centre, Millisle, before it was disposed of when the centre was transferred to Hyde park, Purdysburn.

Mr. Cope: The available records relating to the equipment and machinery used for vocational training at the borstal at Millisle indicate that the bulk of these items were transferred to the new young offenders' centre at Hydebank Wood and to Lisnevin training school. A few items which were not required, were disposed of under the Government regulations covering the disposal of surplus equipment. As detailed financial records for this period some 10 years ago no longer exist, it is not possible to say what the value of these items were.

TRADE AND INDUSTRY

Small Firms

75. **Mr. David Davis:** To ask the Secretary of State for Trade and Industry what measures the Government are taking to reduce the burden of bureaucracy on small firms.

Mr. Redwood: I have been asked to reply.

The Government recognise that the burden of complying with regulation is greater for small firms. The deregulation initiative, co-ordinated by my Department, therefore takes particular account of their problems. Additional departmental deregulation reviews under the rolling programme and wider cross-departmental work on, for example, simplification of small company accounts, which I announced on 21 December last, promise useful improvements in the regulatory environment. Recent studies by my Department of the problems of getting established in particular sectors will help us target future deregulatory activity more effectively.

Examples of recent action which should help small firms include the Department of Employment's easing of restrictions on the employment of women and young people and publication of their "self-employment starter pack". Also, important changes were announced in the Budget, including a new scheme of comprehensive bad debt relief and an increase in the VAT registration threshold. My own Department has simplified the provisions for shareholder information and streamlined radiocommunications licensing.

Enterprise Initiative

Mr. Dewar: To ask the Secretary of State for Trade and Industry how many companies in Scotland applied for assistance under the Department of Trade and Industry's enterprise initiative between April 1988 and April 1989, and from April 1989 to date; and how many companies in Scotland were actually given assistance under the scheme during each of these periods.

Mr. Douglas Hogg: The enterprise initiative is a comprehensive package of DTI services, including the consultancy initiatives, regional selective assistance (RSA), regional enterprise grants (REG), collaborative

research programmes, the small firms merit award for research and technology (SMART), the enterprise and education initiative, the managing into the '90s programme and the export initiative.

Applications for assistance are only made under project—based programmes. The information requested for Scotland under these programmes is as follows:

	1 April 1988 to 31 March 1989	*1 April 1989 to 31 March 1990*
Consultancy initiatives:[1]		
Applications	1,529	1,405
Projects approved	1,299	1,162
Regional selective assistance:		
Applications	255	313
Projects approved	221	242
Regional enterprise grants:		
Applications	482	673
Projects approved	226	432
Smart:[2]		
Applications	74	196
Projects approved	9	20

[1] The consultancy initiatives also provides assistance in the form of a business review which is provided to 98 per cent. of applicants.
[2] SMART is a competition-based programme. Due to a change in the closing date for the 1990 competition, the 1989-90 statistics include the applications for the two years competitions, but only one year's winners, as the 1990 winners have yet to be announced.

Accounting Practices

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry if he will make a statement on his policies regarding off-balance sheet financing schemes.

Mr. Redwood: I have nothing to add to the answer I gave to the hon. Member on 4 April at column *621*.

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry whether, in view of his Department's criticisms of the standard of audit work done by major auditing firms, he will issue statements to warn investors of the quality of work done by such firms.

Mr. Redwood: No. It is for investors to form their own view about those criticised in reports of inspectors which my Department has published.

CCAB Ltd.

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry whether following the letter dated 16 November 1989 from the hon. Member for Great Grimsby, he has examined the annual report and accounts filed by CCAB Ltd.

Mr. Redwood: Yes.

Accountancy Firms

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry whether he is planning to cease using the auditing firms criticised by his inspectors as auditors for the public bodies sponsored by his Department.

Mr. Redwood: When making or approving such appointments my Department takes all relevant factors into account.

Institute of Chartered Accountants

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry if he will publish any comments made by his Department on the draft syllabus published by the Institute of Chartered Accountants in England and Wales.

Mr. Redwood: No. It would not be appropriate to do so.

Company Directors

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry whether he has received any representations from the Bank of England concerning the encouragement or otherwise of the appointment of non-executive directors by major companies.

Mr. Redwood: The Bank of England has over a long period encouraged the appointment of non-executive directors and this is also the Department's policy.

Libya

Mr. Jannan: To ask the Secretary of State for Trade and Industry what is his current estimate for the balance of trade between the United Kingdom and Libya.

Mr. Redwood: Information on the value of United Kingdom visible trade with Libya is published in the "Overseas Trade Statistics of the United Kingdom, Business Monitor MM20", table Ib.

Financial Services Act

Mr. Cousins: To ask the Secretary of State for Trade and Industry when he proposes to bring in regulations to define private persons in the sections of the Companies Act 1989 which restrict actions for damages under section 62 of the Financial Services Act 1986; and what consultations he has carried out on such regulations.

Mr. Redwood: My Department will undertake public consultation on its proposals for defining private investor before making the relevant regulations under section 193 of the Companies Act 1989. The intention is to commence such consultations shortly.

Mr. Cousins: To ask the Secretary of State for Trade and Industry how many actions for damages under section 62 of the Financial Services Act 1986 have been brought; by whom; and with what result.

Mr. Redwood: Actions under section 62 of the Financial Services Act 1986 are private actions for damages, and as such my Department would not necessarily expect to hear of such cases. In the only instance of which I am aware, the case was decided against the plaintiff.

Education-Business Partnerships

Mr. Soames: To ask the Secretary of State for Trade and Industry what plans the Government have for local education-business partnerships and for the teacher placement service.

Mr. Ridley: I am pleased to announce on behalf of myself and my right hon. Friends, the Secretaries of State for Education and Science and for Employment, that the Government intend to support local education business

partnerships across the country. The new partnerships will build on the work already done under the enterprise and education initiative, TVEI and compacts, and foster the development of the work-related aspects of the national curriculum.

Partnerships involve local education and business interests in work that brings schools and other educational institutions, industry and commerce closer together for the benefit of young people and the economy.

The Government also intend to build wherever possible on existing partnership work. Where they are in a position to make effective proposals, the new training and enterprise councils will be offered the first opportunity to lead and co-ordinate the development of this activity; otherwise, other local bodies and organisations will be invited to bid for this role.

There will be a development phase over the next 12 months in which my colleagues and I will collaborate closely. The Foundation for Education Business Partnerships, which has been established by industrial and education interests to foster partnership activity will be kept closely in touch.

Financial support will come initially from my Department. With the formation of partnerships from April 1991, the Department's Training Agency will take the lead.

My right hon. Friends the Secretaries of State for Wales and for Scotland will make separate announcements about their arrangements for partnerships.

The teacher placement service will continue. Arrangements for its future administration will be developed together with those for local partnerships.

Mergers

Mr. Soames: To ask the Secretary of State for Trade and Industry if he will make a statement concerning his policy on referring completed mergers to the Monopolies and Mergers Commission.

Mr. Ridley: Section 64(4) of the Fair Trading Act 1973 provides that I may refer a qualifying merger to the Monopolies and Mergers Commission (MMC) within six months of the date of the completion of the merger or the date on which material facts about the merger are made public or made available to me or to the Director General of Fair Trading. In addition, I am required, under section 64(5) of the Act, to make my decision on whether or not to refer the merger as soon as is reasonably practicable.

Many mergers are either made public or discussed with the Director General of Fair Trading before they take effect. But when a merger is completed before any such announcement or discussion, I am anxious to be in a position as soon as possible to decide whether it should be referred to the MMC. In such cases therefore I shall be looking to the director general for early advice, and to the companies concerned for their cooperation with his Office to enable him to give it. If, in such a case, I had reason to believe that the merger could raise competition or other public interest issues, and that the director general's inquiries were not being answered fully and promptly, I would not allow the lack of full information to deter me from requiring an investigation by the MMC.

Disabled Employees

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry whether he will list the number of companies which his Department have prosecuted for the failure to meet the disabled employee quota since 1979.

Mr. Eggar: I have been asked to reply.

There have been no prosecutions since 1979 against companies that failed to fulfil their obligation under the quota scheme established by the Disabled Persons (Employment) Act 1944.

ENVIRONMENT

Housing

Mr. Hind: To ask the Secretary of State for the Environment how much Government assistance has been given to Liverpool through housing investment programmes *(a)* between 1974 and 1979 and *(b)* in each of the last 10 years.

Mr. Chope: Details of the allocations made to Liverpool city council since 1978-79, the first year in which housing investment programme allocations were made, are listed below. Since 1981-82 authorities have been able to augment the borrowing power of their HIP allocations by using the prescribed proportion of their capital receipts. For 1990-91, under the new capital finance system, the HIP allocation does not convey borrowing approval directly.

Housing investment programme allocations for Liverpool city council

	£ thousand
1978-79	35,460
1979-80	42,430
1980-81	47,230
1981-82	39,788
1982-83	49,337
1983-84	41,850
1984-85	38,499
1985-86	31,000
1986-87	27,500
1987-88	25,300
1988-89	20,588
1989-90	[1]23,207
1990-91	[2]33,687

Notes:
[1] Provisional.
[2] Initial allocations only.

Leeds Development Corporation

Mr. Fatchett: To ask the Secretary of State for the Environment, pursuant to the answer of 5 April given by the hon. Member for Lewisham, East (Mr. Moynihan) to the hon. Member for Leeds, Central, if he will list the public meetings held by or attended by the Leeds Development Corporation to which he refers.

Mr. Moynihan: The development corporation has held and attended public meetings with the local business community about the planning framework for the Calls and Riverside area and with residents of Armley, Kirkstall and Beza road, Hunslet.

The planning meetings of the development corporation are also open to the public.

Earthquake

Mr. Redmond: To ask the Secretary of State for the Environment if he will list by location the damage that was recorded in the counties of Yorkshire and Humberside after the earthquake that was felt in these areas on 2 April and the seismographic scale.

Mr. Moynihan: No comprehensive list of damage caused by the Bishops Castle earthquake of 2 April 1990, exists at present. Information on damage and other felt effects is being collected by the British Geological Survey under the United Kingdom seismic monitoring and information service which is funded by a number of organisations including the Natural Environment Research Council and my Department. The survey has yielded about 6,000 replies so far and further information is being received daily.

It will be several months before all of the information has been studied in detail, but preliminary analysis indicates that little or no damage occurred in Yorkshire and Humberside. The earthquake measured about 5·4 on the Richter seismographic scale.

Kilbury Sewage Treatment Works

Mr. Steen: To ask the Secretary of State for the Environment when he hopes to reply to a letter written on 27 February by the Staverton parish council about discharge consent standards at Kilbury sewage treatment works, Buckfastleigh, Devon; and if he will make a statement.

Mr. Heathcoat-Amory: I wrote to Staverton parish council and to my hon. Friend on 23 April.

Waste

Mr. Janman: To ask the Secretary of State for the Environment (1) what examination he is making of alternatives to the source separation of the waste stream prior to recycling; if he has any information concerning the effect mechanical separation would have on the percentage of refused derived products from waste; and if he will make a statement;

(2) what assessment he has made of the effect of source separation of the domestic waste stream on the ability to recycle domestic waste output; and if he will make a statement;

(3) if he will list those local authorities in England and Wales that his Department is aware of that currently recycle all or part of the domestic waste stream, using the mechanical sorting of waste as opposed to source separation; and if he will make a statement.

Mr. Heathcoat-Amory: This information is not available at present but is currently being sought from local authorities through a comprehensive survey of their recycling activity. Issues relating to the collection and sorting of waste are being considered by the advisory group on recycling jointly run by my Department and the Department of Trade and Industry.

Refuse-derived Fuel Pellets

Mr. Janman: To ask the Secretary of State for the Environment (1) how much public money has been spent on plants sponsored by his Department investigating the manufacture and use of refuse-derived fuel pellets; if he will list the performance figures from those plants; and if he will make a statement;

(2) if he will list such private sector research of which he is currently aware into the manufacture and use of refuse derived fuel pellets; and if he will undertake a comparative study between their findings and data from plants sponsored by his Department.

Mr. Heathcoat-Amory: About £12 million has been spent by my Department between 1974 and 1986 on pilot schemes for the manufacture and use of refuse-derived fuel pellets. The results have been published by the Warren Spring laboratory, for which my right hon. Friend the Secretary of State for Trade and Industry is responsible. Technical problems have now largely been solved, but further work is needed on marketing. Any comparison of these results and private sector research results would be a matter for prospective purchasers of equipment.

Housing Transfers

Mr. Soley: To ask the Secretary of State for the Environment whether, in the light of the outcome of the arrangements to transfer the housing stock of Rochester-upon-Medway city council, he will revise his guidelines regarding voluntary transfers; and if he will make a statement.

Mr. Michael Spicer: Our criteria remain those set out in the guidelines, "Large Scale Voluntary Transfers of Local Authority Housing to Private Bodies", a copy of which is in the Library.

Mr. Soley: To ask the Secretary of State for the Environment whether he will make it his policy not to approve any future proposal by Rochester-upon-Medway city council to transfer its housing stock to another landlord which is not accompanied by financial assistance to the tenants' association to emply independent financial and legal advice.

Mr. Michael Spicer: Any local authority wishing to dispose of tenanted housing must comply with the requirements of schedule 3A to the Housing Act 1985. The Secretary of State will consider whether the authority has, in his view, met these requirements before deciding whether to give consent to the disposal. It is for the authority to decide whether it will provide tenants with financial assistance for obtaining external advice.

Hillingdon Vehicle Maintenance Department

Mr. Soley: To ask the Secretary of State for the Environment on what grounds he used his powers under section 14 of the Local Government Act 1988 to compel the London borough of Hillingdon to close its vehicle maintenance department.

Mr. Heathcoat-Amory: I refer the hon. Gentleman to the reply which I gave to my hon. Friend the Member for Surbiton on 13 March at column *189*.

National Rivers Authority

Mr. Nicholas Bennett: To ask the Secretary of State for the Environment what representations he has received from the National Rivers Authority for additional staffing and resources; and if he will make a statement.

Mr. Heathcoat-Amory: The National Rivers Authority is currently preparing its first corporate plan. My officials are in discussion with the authority about this and about resources generally. The Government are committed to ensuring the NRA has the necessary resources to carry out its functions effectively. Grant in aid to the NRA for 1990-91 is £93 million.

Sports Clubs (Rate Relief)

Mr. Favell: To ask the Secretary of State for the Environment how many councils have agreed to grant discretionary rate relief to sports clubs for the year 1990-91.

Mr. Chope: The information for which my hon. Friend asks is not available. Authorities will not necessarily yet have dealt with all applications for relief. We intend, however, to collect later in the year information about the use that authorities have made of their discretion.

Ozone Levels

Mr. Simon Hughes: To ask the Secretary of State for the Environment why, in the light of his Department's news release of 3 August 1989, no public announcement was made in respect of ozone levels on 17 March and 18 March; and if he will make a statement.

Mr. Trippier: In accordance with the Department's news release of 3 August 1989, information on ozone levels occurring on 17 and 18 March, and also 31 March and 1 April was available from the Department's press office the morning of the day after the episode commenced. No journalist asked for this summary.

Petrol

Mr. Flynn: To ask the Secretary of State for the Environment what steps he is taking to assess *(a)* the level of carcinogens and *(b)* the health risks associated with the carcinogens produced by (i) leaded and (ii) unleaded petrol.

Mr. Heathcoat-Amory: My Department funds a substantial programme of research investigating pollution emissions from vehicles using leaded and unleaded petrol. Special emphasis is placed upon organic micro-pollutants, including benzene.

The evidence on human exposure to these pollutants provided by this research will be evaluated by the Department of Health for possible health effects.

Rain Forests

Mr. Dalyell: To ask the Secretary of State for the Environment if he will make a statement on his meeting at Sandringham in Norfolk with European Commissioners; and whether he discussed rain forest issues.

Mr. Chris Patten: His Royal Highness the Prince of Wales invited Sr. Ripa di Meana, European Commissioner for the Environment, and Mr. Ray McSharry, European Commissioner for Agriculture, to visit Sandringham on 19-20 April. My right hon. Friend the Minister of Agriculture, Fisheries and Food and I were also invited. Discussions were wide ranging.

Victoria Tower

Mr. John Greenway: To ask the Secretary of State for the Environment when he plans to undertake the restoration of the stonework to the Victoria tower at the Palace of Westminster; and if he will make a statement.

Mr. Chope: I am pleased to announce that a contract for the repair and restoration of the stonework on the Victoria tower and the south elevation of the Palace of Westminster overlooking Victoria tower garden was let to John Laing Construction Ltd. shortly before Easter. Work will start later this month. It will take four years to complete at a cost of some £7 million.

The placing of this contract marks the start of the final stage of the restoration of the exterior of the Palace of Westminster which began in 1981. It is intended to follow on with the restoration of the stonework of the internal courtyards.

Community Charge

Mr. Couchman: To ask the Secretary of State for the Environment, pursuant to his statement of 3 April on charge capping, what were his decisions in relation to capping Lambeth borough council for 1990-91.

Mr. Chris Patten: On the basis of the principles that I adopted for inner-London boroughs, Lambeth's revised budget of £293·9 million is, in my opinion, excessive. On 10 April, I therefore designated the authority for charge capping in accordance with those principles, and proposed a cap of £285·1 million, a reduction of £8·8 million or £51 per adult. I am satisfied that, on the basis of the information available to me, the proposed cap is fair and reasonable in all the circumstances of Lambeth. The authority has 28 days, beginning on 10 April 1990, in which to let me know whether it accepts the proposed cap or, if not, what alternative cap it is proposing together with the reasons for it.

Local Government Finance

Mr. Hardy: To ask the Secretary of State for the Environment if he will list the number of people who will be required to pay standard community charge in respect of second homes in each local authority in England.

Mr. Chope *[holding answer 23 April 1990]:* This information is not available.

Mr. Ian Taylor: To ask the Secretary of State for the Environment whether there are any circumstances under which those residing on islands would qualify for a reduction in their community charge bills; and whether such residents qualified for a reduction under the old domestic rating system.

Mr. Chope *[holding answer 23 April 1990]:* The qualifying conditions for a reduction in community charges, either through community charge benefit, student status or transitional relief apply equally to residents on islands as to residents on the mainland. Under the old domestic rating system, the same principles in respect of rebates and reliefs applied.

Mr. Strang: To ask the Secretary of State for the Environment what is the most recent estimate of the total expenditure on the collection of the poll tax *(a)* in Scotland in the year 1989-90 and *(b)* in (i) Scotland, (ii) England and (iii) Wales in the year 1990-91.

Mr. Chope *[holding answer 23 April 1990]:* The Government's latest estimate for collecting the community charge in England in 1990-91 is £400 million. The cost of community charge collection in Scotland and Wales are matters for my right hon. and learned Friend the Secretary of State for Scotland and my right hon. Friend the Secretary of State for Wales respectively.

Sir John Farr: To ask the Secretary of State for the Environment if he will make it his policy to fix the maximum standard community charge at nil for empty dwellings in England and Wales on agricultural or forestry land.

Mr. David Hunt *[holding answer 23 April 1990]:* We have prescribed nine classes of property in respect of which no standard charge is payable. We have also given wide discretion to local authorities to specify additional classes of property for special treatment. Local authorities could, if they saw fit, specify a class of property relating to empty agricultural dwellings for which a lower multiplier would be applied. However, such a discretion may be exercised only before the start of the financial year in which it is intended to operate.

Sir John Farr: To ask the Secretary of State for the Environment if he will seek to change the arrangements whereby local authorities may fix a standard community charge on self-catering holiday cottages, chalets and the like, with an impact above the level of current rates on farm income from this source.

Mr. David Hunt *[holding answer 23 April 1990]:* A standard charge will be payable in respect of self-catering accommodation only if the property is to be treated as domestic property, does not give rise to business rates and if no person has his or her sole or main residence there. In such circumstances, unless the local authority had chosen to specify such a class of property for special treatment, the property would be subject to the standard charge in the same way as other qualifying properties. A property will be subject to business rates if it is available for letting commercially for short periods of 140 days or more per year to individuals whose sole or main residence is elsewhere.

Hazardous Waste

Mr. Hardy: To ask the Secretary of State for the Environment what action he proposes to take either to secure the retention of the South Yorkshire hazardous waste unit or to provide for the environmental protection of south Yorkshire as far as the tipping, storage and management of harmful or toxic waste is concerned.

Mr. Trippier *[holding answer 23 April 1990]:* Both my right hon. Friend the Secretary of State and I were concerned to receive notice of the intention of Sheffield and Doncaster to withdraw from the voluntary agreement on waste regulation in South Yorkshire with effect from 1 April 1991. We believe that satisfactory arrangements for the management of hazardous waste within the metropolitan areas require effective co-operation between all the districts in these areas and that is why, in cases where voluntary agreements were not forthcoming in 1985, statutory arrangements were introduced under the Local Government Act 1985. Consequently, I would hope that Sheffield and Doncaster will reconsider their position in relation to the voluntary agreement. In the meantime, I have asked Her Majesty's inspectorate of pollution to let me have a full assessment of the position.

Acid Deposition

Mr. Simon Hughes: To ask the Secretary of State for the Environment what recent assessment he has made of the effect of acid deposition on trees; what percentage of trees he estimates are *(a)* dying from *(b)* otherwise affected by acid deposition; and if he will make a statement.

Mr. Heathcoat-Amory *[holding answer 24 April 1990]:* The Forestry Commission has carried out a national monitoring programme of annual tree health surveys since 1984. In 1989, tree health showed an overall improvement for the second year running.

A study of the effects of air pollution, including acid deposition, on trees was carried out for the Department by the United Kingdom terrestrial effects review group (TERG). The report was published in July 1988 and copies placed in the Library of the House. It concludes that there is as yet no direct proof that air pollution is damaging trees in the United Kingdom, but that some forests are subjected to pollution climates which may be expected to cause stress.

Further laboratory and field study data, including information from the Forestry Commission's programme, have become available since the publication of the TERG report which may enable more precise conclusions to be drawn. The Department has therefore set up a sub-group of TERG specifically to evaluate this new information. The group will report in January 1991.

Waste Disposal

Mr. Simon Hughes: To ask the Secretary of State for the Environment, pursuant to the answer to the hon. Member for Stoke-on-Trent, North (Ms. Walley) of 20 February, *Official Report*, column *656*, if he will now make a further statement on the feasibility of compiling a register of contaminated land.

Mr. Trippier *[holding answer 23 April 1990]:* I am sympathetic to the idea of compiling registers in appropriate form and expect to receive later this week, the report of the internal working party which has been looking at this. I will announce my proposals at the earliest opportunity.

Environmental Research

Mr. Simon Hughes: To ask the Secretary of State for the Environment how much, for each year from 1980 to 1989, inclusive, was spent by his Department on environmental research to meet *(a)* United Kingdom needs, *(b)* European needs, and *(c)* global needs.

Mr. Trippier *[holding answer 23 April 1990]:* The expenditure of the Department of the Environment on environmental research to meet United Kingdom needs between 1980 and 1989 is as follows:

Year	*£ million*
1980-81	24·1
1981-82	23·7
1982-83	21·3
1983-84	20·4

Year	£ million
1984-85	20·8
1985-86	24·9
1986-87	25·7
1987-88	27·3
1988-89	29·9
1989-90	35·5

None of the above expenditure has met European needs directly. The above expenditure does, however, cover research on global issues amounting to £190,000 in 1988-89 and £950,000 in 1989-90.

Oil Spillage (Antarctic)

Mr. Dunnachie: To ask the Secretary of State for the Environment if he will make a statement regarding the pollution from oil spillage in the Antarctic.

Mr. Maude *[holding answer 23 April 1990]:* I have been asked to reply.

There are no comprehensive data on the quantities of oil spilled in the Antarctic. Overall the impact of oil pollution is believed to be insignificant. The British Antarctic Survey reports only three spills of any size from its operations within the last 10 years. None of these spills, of marine gas oil, amounted to more than six barrels and none had any recorded environmental impact.

Following a number of reported incidents by other national operators in the Antarctic, notably the sinking of the supply vessel Bahia Paraiso, the Antarctic treaty consultative parties discussed at their 15th meeting in Paris in October 1989 the prevention, control and response to marine pollution. Recommendations passed included measures to prohibit certain discharges and disposal from vessels, requirements for vessels to comply with specific international conventions on vessel safety and pollution control and a requirement for Governments to increase mutual co-operation in hydographic survey and charting in Antarctic waters, to assist in navigational safety and environmental protection.

FOREIGN AND COMMONWEALTH AFFAIRS

Libya

Mr. Janman: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will estimate the number of British nationals currently working in Libya; and what were the figures for each year since 1985.

Mr. Waldegrave: Not all British citizens in Libya register with the British interests section in Tripoli, but we estimate that since 1985 the British community there has numbered between 3,500 and 5,000.

Peru

Mr. Ernie Ross: To ask the Secretary of State for Foreign and Commonwealth Affairs whether he has raised with the Peruvian Government the detention of Victor Taipe Zuniga, president of the National Mineworkers Federation.

Mr. Maude: No.

Mr. Ernie Ross: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Peruvian Government about the detention of politicians, trade union leaders and trade union representatives.

Mr. Maude: We frequently raise with the Peruvian authorities the cases of individuals who have been detained or who have disappeared in Peru, including politicians and trade union leaders and representatives.

Mr. Ernie Ross: To ask the Secretary of State for Foreign and Commonwealth Affairs when he last met the Peruvian ambassador; and what subjects were discussed.

Mr. Maude: My right hon. Friend the Foreign Secretary last met the Peruvian ambassador on 18 January, at a lunch given by the Latin American heads of mission in London, at which a wide range of issues were discussed.

Mr. Ernie Ross: To ask the Secretary of State for Foreign and Commonwealth Affairs when he last raised with the Peruvian Government the subject of the violation of human rights in that country.

Mr. Maude: We frequently stress to the Peruvian Government our support for democracy in Peru and our wish that human rights be fully respected.

Uganda

Mr. Ernie Ross: To ask the Secretary of State for Foreign and Commonwealth Affairs when he last met the Ugandan High Commissioner; and whether at that meeting he raised the subject of claims for compensation on behalf of British citizens.

Mr. Waldegrave: Since his appointment last October, my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs has not had a formal meeting with the Ugandan high commissioner. My right hon. Friend the Minister for Overseas Development raised this subject with President Museveni when she visited Uganda in March.

Mr. Ernie Ross: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list *(a)* the bilateral agreements between the United Kingdom Government and Uganda, *(b)* when they were signed and *(c)* when they are individually due for review or and renewal.

Mr. Waldegrave: The main bilateral agreements signed by Her Majesty's Government with Uganda since 1986, when President Museveni came to power, are:

(i) The Overseas Service (Uganda) Agreement; signed at Kampala 18 March 1986 and entered into force on 31 March 1986. Treaty Series/Command number not yet allocated. To be reviewed before 31 March 1991.

(ii) The Public Officers' Pensions (Uganda) Amendment Agreement; signed at Kampala on 29 October 1987 and entered into force the same day. Treaty Series/Command number 057/1988 Cm. 145. To be reviewed as necessary.

(iii) The United Kingdom/Ugandan Debt Agreement No. 3 (1987); signed at Kampala on 26 April 1988 and entered into force on 5 May 1988. Treaty Series/Command number 067/1988 Cm. 482. Under review.

A number of aid agreements have also been concluded during the period.

Mr. Ernie Ross: To ask the Secretary of State for Foreign and Commonwealth Affairs how many British citizens have outstanding claims for compensation against the Government of Uganda.

Mr. Waldegrave: No exact figure is available, but the Ugandan Government have reported that they have received slightly over 1,000 claims for compensation from persons in Britain. The majority of these will have been from British citizens and remain outstanding.

Lithuania and Kashmir

Dr. Kim Howells: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will instruct his Department to convey to the official representatives of the Governments of the Soviet Union and India, respectively, the views of Her Majesty's Government on the demands for independence emerging from Lithuania and Kashmir; and if he will make a statement.

Mr. Waldegrave: We are in regular contact with both the Soviet and Indian Governments on the situations in Lithuania and Kashmir. Both Governments are well aware of our views on the issues arising.

Iraq

Mr. Winnick: To ask the Secretary of State for Foreign and Commonwealth Affairs if it is the intention of Her Majesty's Government to raise at the United Nations the human rights record of the present regime in Iraq; and if he will make a statement.

Mr. Waldegrave: We have raised, and will continue to raise, our concerns about Iraq's human rights record, both directly with the Iraqi authorities and in all suitable international bodies. We expressed our views firmly at the recent UN Commission of Human Rights in Geneva.

EC Foreign Ministers (Meeting)

Mr. Spearing: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement concerning the topics discussed, and conclusions reached, at the meeting of Foreign Ministers of the European Community at Dublin castle on 21 April.

Mr. Maude: EC Foreign Ministers met in Dublin on 21 April to discuss preparations for the informal meeting of Community Heads of State or Government on 28 April. Ministers first considered the latest developments in Lithuania and the economic measures introduced by Moscow. The Twelve issued a statement expressing their serious concern and underlining that measures of a coercive nature could make no contribution to the search for a solution through dialogue. Ministers agreed to keep the situation and its policy implications under continuous review. An official working group will meet for this purpose this week.

Ministers discussed the implications for the Community of developments in central and eastern Europe. They welcomed the prospect of German unification and the integration of GDR territory into the Community: the meeting on 28 April will discuss how to ensure this is achieved as quickly, fully and smoothly as possible. They also discussed—as will the meeting on 28 April—how best to ensure the healthy development of the Community's relations with other countries of central and eastern Europe, and envisaged a network of association agreements, tailored to the individual circumstances, and the pace of reform, in each of the countries concerned.

Ministers also briefly discussed EC institutional reform, and the Franco-German proposal that Foreign Ministers should be asked to consider member states' ideas and report to the June and December European Councils. This issue, too, will be further discussed on 28 April.

DEFENCE

Security Costs

Mr. John D. Taylor: To ask the Secretary of State for Defence what is the estimated total cost of the security operation by Army and Royal Air Force personnel in connection with the visit of Mr. Charles Haughey to Belfast on Wednesday 11 April.

Mr. Archie Hamilton: The armed forces in Northern Ireland provided military support as requested by the Royal Ulster Constabulary. It is not our practice to detail the costs of military assistance provided for specific security operations in Northern Ireland.

Low Flying

Mr. Gareth Wardell: To ask the Secretary of State for Defence if he will publish for each of the last 10 years (i) the number of low-flying Royal Air Force training aircraft that have crashed over Wales, (ii) the dates of those crashes, (iii) the number of casualties and (iv) the value of the aircraft lost.

Mr. Neubert: Details of major incidents involving RAF training aircraft flying at low level over Wales in the last 10 years are as follows:

Date	*Aircraft type*	*Casualties*
22 April 1982	Hunter	One major injury (RAF) No civilian casualties
13 May 1982	Jet Provost	No casualties
5 August 1982	Hunter	No casualties Two fatalities (one RAF and one Royal Brunei
20 April 1983	Gazelle	Armed Service) No civilian casualties

It is not our policy to publish unit production costs.

Mr. Gareth Wardell: To ask the Secretary of State for Defence how many Royal Air Force pilots have been disciplined for flying below the minimum height while involved in training exercises over Wales.

Mr. Neubert: Very few complaints reveal irresponsible breaches of low flying regulations and, therefore, formal disciplinary action is infrequent. Since 1979, from when records are available, no Royal Air Force pilots have been formally disciplined for flying below the minimum height during training exercises over Wales.

Armed Forces (Pay)

Mr. Alfred Morris: To ask the Secretary of State for Defence by what percentage armed forces' salaries were abated in respect of imputed contributions to pensions in the armed forces in each year since 1960; and what information he has on previous years' abatements.

Mr. Archie Hamilton: There is no abatement of the pay of members of the armed forces in respect of imputed contributions to pensions. However, in recommending rates of pay for the armed forces, the armed forces pay review body (AFPRB) makes an adjustment to comparator earnings to reflect its judgment on the additional pension benefit received by members of the armed forces compared with that available for civilian schemes. Between 1981 and 1986 that adjustment was set at 11 per cent.; since then it has been set at 10 per cent. The basis of these adjustments is explained in greater detail in the AFPRB's 10th and 15th reports, Commands 8241 and 9784.

RNAD Milford

Mr. Nicholas Bennett: To ask the Secretary of State for Defence if he will make a statement on negotiations for the disposal and future use of RNAD Milford after 31 March 1991.

Mr. Archie Hamilton: The Ministry of Defence expects shortly to receive the report of the consultancy study, commissioned in conjunction with the Welsh Development Agency, into potential future uses for the RN armament depot at Milford Haven. In consultation with the Welsh Development Agency and the local authorities, we shall be carefully considering the options identified in the report and will be consulting the trade unions before a final decision is made.

Mr. Nicholas Bennett: To ask the Secretary of State for Defence if he will make a statement on the closure of RNAD Milford including the early retirement of staff, the transfer of staff to other MOD establishments and the job resettlement programme.

Mr. Archie Hamilton: The closure programme for the royal naval armament depot at Milford Haven is proceeding to schedule, with the progressive transfer of the remaining tasks to the MOD's depot at Trecwn. Milford Haven is scheduled to close on 31 March 1991.

The position of the 163 staff employed at the depot is as follows:

(a) Thirty-three non-industrial and 42 industrial staff (total 75) are to transfer to the royal naval armament depot at Trecwn during the period leading up to March 1991.

(b) Nine non-industrial and four industrial staff (total 13) are to transfer to other Government Departments during the period leading up to March 1991.

(c) A total of 67 industrial staff are to be made redundant in two groups: 30 on 2 November 1990 and 37 in early March 1991. All staff being made redundant are being referred to the Manpower Services Commission jobcentre at Milford Haven under the job resettlement programme.

(d) Seven industrial staff will be normally or medically retired before the closure date.

(e) One non-industrial grade is currently seeking early retirement.

Aircraft Shelters (RAF Stornoway)

Mr. Macdonald: To ask the Secretary of State for Defence what is the latest estimated cost of the hardened aircraft shelters to be installed at RAF Stornoway.

Mr. Archie Hamilton: Tenders for this work have not yet been invited, and it is not our practice to disclose estimates for specific work projects which will be the subject of contractual negotiations.

Iraq (Gun Order)

Mr. Alan Williams: To ask the Secretary of State for Defence when Ministers in his Department were first made aware of the Walter Somers export order for Iraq.

Mr. Alan Clark: Earlier this month.

Menwith Hill Base

Mr. Cryer: To ask the Secretary of State for Defence if he will list the works carried out at Menwith hill base during the past five years; what is the total cost and sources of payment for the work; and if he will make a statement.

Mr. Archie Hamilton *[holding answer 5 April 1990]:* I understand that within the last five years five works projects have been completed at Menwith Hill station. Two involved improvements to operational buildings; a further two involved the provision of additional married quarters; and the final project was for the installation of additional generators. The projects were paid for by the United States Government and I am unable to comment on their cost.

PRIME MINISTER

South Africa

Q18. **Mr. Hunter:** To ask the Prime Minister if she will make a further statement on the political situation in South Africa.

The Prime Minister: We welcome the recent announcement that President de Klerk will meet members of the ANC on 2 May. We hope that these discussions will lead to negotiations on the peaceful end of apartheid and its replacement by a system of government acceptable to all South Africans.

Police

Q39. **Mr. Latham:** To ask the Prime Minister whether she will make a statement on the discussions with the Police Federation regarding the Police (Amendment) Regulations 1990.

The Prime Minister: The regulations laid on 9 March took account of representations made by my hon. Friend the Member for Uxbridge (Mr. Shersby) and representatives of the staff side of the Police Federation, at a meeting with my right hon. and learned Friend the Home Secretary on 17 January. Since the regulations were laid, further representations have been made about the position of officers in forces whose maximum limits of rent allowance were last reviewed in 1988. As a result my right hon. and learned Friend has decided that the protected rent allowances in such cases should be increased in line with the movement in the retail prices index since the date of the force's last rent allowance review. Further amending regulations to give effect to that decision will be laid as soon as possible.

Germany (Foreign Troops)

Q118. **Dr. Godman:** To ask the Prime Minister if she intends to hold discussions in the near future with Chancellor Kohl and other North Atlantic Treaty Organisation leaders concerning the present and future stationing of North Atlantic Treaty Organisation armed forces in the Federal Republic of Germany and the continuing presence of Warsaw Pact armed forces in the German Democratic Republic.

The Prime Minister: When I met Chancellor Kohl on 30 March, we agreed on the importance of keeping United States and other NATO forces in Germany, as well as the need to look at transitional arrangements for Soviet forces in the GDR. These issues will be discussed further at NATO meetings this summer.

Chinese People's Republic (Ambassador)

Mr. Winnick: To ask the Prime Minister when she last met the ambassador of the Chinese People's Republic; where the meeting took place; and if she will state the subjects discussed.

The Prime Minister: The Chinese ambassador called on me on 16 March at 10 Downing street. We discussed Hong Kong and other issues of common concern.

Engagements

Mr. Pike: To ask the Prime Minister if she will list her official engagements for Tuesday 24 April.

The Prime Minister: This morning I had meetings with ministerial colleagues and others. Later this afternoon I shall depart for Turkey to be present at the 75th anniversary of the Gallipoli landings on 25 April.

European Council Meeting, Dublin

Mr. Spearing: To ask the Prime Minister under what arrangements the forthcoming European Council Meeting in Dublin on 28 April was called; what procedural rules will apply; when the agenda will be announced; and if she will place in the Library any document presented to that meeting for its consideration.

The Prime Minister *[holding answer 23 April 1990]:* The meeting on 28 April is not a formal European Council, but a special informal meeting of Heads of State and Government. It was called to consider the implications for the Community of developments in central and eastern Europe, in particular, progress towards German unification. It will also look at preparations for the CSCE summit. There may be discussion of institutional reform. The agenda, and any papers, for discussion will be a matter for the presidency.

NATIONAL FINANCE

Corporation Tax

Mr. Knapman: To ask the Chancellor of the Exchequer what estimate he has as to the number of small businesses that will benefit as a result of the decision announced in his Budget statement to increase *(a)* the profits limit for corporation tax and *(b)* the limit for marginal relief.

Mr. Lilley: It is estimated that 20,000 companies will benefit from the increase in profit limits for the small companies' rate of corporation tax and associated marginal relief.

Capital Gains Tax

Mr. Lee: To ask the Chancellor of the Exchequer what would be the estimated loss of revenue if the 40 per cent. rate for capital gains tax were lowered to 25 per cent.

Mr. Lilley: It is estimated that the cost of charging all taxable capital gains realised by individuals in 1990-91 at

25 per cent. would be about £350 million. The estimate allows for some increase in disposals in response to the reduction in the effective rate of the tax but does not allow for possible short-term effects, nor for possible substitution by higher rate taxpayers of gains for income. No allowance has been made for any change in the treatment of capital gains of companies which are taxed within corporation tax.

Taxation

Mr. Dewar: To ask the Chancellor of the Exchequer how many income tax payers there were in Scotland in each year from 1986-87 to the latest year for which figures are available.

Mr. Lilley: The estimated number of individuals resident in Scotland and liable to income tax is 2·04 million for 1986-87 and 2·16 million for 1987-88, the latest available year. Married women are included where their earned income exceeds the wife's earned income allowance and any personal allowances and reliefs unused against the husband's income.

Value Added Tax

Sir David Steel: To ask the Chancellor of the Exchequer if he will amend VAT leaflet 700/11/88 to include a paragraph on not using VAT form 100 where deregistration applies.

Mr. Major: Customs and Excise is currently reviewing its published guidance and instructions relating to traders deregistering for value added tax following representations made by the right hon. Member to my noble Friend the Paymaster General. That review will consider whether leaflet 700/11/88 is the appropriate vehicle for guidance along the lines suggested.

Mr. Atkinson: To ask the Chancellor of the Exchequer what recent representations he has received about the operation of the tour operators' margin scheme concerning the application of value added tax in relation to conferences; and if he will make a statement.

Mr. Ryder: I am not aware of any recent representations.

Budget Surplus and Deficit

Mr. Butterfill: To ask the Chancellor of the Exchequer if he will list the budget surplus or deficit for each of the European Community countries, the United States of America and Japan for each of the last three years, on a comparable basis; and if he will make a statement.

Mr. Ryder: Following is the data requested for the United Kingdom:

United Kingdom general government financial balance deficit (−) or surplus (+)

	Per cent. of GDP
1987	−1·2
1988	+1·1
1989	+1·3

Source: CSO.

General government financial balances as a share of GDP for the United States, Japan and the other EC countries are published by the OECD in "Economic Outlook" December 1989.

European Investment Bank

Mrs. Margaret Ewing: To ask the Chancellor of the Exchequer if he will list for each year since the inception of the scheme the total funds lent by the European investment bank; if he will show as a proportion of the total the amounts provided to businesses and others in each of the member states; whether the rules governing eligibility of loan finance from the European investment bank are identical in various member states; and if he will make a statement.

Mr. Ryder *[holding answer 18 April 1990]:* The European investment bank was set up in 1958. The membership of the bank has expanded as new members have acceded to the European Community—Denmark, Ireland and the United Kingdom in 1973, Greece in 1981 and Spain and Portugal in 1986.

Tables have been placed in the House Library which show the total of funds lent by the European investment bank including lending outside the European Community, the total of funds lent by the bank within the Community and the proportion of the total lent to the European Community provided to each of the member states. Records are available centrally only from the date when the United Kingdom joined the EIB and not for previous years. The rules governing access to European investment bank loan finance apply equally to each member state.

Friendly Societies

Mr. Michael: To ask the Chancellor of the Exchequer how many responses he received to the Green Paper on Friendly Societies; and how many were favourable to his proposals.

Mr. Ryder *[holding answer 23 April 1990]:* To date, I have received around 60 written responses to the Green Paper. The proposals have been generally welcomed. I shall, of course, give all responses careful consideration.

WALES

Toxic Waste Disposal

Mr. Gareth Wardell: To ask the Secretary of State for Wales if he will publish before the end of June his response to the report by the Committee on Welsh Affairs on toxic waste disposal in Wales.

Mr. Grist: It is my right hon. Friend's intention to provide a considered response to all such reports within the shortest possible time scale.

Local Government Finance

Mr. Gareth Wardell: To ask the Secretary of State for Wales if he will publish in the *Official Report* the number of people in Wales who will (i) be eligible to pay the personal community charge, (ii) be eligible to pay the standard community charge, (iii) be eligible for the 80 per cent. rebate on the personal community charge, (iv) be eligible for the 20 per cent. rebate on the personal community charge and (v) be exempt from the personal community charge.

Mr. Peter Walker: The available information is given in the table:

	Number (to nearest thousand)
People registered for the personal community charge[1 2]	2,175,000
Properties subject to the standard community charge[1]	61,000
Estimate of chargepayers expected to receive 80 per cent. rebate[3]	320,000
Estimate of chargepayers expected to receive rebate of less than 80 per cent.[3 4]	230,000
People exempt from personal community charge[1]	39,000

Notes:

[1] As at 1 December 1989.

[2] Including students.

[3] In 1990-91. It is not possible to provide estimates of those eligible for rebates.

[4] It is not possible to estimate the number of people eligible for or receiving a 20 per cent. rebate on the personal community charge.

Mr. Nicholas Bennett: To ask the Secretary of State for Wales if he will detail the *(a)* number of ratepayers and *(b)* number of electors in each Welsh local authority area in 1989-90 together with the percentage that the number of ratepayers represented as a proportion of total electors for each local authority; and if he will give the cost of collecting the rates per head of ratepayers in 1989-90.

Mr. Peter Walker: The information requested is given in the table:

Local authority	Number of domestic hereditaments at April 1989	Number of non-domestic hereditaments at April 1989	Number of electors[1]	First column as a percentage of third	Cost of rate collection per elector[2] £
Alyn and Deeside	27,319	3,826	56,681	48	2·17
Colwyn	23,295	3,427	43,454	54	3·89
Delyn	25,342	3,685	51,531	49	3·47
Glyndwr	17,156	3,271	32,800	52	5·27
Rhuddlan	22,074	3,387	44,436	50	4·19
Wrexham Maelor	45,131	7,227	89,680	50	4·40
Carmarthen	21,725	3,424	42,867	51	5·39
Ceredigion	26,626	4,780	52,086	51	4·38
Dinefwr	15,264	2,500	30,358	50	3·72
Llanelli	30,508	4,172	58,994	52	3·41
Preseli Pembrokeshire	28,631	5,090	53,225	54	3·27
South Pembrokeshire	16,708	3,634	31,787	53	4·28
Blaenau Gwent	31,312	5,640	59,253	53	3·70
Islwyn	25,663	4,408	51,176	50	3·42
Monmouth	29,508	5,058	59,899	49	3·22
Newport	52,606	8,509	96,516	55	4·28
Torfaen	35,826	7,750	69,563	52	3·52
Aberconwy	22,538	4,502	42,746	53	6·57
Arfon	23,678	3,906	42,194	56	5·85
Dwyfor	13,609	3,109	22,060	62	6·35
Meirionnydd	16,173	3,708	25,724	63	1·98
Ynys Môn	29,031	4,676	53,721	54	6·09
Cynon Valley	26,661	3,663	49,653	54	3·67
Merthyr Tydfil	23,577	4,059	44,613	53	7·15
Ogwr	50,593	7,023	102,147	50	1·92
Rhondda	32,011	4,947	60,404	53	5·30
Rhymney Valley	39,126	5,705	77,730	50	4·46
Taff Ely	36,214	5,741	70,683	51	9·49
Brecknock	16,544	3,713	32,502	51	4·43
Montgomeryshire	21,330	4,757	41,023	52	4·14
Radnorshire	9,830	2,367	18,636	53	4·94
Cardiff	110,676	15,934	215,013	51	6·44
Vale of Glamorgan	43,356	6,164	86,197	50	5·42
Port Talbot	20,440	3,107	40,529	50	4·84
Lliw Valley	24,625	3,194	48,115	51	3·60
Neath	25,926	3,471	51,710	50	4·58
Swansea	73,489	8,696	144,909	51	4·06
TOTAL WALES	1,134,121	182,230	2,194,615	52	4·59

[1] As shown on the electorall register which came into effect on 16 February 1989.

[2] Cost information relates to 1989-90 and includes both the costs of domestic and non-domestic rate collection; separate information is not available for these two categories.

Interest Rates

Mr. Gareth Wardell: To ask the Secretary of State for Wales how many representations he has received, since occupying his present post, on the effect on home ownership of high interest rates.

Mr. Peter Walker: This information cannot be supplied as no record is kept, but I am pleased that home ownership has substantially increased during my period of office.

Health Service Funding

Mr. Michael: To ask the Secretary of State for Wales what research he has commissioned on past patterns of fund-raising and charitable giving and the potential for future income from such sources in order to inform policy-making by health authorities in Wales.

Mr. Grist: I refer the hon. Gentleman to the reply I gave him on Monday 23 April.

Mr. Michael: To ask the Secretary of State for Wales what proportion of the costs of the Health Service were

met by charitable donations and fund-raising in each of the past 10 financial years *(a)* in Wales as a whole and *(b)* in each health authority district in Wales.

Mr. Grist: The information requested, as recorded in health authorities' trust fund accounts, is as follows:

The information requested, as recorded in health authorities' trust fund accounts, is as follows:

Subscriptions, donations and fund-raising

	1979-80 £	*1980-81* £	*1981-82* £	*1982-83* £	*1983-84* £	*1984-85* £	*1985-86* £	*1986-87* £	*1987-88* £	*1988-89*[1] £
Clwyd	92,158	121,318	114,969	162,018	179,622	197,634	181,249	216,667	318,933	401,910
Dyfed/East Dyfed	126,701	169,692	212,308	211,101	192,740	176,787	178,259	235,905	240,990	420,712
Gwent	44,870	43,361	70,873	83,594	101,669	93,745	173,114	181,499	274,380	339,995
Gwynedd	38,211	50,264	59,097	66,772	121,449	110,957	229,483	204,720	201,816	249,027
Mid Glamorgan	58,644	147,378	189,608	162,514	130,560	195,727	226,667	293,804	454,664	376,798
Powys	27,855	27,606	29,389	56,523	45,373	58,034	55,488	57,819	74,115	198,414
South Glamorgan	60,187	102,274	314,438	165,334	185,692	182,437	251,987	345,310	392,284	435,370
West Glamorgan	75,212	68,979	125,570	133,695	178,797	274,084	182,207	297,926	307,858	265,885
Pembrokeshire[2]	—	—	—	78,214	78,537	74,789	79,781	132,231	203,075	142,225
Health Promotion Authority for Wales	—	—	—	—	—	—	—	—	192,384	222,075
Wales	523,838	730,872	1,116,252	1,119,765	1,214,439	1,364,194	1,558,235	1,965,971	2,660,499	3,052,411

Notes:
[1] Latest year for which figures currently available.
[2] Pembrokeshire figures included within Dyfed figures prior to reorganisation in 1982-83.

It should be noted, however, that trust fund income may be used for various purposes, depending on the respective deeds of trust applying to individual trust funds. Thus some of the above income will have been used for the benefit of staff as well as for the provision of equipment, vehicles, furnishings and so on to enhance patient services. It should also be noted that information on any donations or proceeds from fund-raising which are not associated with authorities' trust funds is not available centrally, since it is not recorded in the authorities' statutory accounts. It is therefore not possible to say what proportion of the costs of providing health services over the past 10 years has been met by funds from charitable sources.

Industrial Land Sales

Dr. Kim Howells: To ask the Secretary of State for Wales if he will take appropriate measures to ensure that the speeding up of the Welsh Development Agency's programme of selling off parcels of industrial land to the private sector will not mean that companies renting factories on this land will face increased charges from new landlords.

Mr. Peter Walker: The level of rents charged by the private sector is a matter for commercial judgment based on prevailing market conditions. The Welsh Development Agency itself currently seeks to obtain the best price practicable in negotiating both rents and sales for its property and has for some time sought to operate on a commercial basis wherever possible.

Moreover, tenants rights are unaffected by a change of ownership and they also have statutory protection through the Landlord and Tenants Act 1954 which provides recourse to arbitration if settlement of rent cannot be achieved between the parties.

Estuarial Crossings

Mr. Nicholas Bennett: To ask the Secretary of State for Wales if he will list those estuarial crossings in Wales for which a toll is charged and those for which no toll is made.

Mr. Wyn Roberts: There is no definitive list of estuarial crossings in Wales readily available. The following crossings are tolled:

	River estuary
Cleddau Bridge	Cleddau
Penmaenpool	Mawddach
Barmouth Bridge (footbridge)	Mawddach
Penrhyndeudraeth	Dwyryd
Porthmadog	Glaslyn

Road Improvements, Pembroke

Mr. Nicholas Bennett: To ask the Secretary of State for Wales if he will detail all road improvement schemes currently under construction in the former county of Pembroke together with their cost and target date for completion.

Mr. Wyn Roberts: Three schemes are currently under construction:

Schemes	*Estimated cost £ milliion*	*Expected completion date*
A40 Haverfordwest eastern by-pass	3·9	Autumn 1990
A40 Green Bower to Pricketts Gate	0·448	Summer 1990
A40 East of Pricketts Gate	0·289	Autumn 1990

Mr. Nicholas Bennett: To ask the Secretary of State for Wales if he will give details of all road improvements completed by the Welsh Office in the former county of Pembroke in each year since 1979, together with the cost of each scheme.

Mr. Wyn Roberts: Major schemes completed since 1979 are as follows:

Year and schemes	*Cost (£ million)*
1979 A477 Castell Heli bridge	1·4
1984 Kilgetty-Stepaside by-pass	14·2
1987 A40 Pengawse hill diversion	3·9
1987 A40 Treffgarne quarries	1·2
1988 A40 Haverfordwest relief road phase I	9·3

In addition a number of smaller schemes have been completed on the A40, A477, A4076 and A40/A487 at a total cost of some £6 million.

Local Authorities Land Holdings

Mr. Nicholas Bennett: To ask the Secretary of State for Wales if he will list the total amount of vacant land held by each Welsh local authority, the percentage this represents of each local authorities total land holding and as a percentage of the total land within each authority's area, and the estimated value of the vacant land held by each local authority together with the measures being taken by his Department to encourage local authorities to release such land.

Mr. Grist: Information on local authorities' total land holdings and on the value of registered land is not available centrally. Information summarising the Department's land registers could be provided only at disproportionate cost.

Measures to encourage the disposal or bringing in to use of authorities' vacant land include incentives for disposal available under the capital and revenue finance systems, the public accessibility of the land register and of individual owners' registers, publicity given to the public right to order disposal, and in appropriate cases directions under section 98 of the Local Government, Planning and Land Act 1980 to take steps to dispose of particular sites. We are currently considering what further measures might be appropriate to reduce the amount of public sector vacant land.

Welsh Language

Mr. Nicholas Bennett: To ask the Secretary of State for Wales what information he has as to the number and percentage of people in Wales whose first language is *(a)* Welsh and *(b)* English; and how many in each case speak only one language.

Mr. Wyn Roberts: Information is not collected in the form requested in that the census does not ask about a person's first language or any language other than English or Welsh. However of the 2·6 million people, aged three and over, usually resident in Wales at the time of the 1981 census, 503,549 or 19 per cent. were recorded as Welsh speaking and of these 21,283 or 0·8 per cent. were recorded as not speaking English.

Dr. Kim Howells: To ask the Secretary of State for Wales what extra resources are to be made available to recruit and train additional staff to teach through the medium of Welsh to meet the requirements of the new national curriculum in Wales.

Mr. Wyn Roberts: A wide range of measures have been introduced to increase the supply of both Welsh medium teachers and teachers of the Welsh language. These include:

(i) the Welsh teacher training incentive supplement scheme introduced in 1988 on a trial basis to attract Welsh speaking graduates to train for Welsh-medium secondary teaching by making a supplementary grant of £1,200 available. This pilot scheme is to be extended for a further two years and will include primary courses;

(ii) increasing the amount of money available for LEA in-service training for Welsh from £233,000 to £900,000. This comprises the training of teachers transferring from English-medium to Welsh-medium teaching and teachers with limited knowledge of Welsh who wish to teach it as a second language within the national curriculum.

(iii) support for the 'athrawon bro' mobile teaching force which will be worth some £1 million in 1990-91 and will have an increasingly important role to play in preparing primary school teachers for the demands the national curriculum imposes;

(iv) £116,000 being made available to four local authorities in Wales under the teacher recruitment category of the education support grant scheme to support the development of schemes to increase the recruitment of former teachers and mature entrants to teaching. The overall objective is to improve the recruitment of Welsh and Welsh-medium teachers in primary schools and the recruitment of teachers in shortage subjects including Welsh and Welsh-medium teachers in secondary schools;

(v) new criteria for the training of primary teachers requires all initial teacher training institutions in Wales to provide opportunities for students to learn the Welsh language while they are training to become primary teachers and to have instruction in the methodology of teaching the language. As an interim measure the Department is providing £110,000 to institutions to enable them to provide additional Welsh language instruction. In the longer term institutions will look to their funding bodies to provide the necessary funds.

(vi) grant support of £47,000 to enable Trinity college, Carmarthen to develop courses for the teaching of Welsh to infant teachers and juniors teachers. In addition, grant of £29,000 has enabled the North East Wales institute to develop a training course for Welsh-speaking secondary teachers who are not at present teaching the language to enable them to do so.

Dr. Kim Howells: To ask the Secretary of State for Wales when he intends to lay the draft measure dealing with the subject of a new Welsh Language Act submitted to the Welsh Office by the Welsh Language Board in November 1989.

Mr. Wyn Roberts: The draft Bill proposed by the Welsh Language Board is currently receiving detailed consideration.

Asthma

Dr. Kim Howells: To ask the Secretary of State for Wales if he will list the funding agencies responsible for financing research into asthma and other related illnesses in Wales since 1986.

Mr. Grist: Research into asthma is carried out at the asthma research unit based at Sully hospital. Funding for this unit is made available from the South Glamorgan health authority. The Medical Research Council is the main Government agency for the promotion of medical and related biological research in England and Wales; their remit extends to research into asthma.

Dr. Kim Howells: To ask the Secretary of State for Wales if he will give the amounts, on an annual basis, allocated by the Government for research specifically into asthma in Wales since 1986.

Mr. Grist: Asthma research is currently being conducted at the asthma research unit funded by South Glamorgan health authority. No other research specifically into asthma in Wales has been funded by this Department since 1986. Research into asthma has, however, been supported under the joint England and Wales programme of health research, some under the auspices of the medical research council.

Paediatricians

Dr. Kim Howells: To ask the Secretary of State for Wales if he will list the number of paediatricians engaged permanently by the area health authorities in Wales, who have undertaken specific and specialised training in the detection and treatment of respiratory diseases in young children.

Mr. Grist: At 30 September 1988 there were 39 consultants and 101 junior hospital doctors[1], excluding locums, employed by health authorities in Wales in paediatric specialties[2]. Respiratory disease in young children form a very substantial part of the illness treated by paediatricians, all of whom undertake specific training in the detection and treatment of these diseases.

[1] Includes house officers, senior house officers, registrars, senior registrars, associate specialists and senior hospital medical officers.

[2] The specialties of paediatrics, paediatric neurology and paediatric surgery.

Contaminated Land

Dr. Kim Howells: To ask the Secretary of State for Wales when it is planned to update the register of contaminated land in Wales.

Mr. Grist: The need to update the Welsh Office survey of contaminated land will be considered in the context of the response to the Environment Committee's first report recommendation to require local authorities to compile their own registers.

Flooding

Dr. Kim Howells: To ask the Secretary of State for Wales if he will list any measurements currently being made of average sea levels in Wales; and whether these can be compared with similar measurements made in previous years.

Mr. Grist: A national tide gauge network, capable of accurately measuring mean sea levels, was set up more than 30 years ago and has been continually maintained and updated since then. The network is operated and data is collected by the Proudman oceanographic laboratory of the natural environment research council with funding by the Ministry of Agriculture, Fisheries and Food and the Scottish Development Department.

Four of the 32 gauges are located in Wales, at Holyhead, Fishguard, Milford Haven and Swansea while others at Hilbre Island, Avonmouth and Ilfracombe provide data relevant to Wales. In addition, there are several other tide guages around the coast from which intermediate data can be obtained.

Dr. Kim Howells: To ask the Secretary of State for Wales if he will list those coastal regions of Wales believed to be most vulnerable to inundations of sea water in the event of breaches of sea defences.

Mr. Grist: All coastal regions that lie below the highest sea level in their vicinity are at some risk of being inundated by sea water in the event of breaches of sea defences. The most significant such areas in Wales are parts of the north Wales coast, the Caldicot and Wentlooge levels and lands bordering the major estuaries, for example, Afon Glaslyn, Afon Mawddach, Afon Dyfi and Lougher inlet.

Sewerage

Dr. Kim Howells: To ask the Secretary of State for Wales if it is planned to review the question of ownership and adoption of sewerage systems serving existing and planned private housing developments in Wales.

Mr. Grist: No.

Imported Waste

Dr. Kim Howells: To ask the Secretary of State for Wales if he has any plans to instruct all importers of waste material which is intended for disposal in Wales to provide publicly-available details of the pedigree and exact chemical composition of the material concerned.

Mr. Grist: Control over the disposal of imported waste material is the responsibility of waste disposal authorities.

Teachers

Dr. Kim Howells: To ask the Secretary of State for Wales what measures are to be taken to improve the recruitment of graduates into the teaching profession and to stem the further loss of men and women leaving the profession.

Mr. Wyn Roberts: We have introduced a number of measures to ensure that teaching remains an attractive career for graduates. The bursary scheme to attract students in the shortage subjects is being extended this year to include modern foreign languages. The bursaries have been increased from £1,300 to £1,500 with that for physics increased to £2,000. "Taster" courses are being run for mature people and others to encourage entry or return to teaching. These courses include seminars on subject content and delivery in teaching and information sessions on pay, conditions and career opportunities. £116,000 is being made available to four LEAs in Wales to support the development of schemes to increase the recruitment of former teachers and mature entrants to teaching. TASC (teaching as a career) has been established to promote teaching as a career and improve recruitment practices among local education authorities and initial teacher training institutions. One of the key areas addressed by the Interim Advisory Committee on School Teachers' Pay and Conditions was the issue of attracting graduates. The IAC recommendations mean that the starting salary for a good honours graduate will be at least £10,500.

Labour Statistics

Mr. Flynn: To ask the Secretary of State for Wales what is his maximum and minimum estimate of the number of people in Wales in part-time employment who are counted twice in the employment totals.

Mr. Peter Walker: Labour force survey estimates of the number of people in part-time employment and with a second job, which are subject to large sampling errors, suggest that there were about 18,000 such persons in 1989. Maximum and minimum estimates are not available.

Radioactivity

Dr. David Clark: To ask the Secretary of State for Wales if he will list the number of *(a)* farms, *(b)* sheep and *(c)* acres currently subject to post-Chernobyl restrictions; and if he will make a statement.

Mr. Peter Walker: Restrictions affect approximately 416 holdings, 300,000 sheep and 210,000 acres in Wales.

Dr. David Clark: To ask the Secretary of State for Wales (1) if he will list the number of sheep sampled for radioactivity in each county in Wales for *(a)* 1986, *(b)* 1987, *(c)* 1988, *(d)* 1989 and *(e)* to date in 1990; and if he will make a statement;

(2) if he will list the number of sheep sampled for radioactivity in Wales for *(a)* 1986, *(b)* 1987, *(c)* 1988, *(d)* 1989 and *(e)* to date in 1990 including the number of sheep with levels of radioactivity (i) over 4,000 bq/kg, (ii) 3,000 to 3,999 bq, (iii) 2,000 to 2,999, (iv) 1,000 to 1,999, (v) 500 to 999, and (vi) below 499; and if he will make a statement.

Mr. Peter Walker: The results of my Department's monitoring of sheep for radioactivity, including live-monitoring of sheep leaving the restricted area in north Wales, are published regularly and copies placed in the Library of the House. Some of the published information is in the form requested by the hon. Gentleman. Where it is not, it could be put in the form requested only at disproportionate cost.

Dr. David Clark: To ask the Secretary of State for Wales how many sheep have been monitored for radioactivity in slaughterhouses in each county in Wales in each year since 1986; how many were found to be above the 1,000 bq/kg limit; and if he will make a statement.

Mr. Peter Walker: A pilot programme of monitoring sheep carcasses at slaughterhouses has been in operation in north Wales since March 1989. In Clwyd some 2,300 have been monitored and in Gwynedd some 4,500; all were below 1,000 bq/kg.

EDUCATION AND SCIENCE

Single-sex Schools

Mr. Norris: To ask the Secretary of State for Education and Science if, in respect of each of those local education authority maintained single-sex secondary schools in Merseyside and Greater Manchester which have been closed since 1985, he will list (i) the gender of pupils, (ii) the maintaining local authority and (iii) the number of pupils on roll at the most recent convenient date before closure.

Mr. Alan Howarth: The maintained single-sex secondary schools in Merseyside and Greater Manchester which have closed since 1985 and the number of pupils on roll before closure are as follows:

Maintained single-sex secondary schools in Merseyside and Greater Manchester which have closed since 1985

	Pupils on roll in January preceding closure date	
Boys' schools	*Boys*	*Girls*
MERSEYSIDE		
Knowsley		
Knowlsey St. Kevins R.C. Boys[1]	803	3
Liverpool		
Anfield County Comprehensive	1,075	—
Alsop Boys Comprehensive	1,002	—
Collegiate Boys Comprehensive	522	—
Liverpool Institute Boys High	396	—
Hillfoot Mey Boys Comprehensive	519	—
St. Helens		
Campion R.C. High School	318	—
West Park R.C. High School	661	—
Wirral		
Bebington Boys Secondary School[1]	557	—
The Henry Meoles School[1]	759	—
Bishop Challoner R.C. High School[1]	573	—
GREATER MANCHESTER		
Manchester		
St. Marks R.C. High School[1]	609	—
St. Pius R.C. High School[1]	535	—
Stockport		
Stockport School[1]	989	3
Trafford		
Stretford Grammar for Boys[1]	316	—
Urmston Grammar for Boys[1]	377	—

[1] Closed for the purposes of amalgamation.

Maintained single-sex secondary schools in Merseyside and Greater Manchester which have closed since 1985

	Pupils on roll in January preceding closure date	
Girls' schools	*Girls*	*Boys*
Merseyside		
Knowsley		
Knowsley St. Gregory's R.C. girls[1]	612	—
Liverpool		
Stanley Park girls comprehensive	960	—
Aigburth Vale girls comprehensive	634	—
Liverpool Institute girls high	301	—
Queen Mary girls comprehensive	1,015	—
St. Helens		
Mount Carmel R.C. high	320	—
Notre Dame R.C. high	773	—
Sefton		
St. Augustine's R.C. high[1]	369	—
Wirral		
Bebington girls secondary school[1]	823	4
Okley school[1]	612	—
The Marian R.C. high school[1]	512	—
Greater Manchester		
Manchester		
The Hollies R.C. high school[1]	739	—
St. Joseph's R.C. high school[1]	444	—
Stockport		
Priestnall school[1]	889	—
Trafford		
Urmston girls grammar[1]	487	—
Stretford girls grammar[1]	435	—

[1] Closed for the purposes of amalgamation.

Education Costs

Dr. Kim Howells: To ask the Secretary of State for Education and Science if he will give the average cost, per student across all subjects, of education *(a)* in United Kingdom universities as a whole, *(b)* in United Kingdom

polytechnics as a whole, *(c)* in Scottish universities, *(d)* in English universities, *(e)* in Welsh universities, *(f)* in English polytechnics and *(g)* in the Polytechnic of Wales.

Mr. Jackson: Non-university higher education in Wales is the responsibility of my right hon. Friend the Secretary of State for Wales. I shall reply to the hon. Member on the other parts of his question as soon as possible.

International Baccalaureate Examination

Mr. Nicholas Bennett: To ask the Secretary of State for Education and Science what information he has as to the number of *(a)* independent, *(b)* local authority and *(c)* grant-maintained schools which offer pupils the international baccalaureate examination; and if he will make a statement.

Mrs. Rumbold: This information is not collected centrally.

City Technology College, Brighton

Mr. Straw: To ask the Secretary of State for Education and Science what price was paid by the city technology college trust for the purchase of the site for the proposed city technology college, Brighton; and how much of this price was paid for or guaranteed by public funds.

Mr. MacGregor: A sum of £2·3 million net, excluding legal expenses, has been paid from public funds for the acquisition of the proposed CTC site in Brighton. The site is held by the CTC trust.

Mr. Straw: To ask the Secretary of State for Education and Science what undertakings were given by Mr. Ivor Revere, managing director of Greenleaf Planters, a subsidiary of South Weald Properties, in respect of his financial support for the proposed city technology college at Woodingdean, Brighton; what sum or sums he pledged; and what has been paid over.

Mr. MacGregor: Mr. Revere undertook to donate £1 million in support of the Brighton CTC. Mr. Revere has now withdrawn from his original undertaking without having made any payment.

Mr. Straw: To ask the Secretary of State for Education and Science if he will make a statement on progress towards the establishment of a city technology college at Woodingdean, Brighton.

Mr. MacGregor: The proposal to establish a city technology college in Brighton is under review because of the withdrawal of the principal sponsor. I hope to make a statement shortly.

City Technology Colleges

Mr. Straw: To ask the Secretary of State for Education and Science what checks are made of the bona fides of potential donors to city technology colleges.

Mr. MacGregor: The CTC trust has the responsibility of identifying and putting forward potential sponsors. Detailed discussions then take place between the Department, potential sponsors and the CTC trust. If the project is to proceed, written heads of agreement are thereafter established.

ENERGY

Electricity Privatisation

Mr. Austin Mitchell: To ask the Secretary of State for Energy whether he is receiving or has received advice on the electricity privatisation from any accountancy firm, which has been criticised by the Department of Trade and Industry inspectors.

Mr. Baldry: I have nothing further to add to the answers given to the hon. Member by my hon. Friend the Parliamentary Under-Secretary of State for Trade and Industry on 19 December 1989 and 21 February 1990.

Nuclear Power Stations

Mr. Bermingham: To ask the Secretary of State for Energy if he will outline the proposals that exist for the reorganisation of the four state-owned companies operating nuclear power stations in the United Kingdom; and if he will make a statement.

Mr. Baldry: My right hon. Friends, the Secretaries of State for Energy and for Scotland announced proposals on 9 November 1989 to create separate nuclear generating companies from the assets of the CEGB and SSEB. Both companies, Nuclear Electric plc and Scottish Nuclear Ltd., were successfully vested at the end of March this year. There are no plans to change the present ownership of any of the nuelear power stations in the United Kingdom.

Electricity (Distribution Companies)

Mr. Morgan: To ask the Secretary of State for Energy (1) what consultation he has had with large industrial users of electricity about a review of the 15 per cent. upper limit of the distribution companies' market share that can be captured by National Power and PowerGen before 1994;

(2) if he intends to review the 15 per cent. upper limit on the market share of *(a)* all, *(b)* any one or *(c)* any group of the 12 electricity distribution companies that can be captured by National Power and PowerGen from 1990 to 1994.

Mr. Baldry: The application, enforcement or amendment of licence conditions are a matter for the Director General of Electricity Supply under the appropriate provisions of the licences and the Electricity Act 1989.

Mr. Morgan: To ask the Secretary of State for Energy if he has consulted the Director General of the Office of Electricity Regulation on the possibility of raising or reviewing the 15 per cent. upper limit on each of the 12 electricity distribution companies' market, that can be captured before 1994 by National Power and PowerGen.

Mr Baldry: My right hon. Friend has discussed various aspects of the new regulatory regime with the Director General of Electricity Supply on a number of occasions.

SCOTLAND

Local Government Finance

Mr. Dewar: To ask the Secretary of State for Scotland if he will list local authorities' expenditure by service for each Scottish region from 1979-80 to the most recent estimates available, at constant prices and in percentage terms.

Mr. Rifkind: I refer the hon. Gentleman to the reply which I gave on Monday 23 April 1990.

Scottish Pride

Mr. Allan Stewart: To ask the Secretary of State for Scotland (1) what consultations he has had on the report by the Department of Agriculture and Fisheries for Scotland entitled "The Scottish Pride Study";

(2) what steps he has taken to ensure that the commercial relationship between the Scottish Milk Marketing Board and Scottish Pride meets the requirements of European Community legislation; and if he will make a statement;

(3) when he expects to make a decision on the report by the Department of Agriculture and Fisheries for Scotland, entitled "The Scottish Pride Study", which was placed in the Library on 18 May 1988.

Lord James Douglas-Hamilton: The Department of Agriculture and Fisheries for Scotland published a report on the commercial activities of the Scottish Milk Marketing Board in May 1988, investigating in particular the extent to which the activities were on an equal footing with those of the independent dairy companies, as required by European Community legislation. My noble Friend the Minister of State has since met the chairman of the Scottish Milk Marketing Board and the president of the Scottish Dairy Trade Federation to discuss the report, and officials of the Department have also held discussions with the two bodies concerned. These discussions are continuing.

Ambulance Service

Mr. Wilson: To ask the Secretary of State for Scotland what is the number of non-white personnel currently employed by the Scottish ambulance service.

Mr. Michael Forsyth: Information about the number of non-white personnel is not available.

Waste Disposal

Mr. Andrew Welsh: To ask the Secretary of State for Scotland if he will identify the location and status of waste disposal sites in Scotland by waste disposal authority, waste type, town, location of facility, name of facility and land size.

Lord James Douglas-Hamilton: District and islands councils as waste disposal authorities maintain public registers which provide up-to-date information on waste disposal activities in Scotland. The full data requested are not held centrally.

A survey by the Scottish Development Department in 1989 indicated that licences and council resolutions had been issued in respect of 835 waste disposal facilities in Scotland. Of these, 700 licences and resolutions related to landfill sites and the balance to other operations such as incinerators, transfer stations, baling plants and civic amenity sites.

The table gives the number of open and closed landfill sites and other types of facility for each waste disposal authority.

District/Islands council	*Landfill sites*		*Other waste disposal facilities*
	Open	*Closed*	
Berwickshire	3	0	0
Ettrick and Lauderdale	5	2	0
Roxburgh	3	0	0
Tweeddale	1	1	0
Clackmannan	7	3	1
Falkirk	19	5	9
Stirling	8	0	1
Annandale and Eskdale	3	3	2
Nithsdale	6	0	1
Stewartry	10	2	0
Wigtown	9	0	1
Dunfermline	19	6	2
Kirkcaldy	17	6	1
North East Fife	10	2	4
Aberdeen	16	4	6
Banff and Buchan	19	10	6
Gordon	12	4	1
Kincardine and Deeside	9	7	0
Moray	9	2	5
Badenoch and Strathspey	2	2	0
Caithness	7	1	1
Inverness	1	1	2
Lochaber	8	2	0
Nairn	0	0	0
Ross and Cromarty	5	3	0
Skye and Lochalsch	3	0	0
Sutherland	8	0	3
East Lothian	10	6	1
Edinburgh	13	15	7
Midlothian	9	12	0
West Lothian	19	14	3
Argyll and Bute	1	0	2
Bearsden and Milngavie	0	0	1
Clydebank	1	3	1
Clydesdale	8	3	0
Cumbernauld and Kilsyth	9	6	1
Cumnock and Doon Valley	3	3	1
Cunninghame	16	7	8
Dumbarton	5	1	4
East Kilbride	10	1	2
Eastwood	3	1	2
Glasgow	17	24	16
Hamilton	10	0	3
Inverclyde	4	4	4
Kilmarnock and Loudoun	4	3	2
Kyle and Carrick	4	3	1
Monklands	6	6	1
Motherwell	8	3	7
Renfrew	17	15	3
Strathkelvin	13	5	1
Angus	11	6	0
Dundee	6	3	4
Perth and Kinross	24	8	4
Orkney	15	4	2
Shetland	6	0	3
Western Isles	7	0	5
	478	222	135

Education Service

Mr. Allan Stewart: To ask the Secretary of State for Scotland what plans he has for local education and business partnerships and for the teacher placement service in Scotland.

Mr. Rifkind: My right hon. Friend the Secretary of State for Trade and Industry has announced today the Government"s decision to support local education business partnerships across the country. This will build on the work already done under the enterprise and education initiative, TVEI and compacts in Scotland. The

teacher placement service is also to continue, and arrangements for its future administration will be developed together with those for local partnerships.

Partnerships involve local education and business interests in work that brings schools and other education institutions, industry and commerce closer together for the benefit of young people and the economy. I propose to ensure that these arrangements are built wherever possible on existing partnership work in Scotland. Our approach will be slightly different from that in England and in Wales to reflect the different circumstances affecting education and business links. I intend to invite interested parties, including the local enterprise companies if they wish, to submit proposals to lead and co-ordinate partnership activity in their areas. My aim will be to ensure the selection of the body with the most appropriate experience and best equipped to deliver a service effectively in each area. The Industry Department for Scotland will continue to be closely involved in the development of these arrangements.

There will be a development phase over the next 12 months in which my colleagues and I will collaborate closely. Support will come initially from the Department of Trade and Industry. With the formation of partnerships from April 1991 responsibility will pass to the Department of Employment's Training Agency with the Industry Department for Scotland maintaining a close involvement.

Bail Applications

Mr. Wilson: To ask the Secretary of State for Scotland if he will list the number of cases in which bail was *(a)* applied for and *(b)* granted, by sheriff court area, in each of the past five years.

Lord James Douglas-Hamilton: This information is not held centrally.

Scottish Development Agency

Mr. Worthington: To ask the Secretary of State for Scotland if he will publish in the *Official Report* tables for the Scottish Development Agency comparable to tables 15.2.4 and 15.2.5 in Public Expenditure to 1992-93: A Commentary on the Scotland Programme, but covering the years 1984-85 to 1990-91.

Mr. Lang: The Scottish Development Agency does not record financial information on its activities in the form requested, but I have asked the agency to consider whether and how much information can be provided in that form. I shall write to the hon. Member.

Radioactivity

Dr. David Clark: To ask the Secretary of State for Scotland how many sheep have been monitored for radioactivity in slaughterhouses in each county in Scotland in each year since 1986; how many were found to be above the 1,000 bq/kg limit; and if he will make a statement.

Lord James Douglas-Hamilton: The information for each region in Scotland is set out in the table:

Region	*Year*					
	1986	*1987*	*1988*	*1989*	*1990*	*Total*
Borders	42	34	12	5	9	102
Central	24	33	54	46	—	157
Dumfries and Galloway	25	25	32	44	9	135
Fife	21	36	30	52	10	149
Grampian	24	28	30	29	7	118
Highland	64	31	39	57	13	204
Lothian	17	9	20	27	—	73
Strathclyde	41	28	39	49	6	163
Tayside	30	20	40	50	10	150
Western Isles	48	13	7	4	—	72
Orkney and Shetland	39	29	25	28	5	126
Total	375	286	328	391	69	1,449

Only one reading was found to be above the 1,000 bq/kg limit, in 1986 in the Western Isles.

Dr. David Clark: To ask the Secretary of State for Scotland if he will list the number of *(a)* farms, *(b)* sheep and *(c)* acres currently subject to post-Chernobyl restrictions; and if he will make a statement.

Lord James Douglas-Hamilton: A total of 74 farms, approximately 64,000 sheep and about 66,000 acres are currently subject to restrictions.

Dr. David Clark: To ask the Secretary of State for Scotland (1) if he will list the number of sheep sampled for radioactivity in each county in Scotland for *(a)* 1986, *(b)* 1987, *(c)* 1988, *(d)* 1989 and *(e)* to date in 1990; and if he will make a statement;

(2) if he will list the number of sheep sampled for radioactivity in Scotland for *(a)* 1986, *(b)* 1987, *(c)* 1988, *(d)* 1989 and *(e)* to date in 1990 including the number of sheep with levels of radioactivity (i) over 4,000 bq/kg, (ii) 3,000 to 3,999 bq, (iii) 2,000 to 2,999, (iv) 1,000 to 1,999, (v) 500 to 999, and (vi) below 499; and if he will make a statement.

Lord James Douglas-Hamilton: The results of the Department of Agriculture and Fisheries for Scotland's monitoring of sheep for radioactivity, including live-monitoring of sheep in the Scottish restricted areas and slaughterhouse monitoring of sheepmeat, are published regularly and copies are placed in the Library of the House. Some of the published information is in the form requested by the hon. Member. Where it is not, it could be put in that form only at disproportionate cost.

School Buildings

Mr. Worthington: To ask the Secretary of State for Scotland what published comments have been made by Her Majesty's inspectors of schools in Scotland on the condition of school buildings.

Mr. Lang: Most of the reports by Her Majesty's inspectorate on individual schools contain comments on the state of the accommodation. The reports are published and copies are in the Library.

Class Sizes

Mr. Worthington: To ask the Secretary of State for Scotland what information on class sizes resulted from the 1989 school census.

Mr. Lang: Information about class sizes obtained from the 1989 school census is not yet ready for publication and will be included in statistical bulletins to be published later in the year.

Mr. Worthington: To ask the Secretary of State for Scotland what were the average sizes of classes in *(a)* English, *(b)* mathematics, *(c)* science subjects and *(d)* history, geography, modern studies, home economics, physical education, technical education and modern languages in S1 to S6 in 1989.

Mr. Lang: The information requested is not yet ready for publication. Information about class sizes in secondary schools in 1987, by subject, was published in SED statistical bulletin No. 14/C7/1989, a copy of which is in the Library.

Child Care Policy, Fife

Mr. McLeish: To ask the Secretary of State for Scotland whether he has met Sheriff Brian Kearney during the inquiry into child care policy in Fife region.

Mr. Lang *[holding answer 23 April 1990]:* No.

Mr. McLeish: To ask the Secretary of State for Scotland (1) if the findings from the inquiry into child care policy in Fife will be made public; and if he will make a statement;

(2) when the inquiry into child care policy in Fife will be completed; and if he will make a statement;

(3) if he will make a statement on progress being made by the inquiry into child care policy in Fife region;

(4) when he is likely to receive the findings of the inquiry into child care policy in Fife from Sheriff Brian Kearney.

Mr. Lang *[holding answer 23 April 1990]:* I understand that Sheriff Kearney has reached an advanced stage in taking evidence but he is not yet able to indicate a final date for submission of his report. When the Secretary of State receives the report, he will decide whether to make its findings public.

Mr. McLeish: To ask the Secretary of State for Scotland if he will detail the reasons why the inquiry into Fife regional council which was to be completed within three months from 1 March 1989 has now been running for over 12 months.

Mr. Lang *[holding answer 23 April 1990]:* It is for the chairman of the inquiry to determine the procedures necessary for carrying it out and to judge the length of time needed to explore the issues fully.

Mr. McLeish: To ask the Secretary of State for Scotland if he will estimate the cost of the inquiry into child care policy in Fife and indicate who will pay the costs.

Mr. Lang *[holding answer 23 April 1990]:* Since the inquiry is still in progress, it is not possible to estimate its costs reliably. When he has received the report of the inquiry, the Secretary of State will decide, in accordance with the Local Government (Scotland) Act 1973, whether to hold Fife regional council liable to pay all or part of the expenses of the inquiry.

AGRICULTURE, FISHERIES AND FOOD

Flood Defence

Sir Richard Body: To ask the Minister of Agriculture, Fisheries and Food what assessment has been made of the effects on the flood defences around the Wash of storms of the nature of those in January and February but with the wind veering by five degrees at high tide.

Mr. Maclean: I am advised that the prevailing winds were such during the storms of January and February that there would have been no significant effects on the flood defences around the Wash had the wind veered by five degrees.

The state of flood defences, including sea walls, is continually monitored by the responsible authorities and close liaison is maintained by my river and coastal engineers with the authorities, particularly the National Rivers Authority, who undertake most of the works.

Orchards

Mr. John D. Taylor: To ask the Minister of Agriculture, Fisheries and Food what is his estimate of the percentage of orchards in *(a)* England, *(b)* Scotland and *(c)* Northern Ireland which would qualify for the European Community grubbing-up scheme on the basis of the criteria of (i) under 15 years old and (ii) more than 400 trees per hectare density.

Mr. Gummer: It is not possible to estimate the proportion of the orchards which would be eligible under the EC Commission's proposal for grubbing-up scheme without disproportionate cost.

Rain Forests

Mr. Dalyell: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on his meeting at Sandringham in Norfolk with European Commissioners; and whether he discussed rain forest issues.

Mr. Gummer: His Royal Highness The Prince of Wales invited Mr. Carlo Ripa di Meana, European Commissioner for the Environment and Mr. Ray Macsharry, European Commissioner for Agriculture, to visit Sandringham on 19-20 April. My right hon. Friend the Secretary of State for the Environment and I were also invited. Our discussions covered a wide range of issues.

Deer Meat

Mr. Matthew Taylor: To ask the Minister of Agriculture, Fisheries and Food what plans he has to introduce compulsory inspection of deer meat intended for human consumption; and if he will make a statement.

Mr. Maclean: The European Commission has published proposals for health rules governing game which, among other things, would require inspection of deer meat intended for human consumption. In advance of decisions in Brussels we have encouraged local authorities to introduce inspection procedures for farmed deer slaughtered in abattoirs.

The production of deer meat, in common with all other food sold for human consumption, is subject to the general provision of the Food Act 1984 and the Food Hygiene (General) Regulations 1970.

Radioactivity

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food if he will list the number of *(a)* farms, *(b)* sheep and *(c)* acres currently subject to post-Chernobyl restrictions; and if he will make a statement.

Mr. Gummer: I refer the hon. Member to the reply I gave him on 27 November 1989 at column *136*.

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food (1) if he will list the number of sheep sampled for radioactivity in each county in England for *(a)* 1986, *(b)* 1987, *(c)* 1988, *(d)* 1989 and *(e)* to date in 1990; and if he will make a statement;

(2) if he will list the total number of sheep sampled for radioactivity in England for *(a)* 1986, *(b)* 1987, *(c)* 1988, *(d)* 1989 and *(e)* to date in 1990 including the number of sheep with levels of radioactivity (i) over 4,000 bq/kg, (ii) 3,000 to 3,999 bq, (iii) 2,000 to 2,999, (iv) 1,000 to 1,999, (v) 500 to 999 and (vi) below 499; and if he will make a statement.

Mr. Gummer: The results of my Department's radioactivity monitoring in sheep, including live monitoring in Cumbria under the "mark and release" scheme, spatial surveys of sheep in and around the restricted area, slaughterhouse monitoring and laboratory analysis of tissues from sheep carcasses, are published regularly and copies placed in the Library of the House.

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food how many sheep have been monitored for radioactivity in slaughterhouses in each county in England in each year since 1986; how many were found to be above the 1,000 bq/kg limit; and if he will make a statement.

Mr. Gummer: Since the introduction of our programme of slaughterhouse monitoring in February 1989, the following numbers of sheep carcasses have been monitored:

	Cumbria	*Lancashire*	*Total*
1989	5,405	5,101	10,506
[1]1990	1,637	1,758	3,395

[1]To 31 March.

None have been found above the 1,000 bq/kg limit. This programme supplements the continuing live monitoring mark and release scheme for all sheep moved out of the restricted areas. We continue to monitor to make sure that no consumer need have any concern whatsoever.

Farms

Miss Emma Nicholson: To ask the Minister of Agriculture, Fisheries and Food if his Department has any plans to introduce definitions of small, medium and large farms.

Mr. Curry *[pursuant to his reply, 2 April 1990, c. 447]:* For the purposes of economic and statistical analysis, the initial farm business surveys undertaken for the Department show farm incomes according to farm size. The size is measured in financial terms and based upon standard gross margins per hectare of crops and per head of livestock.

Dumping at Sea

Mr. Nicholas Bennett: To ask the Minister of Agriculture, Fisheries and Food what action is being taken to prevent the dumping by ships in *(a)* United Kingdom and *(b)* international waters of prohibited materials; and what estimate he has of the total tonnage of material so dumped.

Mr. Curry: Dumping at sea is controlled in the United Kingdom by part II of the Food and Environment Protection Act 1985, under which a licence is required for disposal operations. The Act's requirements apply to all vessels dumping in United Kingdom waters, and more widely to British vessels and to vessels loaded in the United Kingdom. The ban on dumping without a licence will be extended to all vessels in United Kingdom continental shelf waters by the Environment Protection Bill currently before Parliament. Licensed disposal operations are inspected, and samples of waste are analysed, to enforce the legislation.

My right hon. Friend the Secretary of State for Transport has introduced regulations to implement the provisions of annex V of MARPOL 73/78—the international convention for the prevention of pollution from ships 1973, as amended by the 1978 protocol. The regulations which came into force on 31 December 1988 enforce restrictions on the disposal of garbage into the sea and include a complete ban on the discharge of plastics. These regulations apply to all United Kingdom-registered ships and to foreign-registered ships while in United Kingdom waters.

From time to time reports are received of illegal dumping, normally of unlicensed rather than prohibited materials. All such reports are investigated but it is not possible to give any estimate of the tonnage involved.

SOCIAL SECURITY

Disability Allowances

Mr. Redmond: To ask the Secretary of State for Social Security if he will list by year for the last 10 years for the Doncaster area, the number of *(a)* successful and *(b)* unsuccessful appeals for (i) disability allowance and (ii) mobility allowance.

Mrs. Gillian Shephard: I regret that the Department does not hold the information on social security appeal

tribunals in the format requested. National administrative statistics for appeal tribunals are not available for areas smaller than a social security region.

The tables give the details requested for social security appeal tribunals (SSATs) for the north-east region from 1984 until the nine-month period ending 30 September 1989—the latest figure available. SSATs decide non-medical appeal questions. Medical questions are decided by medical appeal tribunals (MATs), but the details requested are not yet available. I will write to the hon. Member when they are.

Social Security appeal tribunals in north-east England

	Disablement Benefit appeals heard and decided	*Mobility Allowance appeals heard and decided*
Claimant successful		
Nine months ending 31 December 1984	115	2
Year ending 31 December 1985	140	4
Year ending 31 December 1986	156	6
Year ending 31 December 1987	141	5
Year ending 31 December 1988	165	1
Nine months ending 30 September 1989	134	6
Claimant unsuccessful		
Nine months ending 31 December 1984	184	52
Year ending 31 December 1985	238	125
Year ending 31 December 1986	253	234
Year ending 31 December 1987	261	219
Year ending 31 December 1988	326	207
Nine months ending 30 September 1989	207	149

Disability

Mr. Alfred Morris: To ask the Secretary of State for Social Security what response he has received to "The Way Ahead: Benefits for Disabled People" from the Royal National Instutite for the Blind; and if he will make a statement.

Mr. Scott: The Royal National Institute for the Blind was represented at a meeting I held on 5 April with the disability benefits consortium to discuss "The Way Ahead". We shall give careful consideration to all the institute's comments in carrying forward the detailed work on our proposals.

Income Support

Mr. Flynn: To ask the Secretary of State for Social Security what is his current calculation of the value to all categories of income support recipients of all rebates for community charge in all Welsh district council areas based on the charges now published.

Mrs. Shephard: I regret the information requested is not available.

Spending Power

Mr. Nellist: To ask the Secretary of State for Social Security, pursuant to his answer to the hon. Member for Coventry, South-East, *Official Report*, 19 February, columns *554-58*, what information he has as to the number of families in each category, for each earnings level, at the latest convenient date.

Mrs. Shephard: The information requested is not available.

HEALTH

Blood Donation

Mr. Redmond: To ask the Secretary of State for Health what current restrictions are in force in respect of people wishing to donate blood.

Mr. Freeman: Healthy people between the ages of 18 and 60 are generally accepted as donors and those who have been regular donors can continue to donate up to the age of 65.

Individuals at risk of AIDS or hepatitis B or any other disease transmissible by blood are excluded. Visitors to those parts of the world where certain diseases such as malaria are endemic are deferred for an appropriate period.

Mr. Redmond: To ask the Secretary of State for Health if he will list by year for the past five years and by regional blood transfusion service, the number of blood donations given.

Mr. Freeman: The number of donations made in the regional blood transfusion centres for the past five years is given in the table:

Region	*Number of Donations*				
	1984	*1985*	*1986*	*1987*	*1988*
Northern	131,947	133,544	128,321	120,878	122,267
Yorkshire	154,905	149,128	146,119	134,463	133,088
Trent	174,425	169,680	174,976	186,605	197,746
East Anglia	87,650	86,393	90,012	91,536	92,195
North West Thames	189,246	190,048	199,731	193,372	192,004
North East Thames	136,647	138,875	136,722	135,439	142,716
South East and South West Thames	302,097	282,738	277,696	268,585	282,188
Wessex	95,719	94,088	93,990	95,931	95,484
Oxford	119,689	111,129	104,609	104,537	107,805
South Western	170,859	168,169	175,570	180,057	182,008
West Midlands	200,128	199,389	199,290	199,320	216,485
Mersey	117,589	121,642	123,190	112,659	108,387
North Western	181,638	180,133	181,587	176,843	176,328
Wales	96,087	94,104	96,637	94,091	92,109
Total	2,158,626	2,119,060	2,128,450	2,094,316	2,140,810

Mr. Redmond: To ask the Secretary of State for Health (1) if he will show, by regional blood transfusion service, the frequency with which donors are requested to attend;

(2) if he will list by regional blood transfusion service the number of donors, by blood group, for the latest available date.

Mr. Freeman: This information is not held centrally.

Hepatitis B

Mr. Redmond: To ask the Secretary of State for Health if he will list by year for the last 10 years and by regional health authority, the take-up of hepatitis B vaccine.

Mr. Freeman: This information is not held centrally.

Mr. Redmond: To ask the Secretary of State for Health what advertising campaigns are being prepared by his Department, concerning the problems of bringing to public awareness the low take-up of the hepatitis B vaccine among high-risk groups; and if he will make a statement.

Mr. Freeman: The Department recognises the seriousness of hepatitis B. A new edition of the Joint Committee on Vaccination and Immunisation's memorandum, "Immunisation Against Infectious Disease", will be published shortly and this includes advice on hepatitis B. The Health Education Authority is currently reviewing all its publications on sexually transmitted diseases, including information on hepatitis B.

Correspondence

Mr. Pawsey: To ask the Secretary of State for Health when the hon. Member for Rugby and Kenilworth will receive a reply to his letter dated 23 February refering to Dr. Sylvia Cree of Wolston.

Mr. Freeman: My noble Friend the Parliamentary Under-Secretary of State replied yesterday.

Pulse Dye Laser

Dr. Kim Howells: To ask the Secretary of State for Health if funds are to be made available to help specialist hospitals to meet the costs of installing and operating pulse dye lasers to help cure disfiguring facial birthmarks.

Mr. Freeman: Health authorities are free to purchase equipment of this kind from their cash allocations. At present pulse dye lasers are more costly than argon lasers but this situation can be expected to change significantly in the next year or two as this new technology develops.

St. Catherine's House, Kingsway

Mr. Nicholas Bennett: To ask the Secretary of State for Health what representations he has received concerning the public inspection rooms at St. Catherine's house, Kingsway; and whether he has any proposals to improve them, including the provision of refreshment and other facilities.

Mr. Freeman: We have received no representations during recent months concerning the public search room at St. Catherine's house. At the end of 1989 the Registrar-General published the findings of a survey of users of the facilities provided, entitled "Attitudes to the Public Search Room" and we have now placed a copy in the Library. The survey revealed that a number of improvements were suggested by visitors, but more than three quarters of those responding expressed general satisfaction with the service and facilities provided.

The Office of Population Censuses and Surveys, which is responsible for the public search room, is seeking new premises in central London in anticipation of the expiry of the lease of St. Catherine's house later this decade. The views expressed by regular visitors will be taken into account in the quest for new premises but I regret that it is not possible to provide refreshment facilities at St. Catherine's house.

Census Information

Mr. Nicholas Bennett: To ask the Secretary of State for Health whether he will consider reducing the time limit from 100 years to 80 years or less under which census information on individuals is kept secret, for the benefit of genealogical research.

Mr. Freeman: No. Census records in England and Wales are closed to public inspection for a period of 100 years to fulfil confidentiality assurances given to the public when a census is taken. This period comes near to ensuring that information is not disclosed about living people. However, with the consent of the person concerned or a direct descendant, or the next of kin if the person has died childless, researchers may be informed of the age and place of birth of an individual as recorded in the censuses of 1891 and 1901. These concessions do not extend beyond 1901 because of the stricter confidentiality assurances given in later censuses.

Car Exhaust Emissions

Mr. Morgan: To ask the Secretary of State for Health what assessment he has made of the adverse effects of *(a)* increased benzene concentration levels in the atmosphere arising from the increased use of lead-free petrol and *(b)* the decreased lead levels arising from reduced use of leaded petrol.

Mr. Freeman: The increased use of lead-free petrol is not expected to result in a significant increase in benzene concentrations in the atmosphere.

As I explained in my reply to the hon. Member for Angus, East (Mr. Welsh) on 3 November 1989 at column *350*, the levels of benzene in petrol are regulated under an EC directive. Because the exposure to lead and benzene from petrol is so low and the health effects attributable to these exposures difficult to measure, reliable comparative assessments are not possible. Since 1974 it has been the policy of successive Governments to contain and reduce exposure to lead wherever practicable. The Government will be participating in the European Communities review of benzene in petrol which will include the health implications of such use.

Hearing Aids

Miss Emma Nicholson: To ask the Secretary of State for Health what progress his Department has made on the proposals outlined in his reply of 27 July 1989, *Official Report*, columns *918-919*, on provision of hearing aids; and if he will make a statement.

Mr. Freeman: The Department issued a consultation paper earlier this month inviting comments on the proposed arrangements for setting up and evaluating a number of pilot projects based on the direct referral of patients from their general practitioner to the hospital audiology service. It also invites comments on issues relating to the training of NHS and private sector audiology staff and the provision of commercial hearing aids under the NHS. The consultation paper has been drawn up with the help of outside experts, including two from the audiology field, an ear nose and throat consultant, a community physician and representatives from Mersey regional health authority and the private and voluntary sectors. A copy of the paper has been placed in the Library. Some of the pilot projects, to which the paper refers, will involve contracts between health authorities and the private sector as well as the provision of some part of the hospital audiology service in a community-based setting. We expect to start the projects in the early autumn.

GPs (Contract)

Mr. Martlew: To ask the Secretary of State for Health what provisions there are under the new contract for general practitioners to refuse to add new patients to their lists if *(a)* women refuse to have cervical smear tests and *(b)* parents refuse to have their children immunised.

Mr. Kenneth Clarke: The new contract does not affect the long-standing right of a general practitioner to decide whether or not to accept a patient on to his or her list. GPs have never been required to have or to state a reason for removing a patient from their list or refusing to accept a new patient on to their list. However, to refuse patients solely because they do not wish to be immunised or have a cervical smear test is most unprofessional and suggests a remarkable lack of responsiveness to the needs and wishes of the patient. I am sure that the professional bodies would support the Government in condemning such action.

Waiting Lists

Mr. Paice: To ask the Secretary of State for Health if he will list the changes in waiting lists for each district health authority within the East Anglian region during the period 1979 to 1989.

Mrs. Virginia Bottomley *[holding answer 18 April 1990]:* The available information is given in the tables. Due to NHS restructuring in 1982, comparable figures are available only for the districts shown in the tables.

In-patient waiting list, by district health authority, East Anglian regional health authority, as at 30 September, 1979 and 1989[1]

District Health Authority	1979	1989[1]	Change	Change Per cent.
Peterborough	3,530	4,829	1,299	36·8
Norwich	7,665	10,177	2,512	32·8
Great Yarmouth	3,621	3,940	319	8·8
West Norfolk and Wisbech	3,073	2,799	−274	−8·9

[1] Less self-deferred cases.

Source:
SBH203 return 1979.
KHQ7,7a returns 1989.

In-patient cases treated, surgical acute sector[1] *by district health authority, East Anglian regional health authority, 1979 and 1989*

District Health Authority	1979	1989	Change	Change Per cent.
Peterborough	11,704	18,412	6,708	57·3
Norwich	26,424	34,408	7,984	30·2
Great Yarmouth	7,058	11,118	4,060	57·5
West Norfolk and Wisbech	8,676	10,240	1,564	18·0

[1] General surgery.

Source:
SH3 return 1979.
SH3a return 1989.

Voluntary Organisations

Mrs. Gorman: To ask the Secretary of State for Health if he will list the awards given to voluntary organisations under section 64 procedure for the financial years 1988-89 and 1989-90.

Mr. Freeman *[pursuant to his reply, 27 February 1990, c. 122]:* The grants awarded in 1989-90 are listed in the table:

Grants to voluntary organisations under S64 of the Health Services and Public Health Act 1968—general scheme (subhead E2(1)A) 1989-90

	£
Access Committee (England)	90,000
Action for Victims of Medical Accidents	20,000
Action on Smoking and Health	241,500
Adfam	18,375
Advance	33,000
Age Concern	252,000
Age Exchange Theatre Company	10,000
AIDS Ahead	40,000
AIDS Care Education and Training (ACET)	50,000
Alcohol Concern	583,000
Aled Richards Trust	7,500
Alzheimer's Disease Society	130,000
Amarant Trust	13,000
Amnesia Association	8,000
Anorexic Family Aid	29,000
Association for Spina Bifida and Hydrocephalus	14,790
Association of Breastfeeding Mothers	2,500
Association of Professions for the Mentally Handicapped	7,000
Association of Residential Communities for the Retarded	20,000
Association to Combat Huntington's Chorea	20,000
Babylife Support Systems	8,000
Black HIV Network	20,000
Body Positive	30,000
Breakthrough Trust	40,000
Breastcare and Mastectomy Association of Great Britain	15,000
Bridge	50,000
British Agencies for Adoption and Fostering	285,000
British Association for Counselling	28,000
British Association for Services to the Elderly	12,000
British Association for the Study and Prevention of Child Abuse and Neglect (BASPCAN)	23,125
British Association of Cancer United Patients (BACUP)	15,000
British Association of the Hard of Hearing	50,000
British Council of Organisations of Disabled People	30,000
British Fluoridation Society	30,000
British Infertility Counselling Association	3,500
British Institute of Industrial Therapy	25,000
British Institute of Mental Handicap	35,000
British Kidney Patient Association	25,000
British Organ Donor Society	5,000
Brittle Bones Society	8,000
Brook Advisory Centres	45,000
Campaign for the Mentally Handicapped	20,000

	£
Cancer Help Centre	12,000
Cancerlink	10,000
Carers National Association	82,500
Catholic Child Welfare Council	1,750
Catholic Marriage Advisory Council	42,200
Centre on Environment for the Handicapped	82,010
Chest, Heart and Stroke Association	50,000
Child Accident Prevention Trust	93,500
Child Care	152,500
Childline	82,200
Child Poverty Action Group	17,000
Child Psychotherapy Trust	28,750
Children's Legal Centre	41,500
Children's Society	10,000
Chinese Health Information Centre	26,430
Christian Concern for the Mentally Handicapped	11,000
Coeliac Society	14,500
Community Hygiene Concern	14,800
Community Service Volunteers	6,200
Compassionate Friends	20,000
Contact	30,000
Contact a Family	95,000
Cope	1,600
Coronary Prevention Group	70,000
Council for the Advancement of Communication with Deaf People	60,000
Crossroads Care Attendant Scheme Ltd.	80,000
Cruse	131,100
Cry-Sis	4,000
Demand	9,000
Dial UK	45,000
Disability Alliance	25,000
Disabled Living Centres Council	20,000
Disabled Living Foundation	326,000
Disabled Living Services Manchester	16,000
Disablement Income Group	33,000
Downs Syndrome Association	15,000
Elizabeth Fitzroy Homes	25,000
Endometriosis Society	10,000
Ethnic Study Group	67,625
Extend	25,000
Family Holiday Association	7,000
Family Planning Association	130,000
Family Policy Studies Centre	108,339
Family Rights Group	42,500
Family Service Units	240,000
Family Welfare Association	96,450
First Key	11,572
Foundation for Conductive Education	24,200
Foundation for the Study of Infant Deaths	15,000
Foundation for Women's Health Research and Development (Forward)	20,000
Friends for the Young Deaf	10,000
Frontliners	101,811
Gingerbread	78,000
Good Practice in Mental Health	80,000
Haemophilia Society	15,500
Headway Association	40,000
Herpes Association	7,500
Holiday Care Service	17,500
Home Start Consultancy	67,500
Homes for Homeless People	48,000
Horticultural Therapy	58,500
Housing Campaign for Single Homeless	36,500
Institute for the Study of Drug Dependence	324,000
Institute of Transcultural Health Care	13,990
International Social Service	47,500
International Society for Alternative and Augmentative Communication (ISAAC)	4,000
In Touch	2,500
Iris Fund	2,500
Joint Committee on Mobility for the Disabled	1,100
Kids	25,000
Kids Clubs Network (was Nat Out of School Alliance)	95,400
Kings Fund Centre	16,000
La Leche League of Great Britain	7,390
Landmark South London HIV Centre	72,000

	£
L'Arche Ltd	12,000
Leisure Link	7,500
London Black Women's Health Action Project	3,000
London Lighthouse	300,000
MacFarlane Trust	100,000
Mainliners	30,000
Manic Depression Fellowship	10,000
Marie Curie Memorial Foundation	10,000
Maternity Alliance	37,000
Mencap	250,000
Menieres Society	5,000
Mental After Care Association	30,000
Mental Health Film Council	45,000
Mental Health Foundation	50,000
Mildmay Mission Hospital	130,000
Miscarriage Association	4,000
Mobility Information Service	7,000
Motor Neurone Disease Association	10,000
Myalgic Encephalomyelitis Association	10,000
Nafsiyat	15,000
National Aids Trust	204,964
National Association for Maternal and Child Welfare	15,000
National Association for Mental Health (Mind)	439,790
National Association for Patient Participation	6,000
National Association for the Care and Resettlement of Offenders	290,000
National Association for the Childless	33,000
National Association for the Limbless Disabled	15,000
National Association for the Welfare of Children in Hospital	90,000
National Association of Family Based Respite Care	14,792
National Association of Leagues of Hospital Friends	24,000
National Association of Voluntary Hostels	5,250
National Association of Young People in Care	5,000
National Asthma Campaign	10,000
National Back Pain Association	21,000
National Childbirth Trust	70,930
National Childminding Association	110,000
National Children's Bureau	370,790
National Childrens Home	8,750
National Citizens Advocacy	20,000
National Community Health Resource	61,545
National Council for One Parent Families	150,000
National Council for Voluntary Organisations	106,425
National Federation of Kidney Patients	10,000
National Fostercare Asociation	100,000
National Information for Parents of Prematures (NIPPERS)	10,000
National Information Forum	16,000
National Institute for Social Work	187,500
National Joint Emergency Committee (Red Cross/St. John Ambulance)	25,000
National Organisation for Counselling Adoptees and Parents (NORCAP)	8,000
National Osteoporosis Society	20,000
National Playbus Association	57,880
National Schizophrenia Fellowship	91,000
National Self Help Support Centre	40,000
National Society for the Prevention of Cruelty to Children	325,000
National Stepfamily Association	10,000
National Toy Libraries	45,000
National Youth Bureau	69,000
Neurofibromatosis Association (LINK)	5,000
New Horizons Trust	10,000
Newcastle upon Tyne Council for the Disabled	10,000
Northern Schizophrenia Fellowship	27,500
North Lambeth Day Centre Ltd.	2,667
North Regional Association for the Blind	62,097
North West Fellowship	30,000
Ockenden Venture	186,866
One to One	23,500
Outset	25,000
Overseas Doctors Association	17,000
Pain Relief Foundation	8,500
Parent to Parent Information on Adoption Services	6,500
Parentline Opus	40,000

	£
Parents Against Injustice (PAIN)	24,000
Parents for Children	48,500
Parkinsons Disease Society	13,375
Partially Sighted Society	10,000
Patients Association	24,876
Phobic Action	20,000
Phobics Society	7,500
Physically Handicapped and Able Bodied	30,000
Positively Women	25,000
Pre-School Playgroups Association	410,000
Prince of Wales Advisory Group on Disability	62,500
Queen Elizabeth Foundation for the Disabled	36,000
Rainer Foundation	8,000
Rape Counselling and Research Project	25,000
Rathbone Society	20,000
Raynauds' Association Trust	6,000
Research Council for Complementary Medicine	20,000
Research Trust for Metabolic Diseases	5,000
Restricted Growth	6,500
Richmond Fellowship	97,000
Royal Association for Disability and Rehabilitation (RADAR)	233,000
Royal National Institute for the Blind	270,000
Royal National Institute for the Deaf	40,000
Samaritans	155,000
Save the Children Fund	923,309
Scoliosis Association UK	1,000
Sense (NADBRH)	45,000
Sequal	40,500
Sexual and Personal Relationships of the Disabled	36,000
Shape	3,650
Sickle Cell Society	25,000
Society of Voluntary Associates	2,550
South Regional Association for the Blind	107,381
Spinal Injuries Association	25,000
St. Christopher's Hospice Information Service	24,289
St. Katherine Housing Trust	18,000
St. Mungo Housing Trust (Severe Weather Payment)	1,186
Standing Committee on Sexual Abuse of Children (SCOSAC)	20,000
Standing Conference on Drug Abuse (SCODA)	277,000
Stillbirth and Neonatal Death Association	30,000
Support After Termination for Abnormality	5,000
Tay Sachs and Allied Diseases Association	1,000
Terence Higgins Trust	450,000
Thalassamenia Society	15,000
Tibble Trust	1,500
Tripscope	4,000
Tuberous Sclerosis Association	2,000
Turning Point	110,000
Twins and Multiple Births Association	5,000
Vitiligio	4,000
Vocal	15,000
Voice for the Child in Care	10,000
Voluntary Council for Handicapped Children	60,000
Voluntary Organisations Liaison Committee for Under Fives	36,000
Volunteer Centre	12,500
Walsingham Community Homes	10,000
Wessex Rehabilitation Association	10,000
Westminster Pastoral Foundation	70,000
Widows Advisory Trust	18,000
Winged Fellowship Trust	15,000
Women's Aid Federation (England)	110,000
Women's Health Concern	20,000
Women's National Cancer Control Campaign	74,500
Womens Therapy Centre	15,000
Working Mothers Association	15,000
Young Minds	10,000
TOTAL PAID	15,049,069

HOUSE OF COMMONS

Statutory Instruments (Committees)

Mr. Redmond: To ask the Lord President of the Council what was the estimated cost of the sitting of the First Standing Committee on Statutory Instruments, held on 28 March; and if he will make a statement.

Sir Geoffrey Howe: It is not possible to identify separately such costs.

EMPLOYMENT

Eastern Bloc Tourists

7. **Mr. Butterfill:** To ask the Secretary of State for Employment what plans his Department has to support schemes to attract tourists from eastern bloc countries.

Mr. Nicholls: The British Tourist Authority has increased the resources in its London and Frankfurt offices in order to attract more tourists from eastern Europe. The authority is also developing programmes aimed at key segments of this market, including business travel, language and other educational activities as well as at general visitors.

Labour Statistics

9. **Mr. Franks:** To ask the Secretary of State for Employment by what percentage United Kingdom unemployment has fallen since June 1987.

Mr. Howard: Since June 1987, seasonally adjusted unemployment in the United Kingdom has fallen by 44 per cent.

14. **Mr. Mans:** To ask the Secretary of State for Employment what has been the fall in the rate of unemployment since July 1986.

Mr. Howard: In March 1990 the rate of unemployment, seasonally adjusted, in the United Kingdom was 5·6 per cent., compared with a rate of 11·3 per cent., in July 1986, a fall of 5·7 percentage points.

32. **Mr. Bowis:** To ask the Secretary of State for Employment if he will give figures for the number of unemployed in the London boroughs of Lambeth, Southwark and Wandsworth, respectively, for 1985 and the latest available statistics.

Mr. Nicholls: The table shows the number of unemployed claimants in the London boroughs requested in March 1985 and March 1990:

Unemployed claimants in the following local authority districts (not seasonally adjusted)

	March 1985	*March 1990*
Lambeth	25,680	13,378
Southwark	20,590	11,354
Wandsworth	16,556	7,707

Note: Direct comparisons over the period cannot be made due to the changes in compilation of the unemployment count.

39. **Mr. Norris:** To ask the Secretary of State for Employment what is *(a)* the United Kingdom unemployment rate and *(b)* the European Community average unemployment rate.

Mr. Nicholls: The latest comparable data show that the standardised seasonally adjusted unemployment rate in the United Kingdom is 5·7 per cent. compared to an EEC average of 8·6 per cent.

58. **Mr. Hind:** To ask the Secretary of State for Employment if he will make a statement on the current levels of employment in the north-west of England.

Mr. Nicholls: In December 1989, the civilian work force in employment in the north-west of England stood at 2,866,000. This represents an increase of 342,000 or 14 per cent. since March 1983.

63. **Mr. Latham:** To ask the Secretary of State for Employment whether he will make a statement on the level of unemployment in the east midlands.

Mr. Nicholls: In March 1990 the level of unemployment, seasonally adjusted, in the east midlands was 95,200, a drop of 23,200 or 19·6 per cent. compared with a year ago.

69. **Mr. Mills:** To ask the Secretary of State for Employment what is his latest estimate of the increase in the work force in employment in the United Kingdom since March 1983.

Mr. Nicholls: In December 1989, the latest date for which information is available, the work force in employment was 27,077,000, the highest level ever. This represents an increase of 3,513,000 or 15 per cent. since March 1983.

70. **Mr. Boswell:** To ask the Secretary of State for Employment what proportion of the increase in the work force in employment in the year September 1989 represents women.

Mr. Nicholls: In the year to September 1989 women accounted for 68 per cent. of the increase of work force in employment in the United Kingdom.

Retraining

19. **Mr. Orme:** To ask the Secretary of State for Employment what plans he has to improve retraining opportunities for those in work.

Mr. Howard: Training through life is necessary for all those at work and to maintain Britain's competitiveness. The main responsibility must lie with employers. They will receive support through the network of training and enterprise councils I have established and through the action programme to encourage investment in people being developed by the national training task force and other business organisations.

Urban Programme

20. **Mr. Andy Stewart:** To ask the Secretary of State for Employment what is the total expenditure planned for his Department in the 57 urban programme authority areas.

Mr. Eggar: My Department will spend around £1·1 billion in the urban programme authority areas during 1990-91 to help inner city residents through employment, training and enterprise measures.

Community Industry Scheme

21. **Mr. O'Brien:** To ask the Secretary of State for Employment what additional resources he intends to give to the Yorkshire and Humberside region to extend and improve the community industry scheme; and if he will make a statement.

Mr. Nicholls: My Department contracts with Community Industry Limited to deliver the community industry scheme. It is up to the company to decide how resources are allocated on a regional basis. The scheme plays a valuable role in helping up to 7,000 disadvantaged young people a year aged 16 to 19 to obtain and retain employment.

Employment Training

22. **Mr. Parry:** To ask the Secretary of State for Employment what is the total estimated expenditure on employment training in 1989-90 and 1991-2.

Mr. Howard: Expenditure on employment training (ET) in 1989-90 is estimated to be £1,112 million. For 1991-92 planned expenditure is £1,180 million.

33. **Mr. Leighton** To ask the Secretary of State for Employment what steps he is taking to improve the employment training programme.

Mr. Nicholls: I refer the hon. Member to the reply given to my hon. Friend the Member for Stevenage (Mr. Wood) on 5 March 1990, *Official Report*, column *507*.

56. **Mr. Jim Marshall** To ask the Secretary of State for Employment what procedures are undertaken when an employment training manager withdraws from employment training.

Mr. Nicholls: Immediate action is taken by the Training Agency to ensure that trainees continue to receive their training with another training manager in the same locality and to secure the recovery of any outstanding public moneys.

Mr. Leighton To ask the Secretary of State for Employment how many training agents and training managers are involved in employment training; and how many of them meet approved training organisation criteria.

Mr. Nicholls: On 31 March there were 194 training agents and 1,378 training managers involved in employment training. They are required to achieve approved training organisation status by the end of a two-year assessment. Those providers who started employment training in September 1988 are due to achieve approved training organisation status by September 1990.

Mr. Worthington To ask the Secretary of State for Employment what was the public expenditure per trainee on employment training in 1989-90; and what it will be in 1990-91 in Scotland.

Mr. Nicholls: Estimated public expenditure per trainee week on employment training in 1989-90 in Great Britain is £104. Regional ET plans for 1990-91 are for internal management information purposes only.

Mr. McLeish: To ask the Secretary of State for Employment if he will make a statement on the outcome

of the meeting held on 19 April between the Minister of State, Department of Employment and representatives of the voluntary sector on the changes to employment training.

Mr. Eggar *[holding answer 23 April 1990]:* I had an encouraging and helpful discussion with representatives of the voluntary sector.

Training Credits

23. **Mr. Hinchliffe:** To ask the Secretary of State for Employment whether he will ensure that every young person reserving a training place under the announced pilot schemes for training credits will have any additional costs met by either his employer or by the local training and enterprise council; and if he will make a statement.

Mr. Howard: In the prospectus "Training Credits for Young People", in which I invite training and enterprise councils (TECs) to bid to run pilot credit schemes, I have made clear that any training costs additional to those shown on the face of the credit are to be met either by the employer or the TEC. Young people will not have to meet such additional costs themselves.

49. **Mr. Robert G. Hughes:** To ask the Secretary of State for Employment what additional funds the Government are making available to fund the training credit pilot schemes announced on 27 March.

Mr. Eggar: Training credit pilot schemes will be funded through: planned resources for youth training; transfer to the Training Agency of relevant provision previously made through the revenue support grant in respect of part-time courses of education and training for 16 to 18-year-olds; additional funding available specifically for credit arrangements, amounting to £12 million in 1991-92 and £25 million per year in subsequent years.

Disability

24. **Mr. Ashley:** To ask the Secretary of State for Employment what percentage of firms with more than 20 workers employ fewer than their quota of 3 per cent. registered disabled people and have no permit to do so.

Mr. Eggar: In June 1989, the latest date for which figures are available, 19·3 per cent. of firms with 20 or more workers employed less than 3 per cent. people with disabilities and did not have a permit to do so.

Employers who are below quota and without permits have not necessarily committed an offence unless they have engaged a person who was not registered as disabled when a suitable registered disabled person was available.

28. **Dr. Reid:** To ask the Secretary of State for Employment when he expects to announce the results of his Department's review of services to people with disabilities.

Mr. Eggar: As I announced in my reply to the right hon. Member for Stoke-on-Trent, South (Mr. Ashley) on 12 March *Official Report*, column *135*, the consultative document which will give the results of the review will be published as soon as account can be taken in it of the results of the survey of people with disabilities in the labour market which my Department has commissioned. We anticipate that we will be in a position to publish the consultative document in June this year.

54. **Mr. Wareing:** To ask the Secretary of State for Employment if he will make a statement on his proposals for the future of the quota system in respect of the employment of disabled people.

Mr. Eggar: The quota scheme is among the matters being considered in the internal review of services to people with disabilities which my Department has been undertaking. We anticipate that we will be in a position to publish a consultative document with the results of the review in June this year.

Employment Medical Advisory Service

25. **Mr. Eastham:** To ask the Secretary of State for Employment whether he will make a statement on the staffing of the employment medical advisory service within the Health and Safety Executive.

Mr. Nicholls: On 1 April 1990, there were 134 staff in post in the Health and Safety Executive's employment medical advisory service.

Training and Enterprise Councils

26. **Mr. Fearn:** To ask the Secretary of State for Employment what concessions he plans for companies prepared to fund more training through the training and enterprise council structure.

Mr. Howard: The Chancellor of the Exchequer announced in his Budget speech on 20 March that any individuals or companies who donate funds to training and enterprise councils to support their activities will be able to claim tax relief on these contributions.

This concession is a significant step forward in encouraging contributions to training and enterprise councils from local businesses.

27. **Mr. Carttiss:** To ask the Secretary of State for Employment how many training and enterprise councils have received contracts enabling them to become operational.

Mr. Howard: Operational contracts have now been signed with 12 training and enterprise councils.

31. **Mr. Jack Thompson:** To ask the Secretary of State for Employment how his Department intends to monitor the quality of training provided by TECs.

Mr. Eggar: Training and enterprise councils (TECs) will be required to set out their strategy for ensuring the quality of training in their corporate and business plans. These plans will form part of a TEC's contract with my Department and will be subject to regular performance monitoring. In addition the training standards advisory service will be appraising the quality of training provision offered by TECs.

40. **Mr. McAllion:** To ask the Secretary of State for Employment what mechanisms are in place to enable regular financial monitoring of training and enterprise councils.

Mr. Eggar: Training and enterprise councils (TECs), under their contract with the Secretary of State for Employment, will be required to produce regular management and financial information on their performance and activities. Details of these requirements are set out in the TEC's operating agreement, a copy of which is available in the Library.

The TECs will also publish annual reports and will be subject to independent audit by my Department and the National Audit Office.

51. **Mr. Allen McKay:** To ask the Secretary of State for Employment what representations he has had from TEC board members on the funding of TECs.

Mr. Eggar: I have received a number of representations from training and enterprise council (TEC) board members on general funding issues. The TECs will receive agreed resources to carry out their plans and my officials are currently negotiating with a number of TECs as they prepare their corporate and business plans about the resources that will be made available.

53. **Mr. Wallace:** To ask the Secretary of State for Employment what original level of overall funding to the TEC network was outlined by his Department; and what is the latest figure.

Mr. Eggar: The prospectus for training and enterprise councils, "Training and Enterprise Councils: A Prospectus for the 1990s", indicated that TECs would have executive responsibility for almost £3 billion of public expenditure. The level of provision for training and enterprise programmes in 1990-91, including an estimate of spending through the TEC network is given in the supply estimate 1990-91, class VI Department of Employment (242-VI).

57. **Mr. Barry Field:** To ask the Secretary of State for Employment what is the latest figure he has for the number of training and enterprise councils now in the development phase.

71. **Mr. Kirkhope:** To ask the Secretary of State for Employment how many training and enterprise councils have received development funding.

Mr. Eggar: Sixty-seven training and enterprise councils (TECs) have been awarded development funding to date. Of these, operational contracts have now been signed with the first 12 training and enterprise councils.

TVEI

29. **Mr. Oppenheim:** To ask the Secretary of State for Employment what is the total expenditure planned by the Government on the technical and vocational education initiative over the next 10 years.

Mr. Nicholls: The Government currently plan to spend £801 million on the technical and vocational education initiative (TVEI) over the financial years 1990-91 to 1997-98. A total of £421 million has already been spent on the pilot-preparatory phase and on extending TVEI to all schools and colleges.

Health and Safety

30. **Mr. Nellist:** To ask the Secretary of State for Employment, pursuant to the statement by the right hon. Member for Northavon (Mr. Cope), *Official Report*, 17 January 1989, column 141, what conclusions he has come to on the implications of the judgment in the Derek Cain case for health and safety on YTS schemes; how many families were contacted with regard to compensation following his review; and if he will make a statement.

Mr. Nicholls: I refer the hon. Member to the answers given on 2 February 1989, *Official Report*, columns *336-37* and 11 April 1989, *Official Report*, column 809.

36. **Mr. Tony Lloyd:** To ask the Secretary of State for Employment what resources have been given to the Health and Safety Executive to implement the COSHH regulations; and if he will make a statement.

Mr. Nicholls: I refer the hon. Member to my answer of 6 February 1990, *Official Report*, column *556*.

73. **Mr. Kirkwood:** To ask the Secretary of State for Employment when he last met the chairman of the Health and Safety Executive; and what matters were discussed.

Mr. Nicholls: My right hon. and learned Friend met the chairman of the Health and Safety Commission and the director general of the Health and Safety Executive on 31 January when a range of matters relating to the responsibilities of the Health and Safety Commission and Executive were discussed.

Mr. Tony Lloyd: To ask the Secretary of State for Employment how many custodial sentences were given for Health and Safety offences instigated by the Health and Safety Executive for each year since 1974.

Mr. Nicholls: Since 1974, two cases prosecuted by the Health and Safety Executive have resulted in suspended custodial sentences.

Mr. Tony Lloyd: To ask the Secretary of State for Employment how many field inspectorate staff there were on 1 March 1987, 1988 and 1989, within the Health and Safety Executive, how many trainee inspectorate staff there were on these dates; and what was the number of workplaces registered with each inspectorate on these dates.

Mr. Nicholls: The information is not all available for the precise dates requested. On the nearest available dates, the information is given for those factory, agricultural, mines and quarries inspectors working from district or area offices. Field inspectors do not include nuclear installations or specialist inspectors.

	Composite		
Year	*Inspector Numbers*	*Number of trainees in total*[1]	*Number of workplaces as registered at 31 March*
1 March 1987	727·5	[2]117	719,738
1 March 1988	716·0	102	707,444
1 March 1989	729·5	99	[3]692,078

[1] There are no trainee grades for mines and quarries inspectors.
[2] This includes figures for the factory inspectorate at 31 March.
[3] This includes agricultural premises registered in July 1989.

Mr. Tony Lloyd: To ask the Secretary of State for Employment how many inspectors there were in the Health and Safety Executive on 1 March 1987, 1988, 1989 and 1990, in the *(a)* nuclear, *(b)* mines, *(c)* quarries, *(d)* agriculture, *(e)* factory, *(f)* industrial air pollution, *(g)* explosives and *(h)* specialist inspectorates; and what was the total number of Health and Safety Executive inspectors on each of these dates.

Mr. Nicholls: The information requested is as follows (1 March figures):

	1987	1988	1989	1990
(a) Nuclear	102	118	131·5	163
(b) Mines	66	63	57	46
(c) Quarries	16	11	12	13

	1987	1988	1989	1990
(d) Agriculture	164	151	155	161
(e) Factory	561·5	546	560·5	575·5
(f) Industrial air pollution[1]	37	—	—	—
(g) Explosives[2]	16	13	13	11
(h) Specialist[2]	208·5	201·5	197	194·5
Total HSE inspectors[3]	1,241	1,170·5	1,188	1,230

[1] The industrial air pollution inspectorate transferred to the Department of Environment on 1 April 1987.
[2] Explosives inspectors work alongside other specialist inspectors in HSE's technology division.
[3] The total number of HSE inspectors includes those working outside inspectorates eg, contributing to policy, standard work etc.

Mr. Tony Lloyd: To ask the Secretary of State for Employment if he will give *(a)* the number of cases brought to magistrates courts by the Health and Safety Executive between 1974 to 1989 and *(b)* the number of cases brought to Crown courts between 1974 to 1989.

Mr. Nicholls: The information requested is not available. Figures available to date for informations laid, are for the year 1988-89. In that year, of the informations laid in England and Wales by the Health and Safety Executive's factory and agricultural inspectorates, 1,990 were heard in the magistrates courts and 66 in the Crown court.

Mr. Tony Lloyd: To ask the Secretary of State for Employment if he will give *(a)* the number of female inspectors as a proportion of all inspectors within the Health and Safety Executive and *(b)* the number of ethnic minority groups as a proportion of all inspectors, for 1974 to 1989 inclusive.

Mr. Nicholls: Since 1 August 1975, the total number of inspectors employed by the Health and Safety Executive, the number of female inspectors, and the number of female inspectors expressed as a percentage of the total are as follows. Earlier figures are not available.

	Total inspectors in HSE	*Female inspectors included in total*	*Female inspectors as per cent. of total*
[1]1975	1,014	57·5	5·7
[2]1976	1,091·5	67·5	6·2
1977	1,352·5	68	5
1978	1,389·5	79	5·7
1979	1,426·5	98	6·9
1980	1,444·5	108	7·5
1981	1,404	102·5	7·3
1982	1,323·5	85·5	6·5
1983	1,276·5	77	6
1984	1,239	74	6
1985	1,266	84	6·6
1986	1,231·5	87·5	7·1
1987	1,204·5	97·5	8·1
1988	1,165	93·5	8
1989	1,182·5	106	9
1990	1,239	118	9·5

[1] (1 August).
[2] (1 April).

Information on the ethnic origins of inspectors in HSE is available from 1988. Provision of the information by staff is voluntary. Details of those inspectors who responded to ethnic minority surveys are as follows:

	Total respondents	*Respondents from ethnic minority groups included in total*	*Percentage of respondents in ethnic minority groups*
[1]1988	1,076	6	0·6
1989	1,057	6	0·6

[1] December.

Mr. Tony Lloyd: To ask the Secretary of State for Employment if he will list for each year from 1974 to 1989, the number of Health and Safety Executive field inspectors *(a)* appointed, *(b)* resigning and *(c)* retiring.

Mr. Nicholls: The information available is given for those factory, agricultural, mines, quarries and industrial air pollution inspectors working from district or area Offices. Field inspectors do not include nuclear installations or specialist inspectors.

Year	*Number appointed*[2]	*Number resigned*[2]	*Number retiring*[3]
[1]1979	n/a	14	3
1980	n/a	21	19
1981	n/a	26	28
1982	n/a	13	21
1983	n/a	9	24
1984	n/a	13	23
1985	36	19	28
1986	72	20	22
[1]1987	44	37	32
1988	52	30	19
1989	74	28	23

[1] Figures relate to period July-December only.
[2] The industrial air pollution inspectorate transferred to the Department of the Environment on 1 April 1987.
[3] Centrally held information is not available for before 1985 (appointments) or July 1979 (resignations and retirements).

Mr. Tony Lloyd: To ask the Secretary of State for Employment if he will list the *(a)* number of cases brought to court by the Health and Safety Executive and *(b)* the number of successful prosecutions for 1974 to 1989.

Mr. Nicholls: The information requested is not available. However, the table shows the number of informations laid and convictions obtained since 1975.

Informations laid by HSC/enforcing authorities (excluding local authorities), 1975-1988/89[4]

Date of hearing	*Number of informations laid*	*Of which convictions*
[1]1975	2,956	2,732
[1]1976	2,174	2,010
[1]1977	2,814	2,546
[1]1978	2,603	2,364
[2]1979	2,427	2,227
[2]1980	2,624	2,416
[3]1981	1,892	1,654
[3]1982	2,351	2,065
1983	2,238	1,941
1984	2,209	1,944
1985	2,321	1,915
1986-87	2,199	1,771
1987-88	2,337	2,053
[4]1988-89	2,334	2,079

[1] Informations laid by Her Majesty's factory inspectorate only.
[2] Informations laid by HSE's factory and agricultural inspectorates.

[3] Informations laid by HSE's factory, agricultural and mines and quarries inspectorates.
[4] Provisional.

Mr. Tony Lloyd: To ask the Secretary of State for Employment if he will list the number of workplaces that last received preventive inspection within *(a)* the past year, *(b)* two years, *(c)* five years and *(d)* 10 years.

Mr. Nicholls: The information is not available in the form requested and could be obtained only at disproportionate cost.

The table shows the total number of preventative inspection visits made by the Health and Safety Executive's factory, agricultural, mines, quarries and specialist inspectors for the periods for which information is available:

Period	*Number of inspections*
1 April 1988—31 March 1989	158,860
1 April 1987—31 March 1989	317,964
1 April 1986—31 March 1989	481,641

Mr. Tony Lloyd: To ask the Secretary of State for Employment what was the budget for the Health and Safety Committee and Health and Safety Executive for each year from 1974 to 1989; what was the amount as a proportion of total public expenditure in each year; and what was the amount in real terms with 1974-75 = 100.

Mr. Nicholls: The level of gross financial provision to the Health and Safety Commission and Executive, for each year from 1974 to 1989 is shown in the table, expressed (a) in cash terms (b) at 1974-75 price levels and (c) as a percentage of total public expenditure.

	(a) *(£)*	*(b)* *(£)*	*(c)*
1974-75	13,320	13,320	0·031
1975-76	27,922	22,701	0·052
1976-77	38,398	26,802	0·064
1977-78	44,413	28,203	0·070
1978-79	47,508	27,555	0·063
1979-80	56,843	27,796	0·063
1980-81	72,063	31,275	0·066
1981-82	81,303	31,257	0·067
1982-83	82,533	30,224	0·062
1983-84	89,361	31,339	0·064
1984-85	91,488	30,566	0·061
1985-86	96,585	30,521	0·061
1986-87	97,808	29,831	0·059
1987-88	102,341	30,395	0·059
1988-89	109,426	30,092	0·061

For consistency, the figures have been adjusted to remove funds provided during 1981-82 to 1984-85 for HSE's dispersal to Bootle; and to remove provision in earlier years for the industrial air pollution inspectorate which transferred to the Department of Environment in 1987.

Mr. Tony Lloyd: To ask the Secretary of State for Employment what was the number of doctors leaving the Health and Safety Executive for retirement or resignation reasons in 1988 and 1989.

Mr. Nicholls: In 1988, four doctors resigned and four retired. In the following year a further three resigned and two retired.

Mr. Tony Lloyd: To ask the Secretary of State for Employment what was the number of inspectorate staff *(a)* retiring and *(b)* resigning from each Health and Safety Executive inspectorate within the last 12-month period.

Mr. Nicholls: The information requested for the period 1 April 1989 to 31 March 1990 is as follows:

Inspectorate	*Inspectors:* *(a) Retiring*	*(b) Resigning*
Nuclear	5	2
Mines	7	1
Quarries[1]	1	1
Agriculture	5	3
Factory	10	27
Specialists[2]	6	11

[1] From 1 October 1989 the quarries inspectorate was amalgamated with the factories and agriculture division.
[2] Includes explosives inspectors working in HSE's technology division.

Mr. Tony Lloyd To ask the Secretary of State for Employment what was the number of manslaughter charges in respect of health and safety offences for each year since 1974.

Mr. Nicholls: The offence of manslaughter forms part of general criminal law and consequently the Health and Safety Executive's inspectors are not able themselves to initiate prosecutions for manslaughter. However, when appropriate, cases are passed to the Crown prosecution service for consideration. The Health and Safety Executive does not, therefore, keep the information requested.

Mr. Tony Lloyd To ask the Secretary of State for Employment what were the average fines at *(a)* magistrates courts and *(b)* Crown courts in cases taken by the Health and Safety Executive in 1974 to 1989 inclusive.

Mr. Nicholls: The information is available in the form requested only for 1988-89. In that year, provisional figures show that the average fines obtained by HSE's factory and agricultural inspectorates in England and Wales were £505 in a magistrates court and £2,145 in the Crown court.

Training Tax

34. **Mr. Carrington** To ask the Secretary of State for Employment whether he has any plans to introduce a training tax on the payroll of every enterprise in Britain.

Mr. Eggar: No. The most effective incentive for companies to train is a knowledge and understanding of their skill needs, not centralised regulation based on statutory powers.

Tourism

35. **Mrs. Maureen Hicks** To ask the Secretary of State for Employment what impact tourism has made on employment in the west midlands.

Mr. Nicholls: Information is not available in the form requested, but it is estimated that the number of employees in employment in the hotel and catering industry in the west midlands in December 1989 was 89,000—5,000 more than in December 1988.

44. **Mr. Amess:** To ask the Secretary of State for Employment what plans he has to publicise the advantages for tourists of visiting areas outside the main tourist centres.

Mr. Nicholls: From 1 April 1990, much of the work of the English tourist board has been devolved to the 12 regional tourist boards, together with substantially increased resources. This will enable the regional boards to market their regions more effectively, thereby encouraging the wider dispersal of tourism.

65. **Mr. Nigel Griffiths:** To ask the Secretary of State for Employment how many people are employed in the tourism industry; and if he will make a statement.

Mr. Nicholls: The available information is published in table 8.1 of the April 1990 issue of *Employment Gazette*.

Mr. Lofthouse: To ask the Secretary of State for Employment whether his Department has commissioned any research into the effects of withdrawal of section 4 tourism grant funding on the tourism industry.

Mr. Nicholls: My Department has commissioned research to look at the progress of those tourism projects whose applications to the English tourist board could not be considered before the suspension of the section 4 scheme.

Self-employment

37. **Mr. Janman:** To ask the Secretary of State for Employment what was the total increase in the numbers of self-employed in the periods *(a)* 1959 to 1979 and *(b)* 1979 to 1989.

Mr. Nicholls: The estimated number of self-employed in the United Kingdom rose from 1,906,000 in June 1979 to 3,241,000 in June 1989, an increase of 1,335,000 or 70 per cent.

Estimates before 1970 are not strictly comparable with later figures due to a change in methodology. In 1969, there were an estimated 1,853,000 self-employed in the United Kingdom.

Training Costs

38. **Mr. Buckley:** To ask the Secretary of State for Employment whether he will set out the weekly level of funding to cover training costs per youth trainees in 1989-90 and 1992-93 in 1990 prices.

Mr. Nicholls: The Exchequer contribution towards youth training costs in 1989-90 and 1992-93 are set out in "The Government's Expenditure Plans 1990-91 to 1992-93" (Cm. 1006).

Additional funds will be made available to training and enterprise councils, and local enterprise companies in Scotland, and whose bids to pilot training credits for young people are accepted. These will involve a transfer of the appropriate proportion of relevant elements from the revenue support grant, and additional sums of £12 million in 1991-92 and £25 million in subsequent years.

Factory Inspectorate

41. **Ms. Ruddock:** To ask the Secretary of State for Employment what plans he has to retain trained factory inspectorate staff within the Health and Safety Executive.

Mr. Nicholls: The Health and Safety Executive has already taken measures to retain trained factory inspectorate staff. These include improved pay, particularly for basic grade inspectors and the introduction of a flexible pay scheme which aims to reward good performance. Priority is also being given to creating improved career development and training opportunities.

Job-related Training

42. **Mr. Stevens:** To ask the Secretary of State for Employment what was the increase in the number of employers receiving job-related training between 1984 and 1989.

Mr. Nicholls: Defining employers as self-employed people with employees, the number receiving job-related training in the four-week reference period of the labour force survey increased from 25,000 (2·8 per cent.) in 1984 to 56,000 (5·5 per cent.) in 1989.

Small Firms

43. **Mr. Dunnachie:** To ask the Secretary of State for Employment how TECs and LECs will respond to the interests of small firms.

Mr. Eggar: Training and enterprise councils and local enterprise companies will develop plans based on a sound assessment of local needs, including those of small firms.

They will be directly responsible for major current programmes which help small firms and promote self-employment. These include the enterprise allowance scheme, business growth training and, except in Wales, business counselling for small firms. In Scotland, local enterprise companies will, in addition, provide a wide range of economic development and environmental improvement services.

59. **Mr. Colin Shepherd:** To ask the Secretary of State for Employment what recent representations he has received in respect of small firms and their opportunities to contribute to training.

Mr. Eggar: I receive a number of representations from the small firms sector concerning a range of topics including training. My Department helps small firms through a comprehensive package of training and business support. This includes the small firms service which dealt with some 300,000 inquiries in 1989 and provided 50,000 consultancies, the enterprise allowance scheme, which since its commencement in 1983 has helped over 500,000 unemployed people take up self employment, and business growth training, which has already provided 92,000 training opportunities since its start in April 1989. Training and enterprise councils are taking over the running and development of these and will introduce new services for small firms.

Workplace Nurseries

45. **Mr. Andrew Mitchell:** To ask the Secretary of State for Employment what representations he has received on the Government's proposals to encourage an expansion in the provision of workplace nurseries.

Mr. Nicholls: Since the beginning of the year, Ministers in the Employment Department have answered six questions in the House, received 15 letters from hon. Members and 20 from members of the public on the subject of child care facilities including workplace nurseries.

Employment Service

46. **Mr. Donald Thompson:** To ask the Secretary of State for Employment how many people are placed into jobs in each year by the employment service.

Mr. Nicholls: In 1989 the total number of people placed in jobs in Great Britain was 1,890,790.

Wages Councils

47. **Mr. Tom Clarke:** To ask the Secretary of State for Employment how he intends to improve the work of the wages councils.

Mr. Nicholls: The councils are empowered to set minimum rates of pay in certain industries. Checks by wages inspectors show that compliance with wages councils orders is running at a very high level.

Mr. Tony Lloyd: To ask the Secretary of State for Employment how many prosecutions for contravention of wages councils legislation there were in *(a)* the last three months, *(b)* the last six months and *(c)* the last 12 months.

Mr. Nicholls: The number of prosecutions was as follows:

(a) Four from 1 January 1990 to 31 March 1990
(b) Six from 1 October 1989 to 31 March 1990
(c) 13 from 1 April 1989 to 31 March 1990

Mr. Tony Lloyd: To ask the Secretary of State for Employment if he will list the establishments prosecuted for contravention of wages councils legislation under the Wages Act 1986 in 1989 together with *(a)* the number of charges levelled in each case and the charges on which they were prosecuted and *(b)* the number of employees underpaid in each prosecution for underpayment.

Mr. Nicholls: The information is as follows:

	Number of charges	*Charges prosecuted*	*Number of employees underpaid*
Maurices Discount, Nottingham	1	1	1
Bishops of Swanage, Swanage	1	1	1
Ron Whites Fruit Basket, Southampton	2	2	1
Johns, South Ockenden	1	1	0
Kingfisher, Hull	5	5	5
Bhatias, Rochester	5	4	2
Record Stores, Rochester	13	9	2
Gosport RN Association Limited, Gosport	3	3	3
Grahams Transport Stop, Bridgewater	2	2	2
Franklins of Saltburn	3	3	3

Mr. Tony Lloyd: To ask the Secretary of State for Employment if he will provide a breakdown *(a)* by wages inspectorate division and *(b)* by wages councils, of establishments checked, and those found to be contravening wages council legislation in 1989, and the number of prosecutions under specific sections of the Wages Act 1986.

Mr. Nicholls: I refer the hon. Member to the reply I gave to the hon. Member for Coventry, South-East (Mr. Nellist) on 29 March 1990, *Official Report,* columns *251-56,* tables 2 and 4, which gives the numbers of establishments checked and those found to be paying less than the statutory minimum in 1989.

The remainder of the information requested is given in the following tables:

Table 1—Establishments found failing to post wages council notices—1989

Wages Councils	*London*	*South East*	*Eastern*	*South West*	*Midlands*	*North West*	*Yorkshire and Humberside*	*North*	*Scotland*	*Great Britain*
Aerated Waters	—	—	—	—	—	2	—	—	—	2
Clothing Manufacture	68	3	2	8	31	53	7	9	4	185
Boot and Shoe Repairing	8	7	2	6	1	1	2	1	1	29
Button Manufacturing	—	—	—	—	—	—	—	1	—	1
Coffin Furniture and Cerement Making	—	—	—	—	—	—	—	—	—	—
Cotton Waste Reclamation	—	—	—	—	—	—	—	—	—	—
Flax and Hemp	—	—	—	—	—	—	—	—	—	—
Fur	1	—	—	—	—	3	—	—	—	4
General Waste Materials Reclamation	1	1	2	4	1	—	1	—	—	10
Hairdressing Undertakings	32	41	71	72	47	90	69	47	47	516
Hat Cap and Millinery	1	—	—	—	—	—	1	—	—	2
Lace Finishing	—	—	—	—	—	—	—	—	—	—
Laundry	2	4	1	7	3	4	—	2	11	34
Linen and Cotton Handkerchief	—	—	—	—	—	6	—	—	—	6
Made-up Textile	—	1	2	—	2	—	—	—	2	7
Ostrich and Fancy Feather	—	—	—	—	—	—	—	—	—	—
Perambulator and Invalid Carriage	—	—	—	—	—	—	—	—	—	—
Retail Bespoke Tailoring	—	—	—	3	—	4	3	1	—	11
Rope Twine and Net	—	—	—	—	—	—	—	—	1	1
Sack and Bag	—	—	—	1	—	—	—	—	—	1
Toy Manufacturing	—	—	—	—	—	1	—	1	—	2
Retail Non-Food Trades	35	172	154	299	265	346	193	93	177	1,734
Retail Food and Allied Trades	65	353	313	436	462	794	387	238	289	3,337
Licensed Non-Residential	21	145	170	205	187	183	73	110	147	1,241
Licensed Residential and Restaurant	39	112	94	185	91	111	45	63	121	861

Wages Councils	London	South East	Eastern	South West	Midlands	North West	Yorkshire and Humberside	North	Scotland	Great Britain
Unlicensed Place of Refreshment	31	71	52	128	55	88	76	27	87	615
Total	304	910	863	1,354	1,145	1,686	857	593	887	8,599

Table 2—Establishments found failing to keep adequate records of wages paid—1989

Wages Councils	London	S. East	Eastern	S.West	Midlands	N. West	Yorks and H'side	North	Scotland	Great Britain
Aerated Waters	—	—	—	—	—	—	—	—	—	—
Clothing Manufacture	3	1	—	—	4	—	1	—	2	11
Boot and Shoe Repairing	—	—	—	1	—	—	—	—	—	1
Button Manufacturing	—	—	—	—	—	—	—	—	—	—
Coffin Furniture and Cerement Making	—	—	—	—	—	—	—	—	—	—
Cotton Waste Reclamation	—	—	—	—	—	—	—	—	—	—
Flax and Hemp	—	—	—	—	—	—	—	—	—	—
Fur	—	—	—	—	—	—	—	—	—	—
General Waste Materials Reclamation	—	—	—	—	—	—	—	—	—	—
Hairdressing Undertakings	5	12	6	4	5	10	9	6	3	60
Hat Cap and Millinery	—	—	—	—	—	—	—	—	—	—
Lace Finishing	—	—	—	—	—	—	—	—	—	—
Laundry	—	1	—	—	—	—	—	—	2	3
Linen and Cotton Handkerchief	—	—	—	—	—	—	—	—	—	—
Made-up Textile	—	—	1	—	—	—	—	—	—	1
Ostrich and Fancy Feather	—	—	—	—	—	—	—	—	—	—
Perambulator and Invalid Carriage	—	—	—	—	—	—	—	—	—	—
Retail and Bespoke Tailoring	—	—	—	—	—	—	—	—	—	—
Rope Twine and Net	—	—	—	—	—	—	—	—	—	—
Sack and Bag	—	—	—	—	—	—	—	—	—	—
Toy Manufacturing	—	—	—	—	—	—	—	—	—	—
Retail Non-Food Trades	—	47	35	26	27	51	31	16	31	264
Retail Food and Allied Trades	5	129	96	71	93	203	103	75	82	857
Licensed Non-Residential	4	60	49	22	34	39	17	20	18	263
Licensed Residential and Restaurant	1	30	9	16	5	13	11	6	25	116
Unlicensed Pl of Refreshment	—	21	11	15	7	20	12	4	33	123
TOTAL	18	301	207	155	175	336	184	127	196	1,699

Table 3—establishments found failing to keep adequate records of hours worked—1989

Wages Councils	London	South East	Eastern	South West	Midlands	North West	Yorks and H'side	North	Scotland	GB
Aerated Waters	—	—	—	—	—	1	—	—	—	1
Clothing Manufacture	10	5	—	3	18	26	4	2	3	71
Boot and Shoe Repairing	5	6	2	3	2	2	2	2	4	28
Button Manufacturing	—	—	—	—	—	—	—	—	—	—
Coffin Furniture and Cerement Making	—	—	—	—	—	—	—	—	—	—
Cotton Waste Reclamation	—	—	—	—	—	—	—	—	—	—
Flax and Hemp	—	—	—	—	—	—	—	—	—	—
Fur	—	—	—	—	—	—	—	—	—	—
General Waste Materials Reclamation	1	2	2	—	—	1	—	—	1	7
Hairdressing Undertakings	9	83	102	62	35	56	59	53	62	521
Hat Cap and Millinery	1	—	—	—	—	—	—	1	—	2

Wages Councils	London	South East	Eastern	South West	Midlands	North West	Yorks and H'side	North	Scotland	GB
Lace Finishing	—	—	—	—	—	—	—	—	—	—
Laundry	—	2	1	1	1	2	—	2	7	16
Linen and Cotton Handkerchief	—	—	—	—	—	—	—	—	—	—
Made-up Textile	—	3	1	—	1	—	—	—	—	5
Ostrich and Fancy Feather	—	—	—	—	—	—	—	—	—	—
Perambulator and Invalid Carriage	—	—	—	—	—	—	—	—	—	—
Retail Bespoke Tailoring	—	2	1	—	—	—	—	1	1	5
Rope Twine and Net	—	—	—	—	—	—	—	—	—	—
Sack and Bag	1	—	—	—	—	—	—	—	—	1
Toy Manufacturing	—	1	—	—	—	1	—	—	—	2
Retail Non-Food Trades	5	209	201	199	150	216	130	84	163	1,357
Retail Food and Allied Trades	28	417	370	284	242	602	267	186	261	2,657
Licensed Non-Residential	16	225	198	157	147	161	72	91	134	1,201
Licensed Residential and Restaurant	24	123	93	126	55	87	34	46	111	699
Unlicensed Place of Refreshment	11	63	38	76	24	56	41	19	69	397
Total	111	1,141	1,009	911	675	1,211	609	487	816	6,970

Table 4—Analysis of criminal prosecutions in 1989 under the Wages Act 1986

Division	Number of cases	Wages Council	Section of the Act under which prosecution taken
South East	2	Retail Food	Section 16 (Underpayment)
	1	Retail Food	Section 16 and Section 21 (Producing false records)
	1	Licensed non-residential	Section 16
Eastern	1	Retail food	Section 21 (Failing to produce records)
South West	1	Retail non-food	Section 16
	1	Unlicensed Place of refreshment	Section 16
Midlands	1	Retail food	Section 16
Yorkshire and Humberside	1	Retail food	Section 16
Northern	1	Retail non-food	Section 16

Mr. Tony Lloyd: To ask the Secretary of State for Employment if he will provide breakdowns by wages inspectorate division of information given in the *Official Report*, 1 March 1989, columns *199-201*, regarding the establishments underpaying and prosecutions for underpayment of wages councils rates; and if he will make a statement.

Mr. Nicholls: I refer the hon. Member to the reply I gave to the hon. Member for Coventry, South-East (Mr. Nellist) on 2 April 1990, *Official Report* columns *460-62*.

Low Pay

48. **Mr. Clelland:** To ask the Secretary of State for Employment if he will make a statement on Her Majesty's Government's policy on the eradication of low pay.

Mr. Nicholls: I refer the hon. Member to the reply I gave to the hon. Member for Monklands, West (Mr. Clarke) on 13 March 1990, *Official Report*, column *207*.

Workplace Training

50. **Mr. Madel:** To ask the Secretary of State for Employment whether he has any proposals to establish a training body at every workplace in the United Kingdom.

Mr. Nicholls: No. Employers are best placed to determine the most appropriate arrangements to ensure that the training they undertake meets their needs and the needs of their employees. Anything else would be as bureaucratic as it would be impracticable.

Shell Site, Stanlow

52. **Mr. Andrew F. Bennett:** To ask the Secretary of State for Employment how often Health and Safety Executive officers have visited the Shell site at Stanlow.

Mr. Nicholls: The information requested is not available and could be obtained only at disproportionate cost.

Industrial Action

55. **Mr. Hayward:** To ask the Secretary of State for Employment how many stoppages due to industrial action were recorded in January 1990.

Mr. Nicholls: It is provisionally estimated that there were 48.

Long-term Unemployment

60. **Mr. Hunter:** To ask the Secretary of State for Employment if he will make a further statement on the measures which he is taking to deal with long-term unemployment.

Mr. Eggar: We have in place an extensive range of employment and training measures which have helped to ensure that long-term unemployed people have benefited fully from the general fall in unemployment.

Long-term unemployment has halved in the last two years and in that period has fallen faster than total unemployment. These measures are kept under regular review to ensure that they continue successfully and cost effectively to help long-term unemployed people back into work. Details of improvements to our counselling and advice services for unemployed people were provided in answer to my hon. Friend the Member for Gedling (Mr. Mitchell) on 5 April 1990, *Official Report*, column *647*.

European Community Meetings

61. **Mr. Andrew MacKay:** To ask the Secretary of State for Employment when he next expects to meet his European Community counterparts; and what matters will be discussed.

Mr. Howard: The next formal Council of European Community Employment Ministers will be on 29 May. The agenda has not yet been finalised.

Redundancies, Merseyside

62. **Mr. Alton:** To ask the Secretary of State for Employment what initiatives his Department is taking to replace the 3,000 jobs lost on Merseyside after the announcement of redundancies at Ford's Halewood plant.

Mr. Nicholls: Ford has announced that as part of the company's continuing efforts to improve efficiency and productivity, employment at Halewood will be reduced by 2,800 over the next five years.

Government policies are aimed at developing an economic climate where industry and enterprise can flourish, thus allowing jobs to be created by the private sector, including jobs to replace those lost at Halewood.

My Department operates a wide range of employment, enterprise, training and inner city measures to help the unemployed and others, including those made redundant at Halewood, find new jobs, retrain or set up businesses of their own.

Enterprise Allowance Scheme

64. **Mr. Butler:** To ask the Secretary of State for Employment how many people have started on the enterprise allowance scheme since it began.

Mr. Nicholls: Over 500,000 unemployed people have been helped to start their own business under the enterprise allowance scheme since it began in 1982. This most substantial achievement is being marked at a special ceremony today.

VAT

66. **Mr. David Nicholson:** To ask the Secretary of State for Employment what was the net increase per week in businesses registering for value added tax in *(a)* 1989 and *(b)* 1974 to 1979.

Mr. Eggar: In 1988, the latest year for which figures have been published by my Department, the net increase in the number of VAT-registered businesses was an average of just over 1,200 per week. Early indications from data collected by Her Majesty's Customs and Excise are that the net increase in 1989 was 1,500 a week. Between the end of 1974 and 1979, the number of businesses registered for VAT rose by an average of just over 300 a week.

School-Industry Compacts

67. **Mr. Evennett:** To ask the Secretary of State for Employment what resources the Government are providing over the next four years to support school-industry compacts.

Mr. Eggar: The Government are making available £7 million per year over the next four years towards the cost of developing and operating inner city compacts covering all urban programme authority areas in England, and designated priority areas in Scotland and Wales.

Low Pay Unit

68. **Ms. Armstrong:** To ask the Secretary of State for Employment if he has received the most recent report from the low pay unit; and if he will make a statement.

Mr. Nicholls: My right hon. and learned Friend receives many reports from the low pay unit which he reads with interest.

Youth Training

72. **Mr. Lofthouse:** To ask the Secretary of State for Employment if he will set out the level of funding in 1990 prices for youth training in 1989-90 and 1992-93.

Mr. Nicholls: Planned expenditure on youth training in 1989-90 and 1992-93, in 1990-91 prices, is £1,061 million and £716 million. Additional funds will be made available to training and enterprise councils, and local enterprise companies in Scotland, whose bids to pilot training credits for young people are accepted. These will involve a transfer of the appropriate proportion of relevant elements from the revenue support grant, and additional sums of £12 million in 1991-92 and £25 million in subsequent years.

Mr. Worthington: To ask the Secretary of State for Employment what was the public expenditure per trainee in 1989-90 on youth training; and what it will be in 1990-91 in Scotland.

Mr. Nicholls: The gross public cost per trainee week on YTS in 1989-90 is estimated to be £50 per trainee week. Information about gross public costs per trainee week of youth training in Scotland in 1990-91 is not available.

Social Charter

74. **Mr. Dykes:** To ask the Secretary of State for Employment when he next expects to meet his European Community counterparts to discuss the employment aspects of the European Commission's range of social charter proposals.

Mr. Howard: The first formal proposals from the European Commission's social action programme are not expected to be published until May or June; substantive discussion of these proposals by the Labour and Social Affairs Councils is therefore unlikely to take place until the last quarter of the year.

Training Allowances

Ms. Walley: To ask the Secretary of State for Employment if he will place in the Library a copy of representations he has received from Staffordshire in respect of his draft proposals to cut back funding for training allowances paid in respect of training and enterprise council allowances.

Mr. Eggar: No.

Wages Inspectors

Mr. Tony Lloyd: To ask the Secretary of State for Employment how many civil cases were taken by the wages inspectorate in each year since 1979.

Mr. Nicholls: The number of civil cases taken by the wages inspectorate was as follows:

	Cases
1979	6
1980	4
1981	4
1982	1
1983	6
1984	4
1985	0
1986	3
1987	1
1988	4
1989	0

Mr. Tony Lloyd: To ask the Secretary of State for Employment (1) how many individual workers' complaints were received by the wages inspectorate division; what percentage of workers' lodging individual complaints was found to be underpaid; in those cases where underpayment occurred, what was the amount of arrears *(a)* assessed, *(b)* paid and *(c)* unpaid in each case; how many employees were affected by contravention of wages council legislation in instances where an individual worker complained; and what fines were imposed after prosecution in each case, according to each contravention, in 1989;

(2) what was *(a)* the total amount of arrears (i) assessed, (ii) paid and (iii) unpaid resulting from individual workers' complaints to the wages inspectorate in each year since 1979 and *(b)* the number of instances in which individual workers' complaints to the wages inspectorate resulted in criminal prosecution in each year since 1979.

Mr. Nicholls: The number of complaints received by each wages inspectorate division in 1989 is given in the table.

The receipt of a complaint from a worker is only one of a number of circumstances which might cause the wages inspectorate to check the levels of pay at a particular establishment. The results of complaint inspections are not kept separately from the results of inspections which are conducted for other reasons, and the remainder of the information requested is not, therefore, available.

Division	*Number of complaints received in 1989*
London	68
South East	89
Eastern	64
South West	201
Midlands	145
North West	323
Yorkshire and Humberside	138
Northern	147
Scotland	246
Total	1,421

Mr. Tony Lloyd: To ask the Secretary of State for Employment how many wages inspectors are currently in post; and how many are long term sick.

Mr. Nicholls: There are currently 68 inspectors in post in Great Britain. Three are absent due to sickness which has lasted for three weeks or more.

Mr. Tony Lloyd: To ask the Secretary of State for Employment in what proportion of instances, in which a worker makes an individual complaint to the wages inspectorate, the complaint results in a visit by the wages inspectorate; in those instances in which a visit occurs, what is the average length of time between receipt of the complaint and the visit; and in those instances in which under payment is uncovered, what is the average length of time between the visit and the issue of a schedule of arrears to the employer.

Mr. Nicholls: The specific information requested is not available.

All complaints made to the wages inspectorate result in a visit by an inspector, unless it is obvious from the information given by the worker at the outset that the complaint is groundless.

Complaints are given priority over all checking work and inspectors endeavour to complete inspection action, including the issue of an assessment of arrears if appropriate, within four weeks.

Training (North-West)

Mr. Campbell-Savours: To ask the Secretary of State for Employment if he will make a statement on proposals for training in the north-west.

Mr. Eggar: On 3 April my right hon. and learned Friend signed contracts with the Cumbria and South and East Cheshire training and enterprise councils in the north-west. These training and enterprise councils will be responsible for the provision of training and enterprise activities in their localities.

Employment Agencies (Literature)

Mr. Speller: To ask the Secretary of State for Employment if he will permit sponsored and commercial employment agencies to deposit their literature at jobcentres for a trial period.

Mr. Eggar: The employment service, which is responsible for jobcentres, became an executive agency on 2 April 1990. Mr. Mike Fogden, the employment service agency's chief executive will be replying in writing to the hon. Gentleman.

Health and Safety Executive

Mr. Strang: To ask the Secretary of State for Employment what representations he has received from the Institution of Professionals, Managers and Specialists concerning levels of staffing in the Health and Safety Executive; and if he will make a statement.

Mr. Nicholls: My right hon. and learned Friend has recently received a letter from the IPMS about staffing in the Health and Safety Executive.

Children (Safety)

Dr. Kim Howells: To ask the Secretary of State for Employment if he will take steps to tighten the laws governing the responsibility of owners of industrial and commercial premises to ensure that sufficient security arrangements exist to prevent children venturing into potentially dangerous situations on those premises.

Mr. Nicholls: Section 3 of the Health and Safety at Work etc, Act 1974 already lays a duty upon every employer to conduct his undertaking in such a way so as to ensure, so far as is reasonably practicable, that persons not in his employ are not exposed to risks to their health and safety. Such care would include the provision of adequate security arrangements if this was necessary to prevent risks to the public.

Earnings

Mr. McAllion: To ask the Secretary of State for Employment how many full-time workers, by number and by percentage, earned less than the average earnings figure for all full-time workers in *(a)* Scotland and *(b)* the United Kingdom in the most recent year for which figures are available.

Mr. Nicholls *[holding answer 23 April 1990]:* Based on the distribution of earnings in the 1989 new earnings survey sample, the estimated proportion of full-time employees in Scotland was 61 per cent. The proportion of full-time employees in Great Britain earning less than the equivalent average for Great Britain was also 61 per cent. Information for the United Kingdom is not readily available.

Agricultural Inspectorate

Mr. Simon Hughes: To ask the Secretary of State for Employment how many inspectors have been employed in the agricultural division of the Health and Safety Executive for each year from 1975 to 1989; and if he will make a statement.

Mr. Nicholls *[holding answer 23 April 1990]:* The number of agricultural inspectors employed by the Health and Safety Executive on 1 April in each year from 1976 was as follows:

	Inspectors
[1]1976	5
1977	187
1978	186
1979	190
1980	178
1981	176
1982	166
1983	159
1984	154
1985	162
1986	163
1987	166
1988	158
1989	165
1990	171

[1]Agricultural inspectors joined HSE from MAFF from March 1976, but the bulk of the field force was not in place until later in 1976.

Quasi-religious Cults

Mr. Meale: To ask the Secretary of State for Employment if he will take steps to ensure that the Training Agency vets education institutions before accepting advertising material from them, with a view to excluding any institution having links with quasi-religious cults.

Mr. Eggar *[holding answer 23 April 1990]:* Steps are already being taken by the Training Agency to ensure that advertising received from educational institutions does not include any material from institutions having links with quasi-religious cults.

TRANSPORT

Troop Transportation

Mr. Redmond: To ask the Secretary of State for Transport if he will list the agreements and arrangements made with British civil air carriers for the transport of American troops and equipment in a period of rising international tension.

Mr. McLoughlin: Details of plans for the movement of allied forces in a period of tension are classified.

Radioactive Material

Mr. Wallace: To ask the Secretary of State for Transport whether he has received any representations from Kernforschungszentrum, Karlsruhe, West Germany, regarding proposals for the transportation of spent radioactive fuel to the atomic energy research establishment at Dounreay; and if he will make a statement.

Mr. Atkins: My Department has not received any representations.

Coal Imports (South Africa)

Mr. Redmond: To ask the Secretary of State for Transport if he will list by year for the last 10 years and by port the number of tonnes of coal imported from South Africa.

Mr. McLoughlin: Her Majesty's Customs and Excise figures for imports of coal consigned from South Africa for the last 10 years and by port are as follows:

Thousand tonnes

	1980	*1981*	*1982*	*1983*	*1984*
London[1]	—	0·9	—	—	—
Colchester	—	—	—	—	2·2
Shoreham	1·4	—	—	—	—
Southampton	0·5	—	—	—	—
Exeter	—	—	—	1·2	18·1
Teignmouth	—	—	—	—	1·5
Watchet	—	—	—	—	1·4
Avonmouth	56·8	76·2	62·8	44·1	16·2
Sharpness	1·0	—	—	—	—
Liverpool	—	1·7	—	—	—
Glasgow	—	—	—	—	22·5
Grangemouth	2·1	—	—	—	—
River Trent	1·2	—	—	—	5·6
Belfast	1·7	—	—	—	—
Total	64·7	78·8	62·9	45·3	67·5

[1] Including Tilbury.

Thousand tonnes

	1985	*1986*	*1987*	*1988*	*1989*
London[1]	10·8	16·4	5·3	5·9	—
Colchester	2·3	—	—	—	—
Exeter	11·0	2·6	2·8	—	—
Teignmouth	7·6	—	1·2	3·2	2·0
Falmouth	—	—	—	—	7·3
Avonmouth	72·7	57·1	15·9	13·6	29·0
Swansea	5·3	—	—	—	—
Greenock	142·1	—	—	—	—
Kirkcaldy	—	—	—	—	1·5
Tyne	0·6	—	—	—	—
Middlesbrough	—	—	—	—	17·0
Hull	—	4·1	—	—	—
River Trent	—	—	2·3	19·2	14·3
Immingham	41·8	23·4	—	9·2	—
Boston	—	—	—	—	0·8
Harwich	—	0·6	—	—	—
Belfast	75·3	2·0	2·3	11·5	4·3
Coleraine	—	—	—	—	1·5
Londonderry	—	—	6·0	3·3	3·0
Warrenpoint	—	—	—	—	2·8
Total	369·6	106·2	35·8	66·0	83·5

[1] Including Tilbury.

Figures are not available by individual ports of coal originating from South Africa imported via third countries.

Ferries

Mr. David Martin: To ask the Secretary of State for Transport what steps he proposes to take to promote safety improvements on board ferries plying to and from British ports; and if he will make a statement.

Mr. McLoughlin: The Government regard safety as an overriding priority on ferries, as on other means of transport. We have taken a number of steps to improve ferry safety in recent years. New legislation has been introduced, supplemented by increased numbers of random and unannounced inspections of both United Kingdom and non-United Kingdom ferries by Department of Transport marine surveyors. We have also required all United Kingdom flag ferries, irrespective of year of build, to meet the United Kingdom residual stability standards introduced for new vessels in 1980. These requirements exceed current international stability standards.

In addition, we have recently published the results of an important research programme, which has considerable implications for ship design and stability standards. We intend to pursue the recommendations resulting from this research through the International Maritime Organisation, and have already taken steps to ensure the proposals are considered at the maritime safety committee in May.

National Dock Labour Scheme

76. **Mr. Michael Brown:** To ask the Secretary of State for Transport what reports he has received of new working practices and productivity improvements in ports formerly covered by the national dock labour scheme since the abolition of the scheme.

Mr. McLoughlin: I refer my hon. Friend to the answer which I gave on 5 December 1989 to my hon. Friend the Member for Thurrock (Mr. Janman), at column *183*.

77. **Mr. Arbuthnot:** To ask the Secretary of State for Transport if he will make a statement on the effects on the port of Southampton of the abolition of the national dock labour scheme.

Mr. McLoughlin: A total of 508 redundancies, on which the Department provides 50 per cent. of the costs of compensation, have taken place or been announced. The trading performance of the port since the dock labour scheme was abolished is a matter for Associated British Ports, Southampton.

Mr. Jacques Arnold: To ask the Secretary of State for Transport what representations have been made to him by employers in dock areas since the abolition of the national dock labour scheme.

Mr. McLoughlin: None.

Cycling

Mr. Fearn: To ask the Secretary of State for Transport what progress his Department has made towards developing a network for longer distance cycling in London; and if he intends to extend the initiative outside London.

Mr. Atkins: The Department has welcomed in principle the proposed development of a 1,000-mile strategic network of cycle routes for London.

The idea of establishing a network has been promoted by the London Cycling Forum, of which the Department is a member. It is for individual highway authorities to develop those parts of the network which fall within their areas, but the Department is ready to help London boroughs with guidance and technical advice.

The Department has already contributed towards the development of a cycle network in London by providing crossing points of trunk roads for cycle routes. We have also provided some cycle tracks on new trunk roads and additional cycling facilities on existing trunk roads.

In conjunction with the London planning advisory committee, the Department is organising a technical seminar to be held later in the year. This would be for London boroughs, and other bodies with an interest in providing cycling facilities in London.

The Department offers guidance to all local authorities on aspects of planning and designing facilities for cycling, through its traffic advisory unit and a wide range of publications.

Ferry Fire

Mr. Nicholas Bennett: To ask the Secretary of State for Transport if he will make a statement on the circumstances of the fire on board B & I ferry Norrona en route from Pembroke dock to Ireland on Monday 9 April, and the subsequent involvement of the rescue services.

Mr. McLoughlin: At 2319 GMT on 8 April, the Master of the B & I chartered ferry Norrona, outward bound from Pembroke Dock for Rosslare, called Milford Haven Coastguard reporting a fire on board. The Coastguard immediately scrambled a rescue helicopter from RAF Brawdy, launched St. Davids and Fishguard lifeboats and made arrangements for a fire-fighting team from Dyfed county fire brigade to be airlifted to the ferry. It then became known that there were injured persons on board requiring evacuation. Additional helicopter help was requested: a further one from RAF Brawdy and one, with a doctor on board, from RNAS Culdrose.

Approximately one and a half hours after reporting the fire, the master indicated that it had been extinguished. The ferry returned to Pembroke Dock under her own power. The fire officers remained on board the ship up until she docked at 0315 GMT. Ambulances stood by at the dock to transport other injured persons to hospital.

The cause of the fire is being investigated by an inspector from marine accident investigation branch and, as arson is suspected, by the police.

Severn Crossings

Mr. Flynn: To ask the Secretary of State for Transport (1) what is the percentage distribution between the sources of finances offered by the European Investment Bank and other sources offered by the two consortia who bid for the construction of the second Severn crossing;

(2) what toll levels, over what period and rate of inflation on the Severn crossings were offered by the Trafalgar house/Balfour Beatty consortium and the Laing/GTM Entrepose consortium;

(3) whether there was any difference in the burden for bearing the risks of the growth of future traffic levels in the bids made by the two consortia who bid for the second Severn crossing;

(4) whether he advised the Trafalgar House-Balfour Beatty consortium of his concern at the perceived financial risk relating to the subordinated debt of £60 million on the existing crossing during the assessment period of the bids for the second Severn crossing.

Mr. Atkins: Both the final two shortlisted consortia offered a range of alternative financing and tolling options within their privately financed proposals. Details of these must remain commercially confidential. All proposals were assessed on the basis indicated to the bidders in the Department's tender invitation document, which explained that risks would need to be evaluated.

Mr. Flynn: To ask the Secretary of State for Transport if he will list the experience of Laing GTM Entrepose of constructing estuarial bridges comparable with the Severn bridge and in current work in infrastructure in the British private sector.

Mr. Atkins: Following the assessment of tenders, my right hon. Friend was fully satisfied that the Laing-GTM consortium has the requisite experience and capability to construct the second Severn crossing.

M11 Service Areas

Mr. Haselhurst: To ask the Secretary of State for Transport which sites were given detailed evaluation for the establishment of a services area on the M11 motorway before Birchanger was nominated.

Mr. Atkins: In addition to Birchanger, 15 potential service area sites were examined between junctions 6 and 9 of the M11, at:

Audley End Estate
Wendens Ambo
Whiteditch Farm
Whiteditch
Between Elsenham Station and Ugley Green (six sites)
Parsonage Farm
Sheering
Moor Hall
Junction 7
North Weald Airfield

These sites were first considered at various dates between 1966 and 1981 when the planning application was made. In 1988 each site was revisited by consultants to check that earlier assessments of them remained valid.

Road Funding

Mr. Nellist: To ask the Secretary of State for Transport what is the proposed level, at 1990 prices, of central Government funding for road improvements and new construction for each of the next three years; what proportion that will represent of total road spending; and if he will make a statement.

Mr. Atkins: The proposed level of central Government funding for new construction and improvement of roads in Great Britain for the next three financial years at 1990-91 prices is:

	£ million
1990-91	1,818
1991-92	1,785
1992-93	1,828

These figures include grants to local authorities for road construction and improvement. In addition, the financing costs of local authorities' use of credit approvals for road construction and so on, are taken into account in the determination of the standard service assessment on which the distribution of revenue support grant is based. Local authorities are free to undertake other local roads expenditure within their overall capital resources and it is therefore not possible to estimate what proportion of total road spending these figures will represent.

The spending on new construction and improvement of trunk roads and motorways represents the following proportions of total spending on these roads:

	Percentage
1990-91	70·1
1991-92	69·5
1992-93	70·4

Mr. Nellist: To ask the Secretary of State for Transport how much was invested by central Government, in each of the last five years at 1990 prices, in road improvements and new construction.

Mr. Atkins: In the last five financial years the total invested at 1990-91 prices by central Government in new construction and improvement of roads in Great Britain was:

	£ million
1985-86	1,211
1986-87	1,146
1987-88	1,227
1988-89	1,287
1989-90	1,509

Rail Investment

Mr. Nellist: To ask the Secretary of State for Transport what proportion of British Rail's capital investment programme, in each of the last five years, has been funded by central Government; and how much that represented in each year at 1990 prices.

Mr. Portillo: Tabie 7.33 in chapter 7 of "The Government's Expenditure Plans 1990-91 to 1992-93" (Cm. 1007) sets out British Rail's capital requirements and the internal and external resources from which these are met. "External finance" comprises subsidy paid by the Government and borrowing, principally from the National Loans Fund. We do not apportion particular forms of finance between investment and other expenditure. British Rail "rail" investment (which includes investment charged to revenue account) since 1985-86 is as follows, in £ million and at constant 1990-91 prices:

Year	*Rail investment*
1985-86	528
1986-87	511
1987-88	640
1988-89	647
1989-90	[1]675

Note:
[1] Based on BR forecast.

Written Answers to Questions

Wednesday 25 April 1990

ATTORNEY-GENERAL

Magistrates

Mr. Gareth Wardell: To ask the Attorney-General if he has any plans to substitute stipendiary magistrates for lay magistrates in Wales.

The Attorney-General: No. Stipendiary magistrates are appointed in order to give support to the lay magistracy not to supplant them.

Immigration Appeals (Scotland)

Mr. Sillars: To ask the Attorney-General on how many occasions the immigration appeal tribunal has sat in Scotland in each of the last five years.

The Attorney-General: None. The immigration appeal tribunal sits at its headquarters at Thanet house, London.

Mr. Sillars: To ask the Attorney-General how many persons qualified in Scottish law have sat as members of the immigration appeal tribunal in the last five years.

The Attorney-General: In the last five years none of the members of the immigration appeal tribunal has been qualified in Scottish law.

TRANSPORT

Private Street Works

107. **Mr. Cryer:** To ask the Secretary of State for Transport if he will make a statement on the allocation of grant aid for the improvement of private street works.

Mr. Atkins: I do not give specific grant aid for the improvement of private street works. Where these are undertaken by local authorities they normally bill the frontagers, but they can meet some of the costs themselves where they consider that wider community benefits justify it.

Under section 13 of the Industrial Development Act 1982 I give grants both to private sector developers and to local authorities towards providing road access for new industrial development in assisted areas. Expenditure by a local authority on these schemes which could otherwise be rechargeable to domestic frontagers can be taken into account in assessing eligible expenditure for these grants.

Marine Radionavigation

Sir David Price: To ask the Secretary of State for Transport what conclusions he has reached on the future of marine radionavigation in United Kingdom waters.

Mr. Parkinson: Following a lengthy period of public consultation and careful consideration, I have concluded in principle that, on technical and cost grounds, the balance of advantage for the United Kingdom would be to join the international civil Loran C system currently proposed for north-west Europe and the north Atlantic. This would be dependent on a satisfactory international agreement being reached within an acceptable time scale with the other interested states.

This decision has not been an easy one. It would mean closing down in 1997 the present widely respected United Kingdom Decca navigator system, the origins of which date back to the second world war. The Decca system has been successfully operated by Racal Decca Marine Navigation Ltd. and its predecessors for several decades, and the marine community owes a considerable debt to the service, which is highly regarded.

I have had the benefit of a wide range of responses to the Department's consultative document of June 1989. Many in the marine community, here and abroad, agree that we should not be wholly dependent for marine navigation on non-European military satellite systems such as the American global positioning system (GPS) and the Soviet GLONASS system and that a terrestrial civil alternative is needed. I am satisfied that the Loran C system would meet the United Kingdom's navigational requirements to acceptable technical standards and additionally would provide more extensive cover, and be less affected by seasonal and night-time errors.

I have given particular consideration to the representations from the fishing industry, which is concerned about the costs of convering to Loran C. I fully appreciate the industry's extensive use of the Decca system for fishing as well as for navigation and I have considered the industry's points very carefully. However, if we introduce Loran C the fishing industry will gain some important benefits. Loran C's avoidance of seasonal and night skywave effects makes it a more consistent system. Moreover, a Loran C system would allow significant cost reductions, which will work through as lower light dues paid by fishermen. In the meantime I will look specifically at the light dues paid by fishermen at present, in light of representations they have made. The fishing industry will also be aware that I am currently considering a report by the British Ports Federation which recommends that pleasure craft should be brought into the light dues system so as to share the costs falling on the general lighthouse fund.

Moreover, I am determined to ensure that there is a reasonable transitional period between Loran C becoming fully available and the Decca system being switched off. Given satisfactory progress in the international negotiations, the new United Kingdom transmitter could be operating by the end of 1992 and satisfactorily validated for use in repeatable mode before the end of 1993. This would allow a transitional period of over three years to 1997 for the conversion of the fishing industry's Decca records. The final reconfiguration of the new system would be in place at the latest by January 1995. I am also satisfied that the financial considerations favour adopting the Loran C scheme. There would be an even stronger financial case for Loran C, were it not for the cost of running both systems in the transitional period. I am satisfied that the cost to users of premature replacement of receivers, while difficult to assess, is not sufficient to undermine the case for change.

My conclusion, therefore, is that the United Kingdom should not stand aside from the opportunity now offered

for adopting a standard terrestrial regional radionavigation system under independent European control. Many countries are awaiting the United Kingdom decision before reaching their own, and in the longer term a favourable decision by the United Kingdom seems likely to increase the prospects of there being continuous Loran C cover throughout Europe, including the Mediterranean, the Iberian peninsula and the Baltic.

It remains to be seen whether an acceptable Loran C international agreement can be concluded among a sufficient number of interested countries to produce a suitable international system. Our appraisal of the proposal has been on the assumption that there would be cost sharing with Canada, Denmark, the Federal Republic of Germany, France, Iceland, Ireland, the Netherlands and Norway. My officials will be making it clear to the countries involved in the international discussions that the United Kingdom will finally commit itself to a binding agreement only if the terms are right. This means that the eventually agreed system must remain a genuinely international dimension and have sufficient financial support from other benefiting countries in terms which for the United Kingdom are no worse than the current cost and cost share provisionally attributed to it. The United Kingdom's final commitment is also conditional on *(a)* the location of, and the obtaining of the necessary approvals for, suitable sites for the new transmitter stations needed in the United Kingdom and the Republic of Ireland; and *(b)* Parliament's approval of an order under section 34(3) of the Merchant Shipping Act 1979 to define Loran C as a beacon for the purposes of the general lighthouse fund, which would bear the United Kingdom costs. I expect to lay a draft order shortly.

The United Kingdom will also be making it clear to the other potential partners in the international agreement that our window for a decision in favour of Loran is time limited. In the event of a firm commitment to Loran C, I would wish to give the marine community about six years' notice of the ending of Decca transmissions. Under Racal Decca's current contract with the general lighthouse authorities, the system could not continue beyond February 1997. I am also conscious of the need for an adequate transition period of at least three years during which both the Decca and Loran C systems would be operating. These constraints mean that a delay beyond early to mid-1991 in ratifying an acceptable international agreement would, as far as can currently be seen, effectively rule out the United Kingdom's adoption of Loran C. Thus, if a firm agreement acceptable to the United Kingdom has not been reached by then, it would be my intention to withdraw from the international discussions and to consider with the general lighthouse authorities whether to arrange for modernisation of the United Kingdom Decca navigator system so that it could continue to operate beyond 1997.

Scottish Lowland Airports

Mr. Foulkes: To ask the Secretary of State for Transport, further to his answers to the hon. Member for Carrick, Cumnock and Doon Valley of 3 April, *Official Report*, column *501*, when he decided not to publish the responses received to the consultation document on Scottish lowland airports policy; what objections were raised by respondents to the proposals of paragraph 17 of the consultation document on Scottish lowland airports policy that it was assumed that respondents have no objection to their responses being published, unless they specifically indicate otherwise; and what considerations of public policy underlay his decision to change his policy regarding the publication of responses to the consultation document on Scottish lowland airports policy from that set out in paragraph 17 of the consultation document.

Mr. McLoughlin: Paragraph 17 of the consultation document did not represent a policy statement. A presumption of publication was offered as the basis for respondents to make their wishes on this known. In the light of the wishes expressed, my right hon. Friend took a policy decision not to publish any responses, for the reasons explained to the hon. Member in my reply of 3 April 1990, *Official Report*, column *501*.

Road Construction Costs

Mr. Fearn: To ask the Secretary of State for Transport what is the average cost of construction of one mile of virgin road in respect of *(a)* single carriageway roads, *(b)* dual carriageway roads and *(c)* six-lane roads including average costs of land acquisition and design work; and if he will make a statement.

Mr. Atkins: Construction costs of roads vary substantially depending on factors such as location and the need for structures. In view of this, the Department does not prepare information on the average construction costs per mile.

"Trunk Roads, England into the 1990s" contains full details, including estimated works costs, of all schemes in the trunk road programme.

Railways (Safety)

Sir Peter Emery: To ask the Secretary of State for Transport whether he will list the amount of money spent by the railways and financed by Government on safety of the railways over the past five years, and the amount planned to be spent for the next three years for safety on the railways.

Mr. Portillo: It is not possible to identify separately figures for British Rail's expenditure on specific safety measures over the last five years. Much general investment brings with it enhancements in safety. On 20 March I announced that the public sector obligation grant cash ceiling for 1989-90 would be increased by £8 million specifically to accommodate the grant-aided sector's share of additional safety-related expenditure. We have endorsed BR's plans for expenditure of £125 million on specific safety measures over the next three years. BR is currently assessing the costs of implementing the longer-term recommendations of the Hidden report on the Clapham accident, and will include them in its 1990 corporate plan.

Coach Accidents (Schoolchildren)

Miss Emma Nicholson: To ask the Secretary of State for Transport (1) what information he has on the number of children of school age killed or injured in bus or coach accidents while on a journey to and from school, or on school-sponsored trips, over the last 10 years, five years and one year or over such period as such relevant information is available;

(2) what information he has on the number of children of school age killed or injured while boarding or alighting from buses or coaches while on a journey to or from school or on school-sponsored trips over the last 10, five or one year or over such period as such relevant information is available.

Mr. Atkins: The table shows the numbers of children up to 16 years of age killed and injured while on a journey to or from school on a public service vehicle for each of the last 10 years. Figures for children as seated passengers, as standing passengers, and in the acts of boarding and alighting are shown separately.

The data are taken from the information provided on casualties in the STATS19 accident report form. The information provided on vehicles in the accident report form does not identify school buses; nor does it record the purpose of bus journeys or give general information about passengers. Figures relating to school-sponsored trips are, therefore, unavailable.

Children up to age sixteen: Killed or injured on public service vehicles: On journeys to and from school; by activity

Severity	*Casualties*				
	Boarding	*Alighting*	*Standing*	*Seated*	*All*[1]
1979					
Killed	1	1	0	0	2
Injured	24	57	47	261	391
All casualties	25	58	47	261	393
1980					
Killed	1	1	0	0	2
Injured	36	67	71	310	484
All casualties	37	68	71	310	486
1981					
Killed	0	0	0	0	0
Injured	21	50	57	241	369
All casualties	21	50	57	241	369
1982					
Killed	0	3	0	0	3
Injured	35	84	75	200	397
All casualties	35	87	75	200	400
1983					
Killed	0	2	0	0	2
Injured	25	86	98	206	415
All casualties	25	88	98	206	417
1984					
Killed	0	0	0	0	0
Injured	37	78	101	342	564
All casualties	37	78	101	342	564
1985					
Killed	0	0	0	0	0
Injured	36	70	68	346	529
All casualties	36	70	68	346	529
1986					
Killed	0	0	1	0	1
Injured	19	73	81	290	463
All casualties	19	73	82	290	464
1987					
Killed	0	0	0	0	0
Injured	24	46	53	362	485
All casualties	24	46	53	362	485
1988					
Killed	0	0	0	0	0
Injured	17	46	54	331	452
All casualties	17	46	54	331	452

[1] Includes a small number of cases where the activity of the passenger was not reported.

Railway Gauges

Mr. Speller: To ask the Secretary of State for Transport what gauge railway lines will be used for the channel link route.

Mr. Portillo: UIC "B".

Mr. Speller: To ask the Secretary of State for Transport if he has received representations seeking a change from the United Kingdom railway gauge to one that is compatible with continental railways; and if he will make a statement.

Mr. Portillo: I have received some suggestions that BR should begin to convert some or all routes to the continental loading gauge. This is a matter for BR to consider but any ungrading must be commercially justified. BR considers that the cost of conversion to continental loading gauge is prohibitive and that it is more

effective to use new wagon technology. All wagons presently in service with BR can run on continental gauge railways. BR are looking to develop a fleet of new, smaller wheeled intermodal and conventional wagons which have the same loading capacities as those generally available in mainland Europe.

Energy Efficiency

Ms. Ruddock: To ask the Secretary of State for Transport if he will publish the conclusions of the energy technology support unit report entitled "Energy Use and Energy Efficiency in UK Transport" up to the year 2010; and if he will place a copy in the Library.

Mr. Morrison: I have been asked to reply.

This report was published in January as the 10th paper in the Energy Efficiency Series with the results and conclusions as chapter 6.

I have arranged for a copy of the report to be placed in the Library of the House.

TRADE AND INDUSTRY

Inner-City Task Forces

106. **Mr. Irvine:** To ask the Secretary of State for Trade and Industry how many projects have been funded by the inner city task forces since they were set up.

Mr. Douglas Hogg: I am answering this question because the inner cities task forces are a responsibility of the DTI. Between the start of the initiative in February 1986 and the end of March this year, 1,870 projects have been approved.

Benzene

Mr. Gareth Wardell: To ask the Secretary of State for Trade and Industry if his Department is aware of any evidence to suggest that the use of benzene in consumer products is carcinogenic.

Mr. Freeman: I have been asked to reply.

We are not aware of any evidence which indicates a link between benzene in consumer products and the onset of cancer. Benzene is toxic at high doses and is classified by the International Agency for Research on Cancer as a human carcinogen on the basis of data from workers who were exposed to high levels in the past. The maximum concentration of benzene permitted under European directives in consumer products is 0·1 per cent.; except for motor fuels which are covered by a separate directive, this limits the amount of benzene in petrol to 5 per cent.

Rover Group

Mr. Gordon Brown: To ask the Secretary of State for Trade and Industry if he will deposit in the Library *(a)* a copy of the provisional contractual agreement of March 1988 for the sale of Rover Group to British Aerospace, and *(b)* a copy of the final contractual agreement of July/August 1988 for the sale of the Rover Group to British Aerospace.

Mr. Ridley: I have today made arrangements to put in the Libraries of both Houses copies of both documents. The provisional agreement with British Aerospace of 29 March 1988 was subject to EC Commission clearance and was superseded by the final contractual agreement of 14 July 1988.

NORTHERN IRELAND

Mr. Charles Haughey

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland (1) what is the total estimated cost of the Royal Ulster Constabulary operation in connection with the visit of Mr. Charles Haughey to Belfast; on what date the operation commenced; and on what date the operation was ended;

(2) how many members of the Royal Ulster Constabulary were involved each day in connection with the security operation for the visit of Mr. Charles Haughey to Belfast on Wednesday 11 April.

Mr. Cope: The extra cost incurred by the Royal Ulster Constabulary in the operation could be obtained only at disproportionate cost. It is not considered appropriate, for security reasons, to give details of the number of police involved and the time scale of the operation.

Student Grants

Mr. Beggs: To ask the Secretary of State for Northern Ireland whether the level of grants applicable to Northern Ireland students studying in Great Britain will be increased in the 1991-92 academic year to take account of the liability of students for community charge.

Dr. Mawhinney: No.

Robberies

Mr. Maginnis: To ask the Secretary of State for Northern Ireland if he will list the bank, post office, wages and comparable robberies which have occurred in Northern Ireland since the beginning of 1989 where the Provisional Irish Republican Army or other paramilitary groups are deemed to have been involved; and what is the amount of moneys stolen in each case.

Mr. Cope *[holding answer 2 April 1990]:* It is not always possible to attribute robberies to particular organisations. Nor do paramilitary organisations have a monopoly of armed robbery. However, in the period from 1 January 1989, there are believed to have been around 751 armed robberies of all kinds in Northern Ireland, in which the amount of money stolen is estimated at over £1·7 million.

HOME DEPARTMENT

Patients (Thefts)

Mr. French: To ask the Secretary of State for the Home Department whether he has received any representations about thefts of personal valuables from hospital patients.

Mr. Peter Lloyd: I am not aware that any such representations have been received by the Home Office.

Police Officers' Salaries

Mr. David Nicholson: To ask the Secretary of State for the Home Department what were the increases or otherwise in real terms of the pay of police constables, at

various levels of seniority, for the periods *(a)* 1974 to 1979, *(b)* 1979 to 1984 and *(c)* 1984 to 1989; and if he will list other significant changes in the terms and conditions of service of police officers and the dates at which they became effective.

Mr. Peter Lloyd: Increases in real terms in the basic pay of police constables for the periods in question are set out in the table. Since 1974 other significant changes in the terms and conditions of service of police officers have included changes in pension arrangements in 1975 (counting of war service) and 1982 (increase in contributions) and increases in annual leave (1979; 1983 and 1987). Allowances payable in addition to basic pay have been uprated on a regular basis.

1. 1974-1979[1]

Rank and Service / *Constable*	*Percentage Increase (Real Terms)* / *Percentage*
Under 1 Year	16·74
After 1 Year	17·52
After 2 Years	17·84
After 3 Years	16·39
After 4 Years	15·75
After 5 Years	11·67
After 6 Years	8·00
After 7 Years	9·95
After 8 Years	13·76
After 9 Years	8·48
After 13 Years	13·97
After 17 Years	13·26

[1] 1 April 1974—1 April 1979.

2. 1979-84[1]

Rank and Service / *Constable*	*Percentage increase (real terms)* / *Per cent.*
Under 1 year	28·84
After 1 year	29·95
After 2 years	30·94
After 3 years	29·76
After 4 years	29·18
After 5 years	31·12
After 6 years	32·91
After 7 years	34·59
After 8 years	33·93
After 12 years	34·90
After 15 years	35·27

[1] 1 April 1979-1 April 1984

3. 1984-89[1]

Rank and Service / *Constable*	*Percentage increase (real terms)* / *Per cent.*
Under 1 year	11·20
After 1 year	4·77
After 2 years	10·44
After 3 years	10·47
After 4 years	10·43
After 5 years	10·46
After 6 years	10·44
After 7 years	10·45
After 8 years	10·62
After 12 years	10·48
After 15 years	10·44

[1] 1 April 1984-1 April 1989

Child Care and Family Services

Mr. Leighton: To ask the Secretary of State for the Home Department what mechanisms his Department has to deal with services and policies on child care and family services.

Mr. John Patten: A ministerial group on women's issues was established in 1986 under Home Office chairmanship to co-ordinate policy issues of special concern to women. The group meets regularly and has focused in particular on child care and domestic violence in the last 12 months.

Home Office Ministers and officials also maintain regular contacts with the Equal Opportunities Commission, the Women's National Commission and with many voluntary organisations and groups.

In addition there are staff in the Home Office establishment department responsible for equal opportunities for women, and the Department's equal opportunities officers play their part in Cabinet Office-led activities designed to promote equal opportunities in the civil service.

Visa Stamps

Mr. Colvin: To ask the Secretary of State for the Home Department what action he has taken to introduce a standardised form of passport visa stamp.

Mr. Peter Lloyd: Responsibility for the format of visa stamps rests with my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs. My officials are consulted about the inclusion of safeguards against forgery. I understand that the possibility of introducing a single format, stick-in visa for the United Kingdom at all overseas posts is now under active consideration, although no final decision has been taken.

Football (Restriction Orders)

Mr. Simon Coombs: To ask the Secretary of State for the Home Department when the provisions to make restriction orders under section 15 of the Football Spectators Act 1989 will come into effect; and if he will make a statement.

Mr. Peter Lloyd: These provisions came into effect on 24 April. Guidance to the courts, the police, and to the Football Spectators Restriction Orders Authority which will administer the scheme centrally has been placed in the Library. These provisions are expected to be of value in deterring and preventing hooliganism in respect of certain football matches outside England and Wales by prohibiting offenders who are made subject to restriction orders by the courts from attending those matches.

Medical Care (Prisons)

Mr. Tony Lloyd: To ask the Secretary of State for the Home Department what different types of medical qualification exist for prison staff involved in medical care of prisoners; and what is the minimum level of such personnel available at all times in prison.

Mr. Mellor: All prison service establishments are served by one or more medical officers all of whom are registered medical practitioners. Many have psychiatric or other

special qualifications. Twenty-four hour medical cover is required and is achieved by a combination of daily attendance and an emergency "on call" rota.

Nursing services are provided by hospital officers (prison officers who specialise in health care) and civilian nurses. All the latter, and about 16 per cent. of hospital officers, have a recognised professional nursing qualification. Other hospital officers have received in-service training (currently of 24 weeks duration) in basic nursing techniques. The staffing levels and working patterns are conditioned by the size and function of individual establishments.

Cardiff Prison

Mr. Michael: To ask the Secretary of State for the Home Department (1) what was the average number of prisoners accommodated at Cardiff prison during each of the past 10 years;

(2) what was the average number of *(a)* sentenced offenders, *(b)* remand prisoners and *(c)* young prisoners accommodated at Cardiff in each of the past 10 years, and in the current year to date.

Mr. Mellor: The information is given in the table.

Average population of Cardiff remand centre and local prison: by type of prisoner 1979 to 1990

	Remand prisoners		Sentenced prisoners[1]		Non-criminal prisoners	All prisoners
	Under 21 Number	Adult Number	Under 21 Number	Adult Number	Number	Number
1979						
Remand centre	44	—	40	—	—	[illegible]
Local prison	—	73	—	305	5	383
1980						
Remand centre	46	—	48	—	—	93
Local prison	—	88	—	289	3	380
1981						
Remand centre	61	—	48	—	—	109
Local prison	—	86	—	288	5	379
1982						
Remand centre	63	—	48	—	—	112
Local prison	—	86	—	324	1	410
1983						
Remand centre	52	—	35	—	—	87
Local prison	—	93	—	301	1	395
1984						
Remand centre	49	—	38	—	—	88
Local prison	—	78	—	243	3	323
1985						
Remand centre	51	—	47	—	1	98
Local prison	—	128	—	245	1	375
1986						
Remand centre	61	—	31	—	—	92
Local prison	—	113	—	296	2	410
1987						
Remand centre	74	—	38	—	—	113
Local prison	—	97	—	328	1	427
1988						
Remand centre	71	—	38	—	—	107
Local prison	—	100	—	320	3	422
1989						
Remand centre	66	—	19	—	—	85
Local prison	—	102	—	291	2	394
1990[2]						
Remand centre	70	—	17	—	—	87
Local prison	—	117	—	245	2	364

[1] Including fine defaulters.
[2] 31 January and 28 February.

Mr. Michael: To ask the Secretary of State for the Home Department what was the maximum number of prisoners accommodated at Cardiff prison at any point during each of the past 10 years and in the current year to date; and how many were *(a)* sentenced offenders, *(b)* remand prisoners and *(c)* young prisoners in each case.

Mr. Mellor: The greatest number of prisoners held in each establishment at a point during each year is calculated annually, and published in the report of the work of the prison service. Details are set out in the tables. Figures are not routinely collected in a way which enables

the provision of a breakdown into the categories requested, and could be provided only at disproportionate cost.

Greatest number of inmates held at Her Majesty's Prison and Her Majesty's Remand Centre Cardiff

Year	*Local prison*[1]	*Remand centre*[1]
1989-90[2]	382	84
1988-89	465	128
1987-88	487	147
1986-87	482	128
1985-86	452	137
1984-85[3]	379	126
1983	461	130
1982	465	142
1981	435	141
1980	454	127
1979	422	104

Notes:

[1] Greatest numbers of inmates in the local prison and the remand centre may not necessarily occur simultaneously.

[2] Period from 1 April 1990 to 20 April 1990.

[3] Period from 1 January 1984 to 31 March 1985.

ENERGY

Electricity Privatisation

Mr. Austin Mitchell: To ask the Secretary of State for Energy whether, subsequent to privatisation, he will require electricity companies to publish information about pollution control either in the directors' report or separately.

Mr. Baldry: I have no plans to require electricity companies to publish information about pollution control which is, in any case, a matter for the Department of the Environment. However, the Government will continue to collect and publish information on fuel consumption and pollution from the electricity industry.

Mr. Austin Mitchell: To ask the Secretary of State for Energy whether the electricity privatisation prospectus will give information about the cash flow of the Central Electricity Generating Board.

Mr. Baldry: The prospectuses of those successor companies to the Central Electricity Generating Board to be floated will contain information about sources and applications of funds. The final years of the existence of the CEGB will be covered.

Mr. Austin Mitchell: To ask the Secretary of State for Energy whether he will seek powers to require electricity companies to publish information about the safety of its operations.

Mr. Baldry: I have no plans to do so. The industry has published information on safety matters annually both centrally and on a board-by-board basis and I see no reason why this should not continue. Should he consider it necessary, the Director General of Electricity Supply has the power to arrange for the publication of such material.

OVERSEAS DEVELOPMENT

Chile

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what aid has been offered to the new Government in Chile; and if he will make a statement.

Mrs. Chalker: We are aiming for some expansion in the existing level of UK programmes for training Chileans in this country and for supporting links between Chilean and UK academic institutions. We also hope to develop a new programme of assistance in the technical education sector, and an English language training project. We have in addition agreed to increase our support to the World University Service (UK) by providing £100,000 a year for three years from 1990 to assist Chilean exiles in the UK to return to Chile.

DEFENCE

Stores Depot, Trecwn

Mr. Gareth Wardell: To ask the Secretary of State for Defence if he has any plans to close the royal naval stores depot at Trecwn in Dyfed.

Mr. Archie Hamilton: There are no plans at present to close the royal naval armaments depot at Trecwn, but MOD storage requirements are kept under review in the light of changing needs and circumstances.

Low Flying

Mr. Gareth Wardell: To ask the Secretary of State for Defence if any Royal Air Force low-flying training aircraft using Wales for exercises carry any live ammunition or weapons.

Mr. Archie Hamilton: Practice bombs, using only small spotting charges, and practice ammunition are carried frequently in the United Kingdom. Inert bombs may also be used on some ranges. Live weapons with full charges are not generally carried in training, but there is a need for aircrew to have some very limited practice in their use and a range in Sutherland is normally used by the Royal Air Force for this purpose.

Mrs. Margaret Ewing: To ask the Secretary of State for Defence if he will give details of and list any regular low-flying exercises which concern the United Kingdom.

Mr. Archie Hamilton: Regular exercises which incorporate a major military low flying element over the United Kingdom include Exercises Elder Forest (once every two years), Elder Joust (once a year), Central Enterprise (once a year), Mallet Blow (twice a year), OSEX (once a year) and Salty Hammer (once a year). Some of these exercises test and practice the United Kingdom air defences while others primarily provide aircrews with training in tactical low flying techniques. Several airborne exercises are also held each year to provide joint Army/RAF training in the parachuting or airlanding of troops and stores.

Radiation

Mr. Gareth Wardell: To ask the Secretary of State for Defence when he expects to publish the results of the survey into the effects of low-level radiation on the long-term health of those service men who served on Christmas Island in 1957 and 1958.

Mr. Archie Hamilton: The National Radiological Protection Board (NRPB) published its report on mortality and cancer incidence in United Kingdom participants in "UK Atmospheric Nuclear Weapon Tests and Experimental Programmes" (NRPB-R214) in 1988. The study included service men who served on Christmas Island.

The NRPB concluded in its report that a long-term health study along the lines suggested by the hon. Member was impracticable and unnecessary and its advice has not changed. The Government must rely, of course, on the expert and wholly independent advice of the NRPB on this matter.

A follow-up mortality study is due to be completed by the end of 1991. The Government are confident that safety procedures during the tests were such that no one should have suffered harm as a result of exposure to ionising radiation. This was confirmed by the 1988 report which established no causal relationship between exposure to ionising radiation and increased incidence of any disease.

Exercise Elder Forest

Mr. Salmond: To ask the Secretary of State for Defence if he will make a statement on the exercise named Elder Forest and whether this is a regular exercise; how many of these exercises have recently taken place; which nations' aircraft were involved; over which countries the exercises took place; what aircraft were involved; what was the cost of each exercise to the United Kingdom; and if he will give details of any accidents which took place during the exercises.

Mr. Andrew Welsh: To ask the Secretary of State for Defence how many exercises along the lines of Elder Forest are planned for the years 1990-95; what is the number of missions in each exercise; what is the type of aircraft expected to be involved; which nations' aircraft are expected to be involved; over which countries are the exercises expected to take place; over which areas of the United Kingdom are the exercises projected to take place; and what will be the projected cost of each exercise.

Mr. Archie Hamilton: Elder Forest is a biennial United Kingdom air defence exercise, centred on the United Kingdom air defence region, but involving aircraft from a number of NATO nations as well as the RAF. This year's is the sixth such exercise. Participating nations have typically included the United States, France, Germany, Norway, Italy, Denmark and the Netherlands, contributing attack and electronic warfare support aircraft. The RAF will contribute tanker, air defence and attack aircraft. The costs of individual exercises are not kept centrally and it would involve disproportionate cost and effort to collate them. There has been one major accident involving an aircraft participating in Exercise Elder Forest since the series began. This occurred on 20 April 1988 when an RAF Phantom crashed into the sea 20 nautical miles east of Dundee. It is not possible at this stage to say how many missions will be flown in this year's exercise or in future ones.

We expect the Elder Forest series of exercises to continue biennially for the foreseeable future, but it is too early to give precise details.

Iraq (Exports)

Mr. O'Neill: To ask the Secretary of State for Defence what communications took place between his Department and Sheffield Forgemasters regarding the sale of metal tubes to Iraq prior to 11 April.

Mr. Alan Clark: None.

Mr. O'Neill: To ask the Secretary of State for Defence what communications took place between his Department and the firm Walter Somers regarding the sale of equipment to Iraq prior to 11 April.

Mr. Alan Clark: My Department has records of two occasions on which telephone conversations took place between Walter Somers Ltd. and a Ministry of Defence metallurgical expert in 1988.

Mr. O'Neill: To ask the Secretary of State for Defence what communications took place between his Department and the hon. Member for Bromsgrove (Sir H. Miller) concerning contracts with Iraq prior to 11 April.

Mr. Alan Clark: These matters are being looked into at present.

Arms Exports

Mr. O'Neill: To ask the Secretary of State for Defence what advice is provided by his Department to firms who have queries regarding the application of the Export of Goods (Control) Order 1989.

Mr. Alan Clark: Queries of this nature are a matter for the Department of Trade and Industry. My Department is not responsible for advising firms in this regard.

Binary Fuels

Dr. Thomas: To ask the Secretary of State for Defence what information he has on the development of binary fuels for use in large-scale artillery.

Mr. Alan Clark: My Department monitors developments in this field but is not currently undertaking any such research.

WRNS (Pay)

Mr. Riddick: To ask the Secretary of State for Defence if he will make a statement about the pay of members of the Women's Royal Naval Service.

Mr. Archie Hamilton: The Government have consulted the Armed Forces Pay Review Body (AFPRB) about the implications for pay of the decision announced earlier this year that members of the Women's Royal Naval Service (WRNS) will in future be eligible to serve at sea. The AFPRB has recommended that from 1 April 1990 all WRNS non-commissioned personnel liable to serve at sea, whether as new entrants or as volunteers from among existing members of the WRNS, should receive the rates of basic pay already applicable to male ratings. The review body proposes that volunteers should be accepted as liable for sea service once they have completed a sea safety course.

The Government have accepted these recommendations in full. WRNS officers already receive the same rates of basic pay as male officers of the Royal Navy.

Members of the WRNS, in common with members of the other women's services, will continue to receive a rate of X factor 1 per cent. below that received by men. The AFPRB has stated that it intends to review this differential in its next report in the light of the initiatives being taken to widen the role of women in all three services.

Dr. Gerald Bull

Mr. O'Neill: To ask the Secretary of State for Defence what assessment his Department has made of the work of Dr. Gerald Bull.

Mr. Alan Clark: No formal assessment has been made, but interested Ministry of Defence staff kept abreast of professional papers written by Dr. Bull.

EDUCATION AND SCIENCE

Earthquakes

Mr. Redmond: To ask the Secretary of State for Education and Science what research into further possible earthquakes is taking place, in the light of the earthquake that occurred in England and Wales on 2 April.

Mr. Jackson: It is not possible at this time to assess the likely occurrence and location of future events with any precision because earthquakes are rare in the United Kingdom, and because the forces that cause them are not well known. However, important information can be obtained by monitoring the aftershocks which generally occur after an earthquake. In the week following the "Bishop's Castle" earthquake of 2 April 1990, the Natural Environment Research Council's British geological survey (BGS) installed 10 seismometer stations within 25km of the epicentre to study the aftershocks, in order to learn more about the earthquakes in that area and their implications for seismic risk assessment. Together with the information from the improved national seismic monitoring network, this approach will eventually lead to a better capacity in seismic risk assessment.

First Aid

Mr. Sheerman: To ask the Secretary of State for Education and Science what progress has been made in ensuring all schools attain his Department's guidelines standards in first aid provision.

Mr. Alan Howarth: Responsibility for first-aid arrangements in schools rests with local education authorities and other education powers. The results of a recent survey by St. John Ambulance are being studied by my Department in consultation with the Health and Safety Executive, and we shall consider the need for any possible additions to the existing guidance.

Teachers (Financial Incentives)

Mr. Battle: To ask the Secretary of State for Education and Science what information his Department collects about financial incentives paid to teachers, particularly in repect of their numbers, values and distribution on scales A to E between infant, junior and senior schools; and if he will make a statement.

Mrs. Rumbold: The Department's database of teacher records contains information, collected on an annual basis, on the numbers of incentive allowance holders in maintained schools. The data can be disaggregated by rate of allowance, local education authority, type of school and by various other factors.

Student Grants

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Education and Science what is the percentage increase in the amount allocated for student grants for the current academic year over the amount allocated for 1988-89; and whether the increase includes an amount to meet students' community charge payments.

Mr. Jackson: The main rates of mandatory student grant are 5 per cent. higher (9·4 per cent. higher for those studying away from home in London) in the current academic year than in 1988-89. In setting these, students' net liability for 20 per cent. of the community charge following abolition of domestic rates was among the factors taken into account.

Seismic Monitoring

Mr. Bermingham: To ask the Secretary of State for Education and Science what funds have been allocated, or what proposals exist for such funding, to the British geological survey for an improved seismic monitoring network; and if he will make a statement.

Mr. Jackson *[holding answer 24 April 1990]:* The British geological survey's (BGS's) programme of monitoring and studying earthquakes has been supported principally by grant-in-aid from my Department to the natural environment research council (NERC) for the past 20 years. The BGS's work has been supplemented by seismographic stations established by Department of the Environment (DOE), Department of Energy (DEng) and others.

In 1989-90, the NERC and the DOE consolidated the BGS work within the framework of the United Kingdom seismic monitoring and information service, co-sponsored

by a customer group of Government Departments and commercial organisations, to support the improvement of the seismic monitoring network. In 1989-90, funding amounted to £400,000—70 per cent. contributed by NERC grant-in-aid. The cost of upgrading to a uniform network at 70 km spacing is estimated at £1 million spread over three years, with total running costs of about £1 million per year. Further efforts are being made to enlarge the customer group in order to achieve this.

WALES

Welsh Language

Mr. Butler: To ask the Secretary of State for Wales by what percentage Government support for the Welsh language has increased since 1978-79.

Mr. Roberts: In 1990-91 direct Government support for the Welsh language will total £5·87 million. This compares with £349,542 in 1978-79; a cash increase of 1,579 per cent. or 580 per cent. in real terms.

Drinking Water

Mr. Gareth Wardell: To ask the Secretary of State for Wales if he will estimate what percentage of drinking water in Wales is contaminated by faecal organisms.

Mr. Grist: I have been informed by Dwr Cymru that between January 1989 and March 1990 the company examined some 52,000 samples of treated public water supplies in its area of which 0·66 per cent. showed possible faecal contamination. Water quality standards and sampling regimes relating to public supplies are prescribed by the Water Supply (Water Quality) Regulations 1989 (SI 1989 No. 1147). Advice on remedial action to be taken in the event of water quality standards being infringed is contained in the Department of Environment-Welsh Office publication "Guidance on Safeguarding the Quality of Public Water Supplies".

Local authorities have a duty to monitor the quality of water supplied for domestic purposes in their areas, including private supplies. Information on the results of samples taken by authorities is not held centrally.

Waste Discharges

Mr. Gareth Wardell: To ask the Secretary of State for Wales if he will estimate what percentage of the volume of sewage discharged into the Welsh coastal waters has received *(a)* primary treatment only and *(b)* primary and secondary treatment.

Mr. Grist: I understand from information provided by Dwr Cymru that, based on population served, approximately 7 per cent. of the sewage discharged into Welsh coastal waters, including estuarial waters, receives primary treatment only and 22 per cent. receives primary and secondary treatment.

Mr. Gareth Wardell: To ask the Secretary of State for Wales if he will place in the Library a copy of the report that his Department funded jointly with the Welsh water authority concerning viruses in sea and fresh water by Dr. J. M. Tyler.

Mr. Grist: Yes. The results of the research have been broadcast in various seminars and symposia and in a number of publications.

Mr. Gareth Wardell: To ask the Secretary of State for Wales if he will publish a list of actual pollution incidents in Wales during the last three years whereby industrial chemicals were discharged illegally into surface waters.

Mr. Grist: This is a matter for the National Rivers Authority.

School Inspectors

Mr. Gareth Wardell: To ask the Secretary of State for Wales if he will publish in the *Official Report* (i) the number of Her Majesty's inspectors of schools and (ii) the number of Her Majesty's inspectors of schools who *(a)* have had no experience of teaching in primary schools, *(b)* have had no experience of work outside education, *(c)* whose gross salary is below £30,000 per annum, *(d)* hold the qualification of D.Sc., *(e)* are graduates of universities outside Wales, *(f)* hold masters or doctoral degrees in mathematics, *(g)* hold masters or doctoral degrees in physics, *(h)* hold masters or doctoral degrees in chemistry and *(i)* hold masters or doctoral degrees in engineering.

Mr. Roberts: The numbers are as follows:

(i) 54 with two more in process of appointment;

(ii) *(a)* 47 I also refer the hon. Gentleman to the answer I gave him on 18 March 1986:

(b) 2 have not held permanent posts outside education although most have some experience of work outside education;

(c) 8;

(d) none;

(e) 21;

(f) 1;

(g) 2;

(h) 2;

(i) 2.

School Management

Mr. Barry Jones To ask the Secretary of State for Wales what was the date when final approval of the scheme for local management of schools was given by his Department for each local education authority.

Mr. Roberts: The information is as follows:

LEA	*Date of Approval*
Clwyd	9 March 1990
Dyfed	29 March 1990
Gwent	30 March 1990
Gwynedd	9 March 1990
Mid Glamorgan	16 March 1990
Powys	29 March 1990
South Glamorgan	28 March 1990
West Glamorgan	29 March 1990

Assisted Places Scheme

Mr. Nicholas Bennett To ask the Secretary of State for Wales if he will give the number of assisted place pupils in each school in Wales in the scheme and the number of assisted place pupils from each Welsh local education authority.

Mr. Roberts: As at September 1989 the number of assisted place pupils in participating schools in Wales was:

	Number
Monmouth boys school	139
Monmouth girls school	67
Howells school, Llandaff	190

	Number
Christ college, Brecon	58
Llandovery college	32
Howells school, Denbigh	67
Rydal school	32
Penrhos college	46
	631

The Department does not collect information on individual pupils and their home local authority.

Health Authorities

Mr. Michael: To ask the Secretary of State for Wales what target he has set for each health authority in Wales to seek through *(a)* donations, *(b)* charitable gifts and *(c)* direct fund-raising activities (i) in 1990-91 and (ii) over the next 10 years.

Mr. Grist: My right hon. Friend has set no such targets.

School Buildings

Dr. Kim Howells: To ask the Secretary of State for Wales if he will give, on a county-by-county basis, the funds allocated by the Government to meet the costs of *(a)* repair and *(b)* maintenance of the fabric of schools in the public sector in Wales.

Mr. Roberts *[holding answer 24 April 1990]:* The information is not available in the form requested. Allocations of credit approval to local authorities are formula-based. Capital allocations since 1984-85 are unhypothecated between services. The public expenditure provisions for education capital at an all-Wales level are shown in the table:

Constant 1988-89 prices

Year	Number
1984-85	37
1985-86	37
1986-87	38
1987-88	44
1988-89	46
1989-90	48

For 1990-91 I have already announced credit approval for local authority education purposes of some £50·1 million with an assumed gross capital expenditure of £53·7 million. Because of changes in the capital control system effective from April 1990 these figures are not directly comparable with those in the table.

Dr. Kim Howells: To ask the Secretary of State for Wales if he will give, on a county-by-county basis, the most recent assessment of the costs of *(a)* repairing and *(b)* maintaining the fabric of schools in the public sector in Wales.

Mr. Roberts *[holding answer 24 April 1990]:* Responsibility for the repair and maintenance of schools rests with the local education authorities, and the Department has no comprehensive information in the form requested.

In the context of my efficiency initiative, local authorities have established a property management group and this is addressing the condition of the local authority estate, including educational establishments. A report on property management has been prepared which recommends the setting up of appropriate records in regard to the age and condition of buildings including schools.

HEALTH

National Health Service Reform

Mr. Redmond: To ask the Secretary of State for Health (1) if he will list the health authorities and units that are working on specimen contracts for health care in respect of his National Health Service reforms;

(2) if he will list the research programmes his Department is running on the National Health Service reform proposals;

(3) if he will list the health regions and health districts that are working on the detail of the internal market for his proposed National Health Service reforms.

Mrs. Virginia Bottomley: All health authorities are now preparing to implement the proposals in the White Paper "Working for Patients", subject to the passage of the necessary legislation. The Government are, in addition, supporting development work in a number of authorities where this is more advanced. The purpose of this support is to build up practical experience and understanding of how the new arrangements will operate so that this can benefit the service as a whole. The Department is supporting a programme of development work rather than research but the results will be evaluated fully.

The following health authorities are involved in work on contracting for services, including the development of specimen contracts:

Newcastle
Sunderland
South Tees
Yorkshire (region and districts)
East Anglian (region and districts)
City and Hackney
West Dorset
South Western (region and districts)
Coventry
Kidderminster
North Western (region and districts)

North Staffordshire DHA

Ms. Walley: To ask the Secretary of State for Health if he will reconsider his decision not to approve the nine consultant posts and support staff to the North Staffordshire district health authority out of the funds to alleviate excessive waiting lists.

Mrs. Virginia Bottomley: The new consultant posts provided under the 100 consultants scheme, announced in the White Paper "Working for Patients", were allocated on the basis of criteria set out when bids for these posts were invited. These were that posts should:

(i) reduce long waiting lists and times;
(ii) help reduce junior doctors' hours;
(iii) help improve the career structure in "out of balance specialties.

North Staffordshire's bid for a consultant gynaecologist was successful and is to be funded from April 1990. We will not be reconsidering the distribution of other posts under this scheme.

NHS Trusts

Mr. Redmond: To ask the Secretary of State for Health if he will list the hospitals and other units that are seeking trust status.

Mrs. Virginia Bottomley: Formal applications for NHS trust status can be invited only when Parliament has approved the necessary legislation. However, the following 83 units have expressed interest in seeking NHS trust status in 1991:

Northern Regional Health Authority
- Darlington Hospital and Community Services
- Freeman Hospital
- Newcastle General Hospital
- Newcastle Mental Health Services
- North Tyneside District
- Northumbria Ambulance Services

Yorkshire Regional Health Authority
- Bradford Acute Services
- Leeds General Infirmary and Associated Hospitals
- St. James University Hospital, Leeds

Trent Regional Health Authority
- Children's Hospital, Sheffield
- Doncaster Royal Infirmary and the Montagu Hospital
- Lincolnshire Ambulance Service
- Nether Edge Hospital, Sheffield
- Northern General Hospital
- Royal Hallamshire Hospital, Sheffield
- South Lincolnshire Mental Handicap Services
- University Hospital, Nottingham

East Anglian Regional Health Authority
- East Suffolk Community Services
- Great Yarmouth and Waveney Priority Services
- Norfolk Ambulances
- West Norfolk and Wisbech Community Services
- West Norfolk and Wisbech Acute Services

North West Thames Regional Health Authority
- Central Middlesex Hospital
- Harefield Hospital
- Hillingdon Hospital
- Mount Vernon Hospital
- North West Hertfordshire Priority Services Unit
- North Hertfordshire Acute and Community Services
- Northwick Park Hospital

North East Thames Regional Health Authority
- City and Hackney (St. Bartholomew's, Homerton, St. Marks Hospital Trust)
- North Middlesex Hospital
- Southend District Services
- The London Hospital Group
- The Royal Free Hospital
- The Royal National Throat, Nose and Ear Hospital
- Royal National Orthopaedic Hospital

South East Thames Regional Health Authority
- Brighton Acute Services
- Bromley Acute Services
- Eastbourne Acute Services
- Guy's and Lewisham Hospitals and associated Mental Illness Services
- King's/Camberwell Acute Services and associated Community Services
- St. Thomas's Hospital and associated Community Services

South West Thames Regional Health Authority
- Croydon Mental Handicap Unit
- Croydon Community Unit
- Kingston Hospital
- Mid-Downs West Unit
- Mid-Surrey General Unit
- North West Surrey Mental Handicap and Mental Health Units
- South West Surrey Acute Unit
- St. Helier and Sutton Hospitals

Wessex Regional Health Authority
- Lymington Hospitals
- Royal National Hospital for Rheumatic Diseases
- West Dorset Community and General Hospital Services
- West Dorset Mental Health Services

Oxford Regional Health Authority
- Nuffield Orthopaedic Centre, Oxford

South Western Regional Health Authority
- Bristol
- Cornwall Mental Handicap Services
- Cornwall Community Services
- East Somerset
- East Gloucestershire NHS Trust
- Exeter Community Services
- North Devon
- Plymouth Acute Services
- Royal Cornwall Hospitals
- South Devon Health Care Trust
- West Somerset
- West Cornwall
- Weston
- Wonford Acute Services

West Midlands Regional Health Authority
- Alexandra Hospital
- Mid Staffordshire Mental Health Unit
- Mid Staffordshire Community Unit
- Rugby District Services
- Walsall Acute Services

Mersey Regional Health Authority
- Arrow Park and Clatterbridge Hospitals
- Broadgreen Hospital, excluding Mersey Regional Cardio-Thoracic Unit
- Crewe Acute Services
- Halton Community Services
- Regional Adult Cardio-Thoracic Unit, Liverpool
- Royal Liverpool Children's Hospitals
- Whiston St. Helens Hospital

North Western Regional Health Authority
- Central Manchester Hospital and Community Services
- Christie Hospital

Mr. Robin Cook: To ask the Secretary of State for Health if he will list the units which have indicated that they wish to develop their application for National Health Service trust status over a longer time scale.

Mrs. Virginia Bottomley: Formal applications for NHS trust status can be made only when Parliament has approved the necessary legislation. Individual sponsors will then decide whether or not to submit an application for trust status in April 1991 at this stage, it would be premature to identify those units which may or may not wish to develop their application over a longer time scale.

Multiple Births

Mr. Wigley: To ask the Secretary of State for Health what information he has as to the number of *(a)* twins, *(b)* triplets, *(c)* quadruplets, *(d)* quintuplets and *(e)* sextuplets born in England and Wales in 1989; and what was the total number of maternities in that year.

Mr. Freeman: Details of multiple births occurring in 1989 are not yet available; it is hoped that the information will be ready in early May; the information will be sent to the hon. Member as soon as possible.

Broadmoor Special Hospital

Mr. Sheerman: To ask the Secretary of State for Health what action he intends to take in the light of the report on the death of Joseph Watts in Broadmoor special hospital; and whether he will publish the report of the special hospital service board.

Mr. Freeman: The report of the inquiry team has been the subject of detailed consideration within the Department and, in the light of the Department's initial comments, by the general manager of Broadmoor hospital. The report, with the hospital's interim response, has now been referred to the Special Hospitals Service Authority (since 1 October 1989, the body responsible for the management of the special hospitals). The authority has been asked to address the report's findings; review follow-up action taken to date; and consider the further handling of the report, including the arrangements for its wider distribution. We expect to receive the authority's proposals shortly, and then to make a further statement.

Hospital Travel Costs

Mr. Jacques Arnold: To ask the Secretary of State for Health if he will take steps to increase public awareness of the hospital travel costs scheme.

Mrs. Virginia Bottomley: I refer my hon. Friend to the reply I gave to my hon. Friend the Member for Daventry (Mr. Boswell) on 30 January at column *129*. An announcement will be made as soon as possible.

AIDS

Mr. Ian Bruce: To ask the Secretary of State for Health what additional resources have been given to Dorset to help in the care of AIDS victims.

Mrs. Virginia Bottomley: Wessex regional health authority has been allocated £5,027,000 in 1990-91 towards additional costs incurred in preventing the spread of HIV infection and in providing treatment and care for those who have the virus. It is for the RHA to decide allocations to district health authorities to cover the needs of people living in Dorset. We have separately given Dorset county council a grant of £13,897 this year towards the costs of its planned expenditure on social services for people with AIDS and HIV infection.

Translators (Hospitals)

Mr. Andrew F. Bennett: To ask the Secretary of State for Health if he will take steps to ensure that in all Health Service contracts placed with hospitals there is a requirement that translators are provided where any patients might need them.

Mrs. Virginia Bottomley: Guidance to the NHS has made it clear that each district health authority will be required to place contracts which secure access to a comprehensive range of high-quality services for all members of its resident population. In doing so, they will need to take account of any particular linguistic or cultural needs. A number of interpreters and linkworkers are already employed in the NHS and the Department is encouraging the appointment of more. It must be for district health authorities themselves to negotiate the exact specifications of contracts in the light of local needs and circumstances. It would be too prescriptive to insist that all contracts required the provision of translators or interpreters.

Wheelchairs

Mr. Ashley: To ask the Secretary of State for Health if he will place in the Library a copy of the report from the Disablement Services Authority regarding the provision of powered wheelchairs for outdoor use; if he will publish the recommendations in the *Official Report;* and if he intends to accept them.

Mr. Freeman: I understand that the Disablement Services Authority has now completed the indoor/outdoor electric wheelchair pilot study. A copy of the report on the study has been placed in the Library. The authority is in touch with the Department about the next steps to be taken and we shall make an announcement in due course.

HCHS Expenditure

Mr. Robin Cook: To ask the Secretary of State for Health what was the level of hospital and community health services expenditure on *(a)* staff now covered by pay review bodies, *(b)* other staff and *(c)* goods and services, in cash and constant prices in each year since 1974-75.

Mr. Freeman *[holding answer 5 March 1990]:* Information derived from annual accounts submitted to the Department is shown in the table.

Revenue expenditure on hospital and community health services (HCHS)

	Total salaries and wages expenditure					
	Review body staff		*All other staff*		*Total Non-pay*	*Expenditure*
	£000 (cash)	*£000 (at 1989-90 prices)*	*£000 (cash)*	*£000 (at 1989-90 prices)*	*£000 (cash)*	*£000 (at 1989-90 prices)*
1974-75	953,859	4,030,226	838,841	3,544,254	558,428	2,359,459
1975-76	1,253,163	4,210,941	1,105,441	3,714,558	722,576	2,428,036
1976-77	1,437,313	4,261,274	1,254,433	3,719,080	820,606	2,432,892
1977-78	1,552,699	4,044,067	1,368,900	3,565,355	1,009,503	2,629,291
1978-79	1,745,353	4,106,467	1,533,099	3,607,075	1,143,039	2,689,342
1979-80	2,312,709	4,659,068	1,680,011	3,384,466	1,340,202	2,699,904
1980-81	3,161,777	5,382,419	2,081,018	3,542,600	1,642,636	2,796,325
1981-82	3,466,215	5,374,505	2,258,307	3,501,595	1,905,463	2,954,497
1982-83	3,746,024	5,417,238	2,333,346	3,374,322	2,061,859	2,981,716
1983-84	3,957,260	5,467,390	2,456,394	3,393,779	2,211,703	3,055,711
1984-85	4,227,113	5,563,726	2,551,322	3,358,050	2,356,419	3,101,519
1985-86	4,520,820	5,647,047	2,594,567	3,240,926	2,494,012	3,115,320

	Total salaries and wages expenditure					
	Review body staff		All other staff		Total Non-pay	Expenditure
	£000 (cash)	£000 (at 1989-90 prices)	£000 (cash)	£000 (at 1989-90 prices)	£000 (cash)	£000 (at 1989-90 prices)
1986-87	4,949,899	5,981,458	2,735,157	3,305,164	2,632,110	3,180,642
1987-88	5,556,864	6,376,946	2,911,090	3,340,709	2,808,757	3,223,273
1988-89	6,454,412	6,906,221	3,107,182	3,324,685	2,993,451	3,202,993

Source:
Annual accounts of regional and district health authorities in England and those of the special health authorities for the London postgraduate teaching hospitals. (Predecessor authorities for the years prior to 1982-83).
Notes to the table:

1. The figures have been expressed at 1989-90 prices by the use of the Gross Domestic Product deflator.
2. Revenue expenditure on HCHS covers the total revenue expenditure by the health authorities concerned including that on hospital, community health, patient transport (i.e. ambulance), blood transfusion and other services. All capital expenditure and expenditure on family practitioner services is excluded. However, the figures for the years prior to 1 April 1985 include small elements related to the administrative expenses of family practitioner committees (FPCs) which before that date were included in the accounts of the health authorities with which the FPCs were associated and are not separately identifiable.
3. The figures of salaries and wages expenditure are gross costs including employers superannuation and national insurance contributions. Those for the "review body staff" for the earliest years are slightly understated (with corresponding overstatement of those for "all other staff") as the annual accounts did not provide for the separate identification of salaries and wages costs currently attributed to "professions supplementary to medicine" until 1979-80. The costs of employing all non-National Health Service (agency, etc.) staff are included with "all other staff".
4. The figures of total non-pay expenditure are essentially for the purchase of goods and services but include some miscellaneous costs (e.g. staff travel and subsistence expenses, student bursaries, patients allowances, etc.).

General Practitioners

Mr. Martlew: To ask the Secretary of State for Health if he intends to alter the guidelines given to family practitioner committees on the drawing of general practitioners' practice boundaries.

Mrs. Virginia Bottomley *[holding answer 23 April 1990]:* No. Subject to approval by the medical practices committee, a general practitioner may choose the area from which his patients are drawn provided he can fulfil his obligation to visit patients on his list. A general practitioner must, however, notify the family practitioner committee of his proposed practice area as a condition of acceptance on to the medical list. He may, at any time, change this area with the consent of the family practitioner committee or on appeal to the Secretary of State.

EMPLOYMENT

Child Care and Family Services

Mr. Leighton: To ask the Secretary of State for Employment what mechanisms his Department has to deal with services and policies on child care and family services.

Mr. Nicholls: I am a member of the interdepartmental ministerial group on women's issues which was established in 1986 to co-ordinate policy issues of special concern to women. The group meets regularly and has focused in particular on child care and domestic violence in the last 12 months.

I also chair the advisory committee on women's employment which meets regularly to discuss matters affecting women's employment. This committee includes the Equal Opportunities Commission's chair, my hon. Friend the Member for Broxbourne (Mrs. Roe), the hon. Member for Barking (Ms. Richardson), representatives of the CBI, TUC and the Women's National Commission.

My ministerial colleagues and I also meet interested groups and address meetings. In addition the Department maintains regular contact with the Equal Opportunities Commission, Women's National Commission and other women's organisations.

Employment Training

Ms. Short: To ask the Secretary of State for Employment when results will be available from the follow-up survey of employment training trainees, and if he will place a full copy of results in the Library.

Mr. Nicholls: When sufficient data are available to satisfy my right hon. and learned Friend of the reliability of more detailed analyses he will consider placing a report in the Library.

Ms. Short: To ask the Secretary of State for Employment what was the number of accidents on employment training, fatal, major and minor, for each month since the start of the scheme to the latest available date.

Mr. Nicholls: ET accident figures are collected quarterly, as for YTS. The table gives the accident figures.

	Accidents[1]		
	Fatal	Major[2]	Minor
5 September 1988 to 31 December 1988	nil	24	91
1 January 1989 to 31 March 1989	nil	31	161
1 April 1989 to 30 June 1989	nil	53	276
1 July 1989 to 30 September 1989	nil	52	286
1 October 1989 to 31 December 1989	1[3]	67	246

[1] Training Agency figures have been compiled on a similar basis to those prepared by the Health and Safety Executive on employed persons. However, the Training Agency's figures will include a number of accidents to trainees in educational establishments and road traffic accidents which may not have been reportable to the Health and Safety Executive had the individuals been employed.
[2] Major injuries are classified according to the severity criteria laid down in the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1985.
[3] This was a road traffic accident.

Ms. Short: To ask the Secretary of State for Employment how many employer-based work placements and how many project-based work placements have either been rejected or closed on health and safety grounds since employment training was introduced.

Mr. Nicholls: Separate figures for closures and rejections for employer-based and project-based work placements are not kept. The table gives figures of closures and rejections on health and safety grounds from 5 September 1988 to the present date. The figures are provisional.

Closed	*Rejected*
15	nil

Ms. Short: To ask the Secretary of State for Employment what is the annual expenditure on ET from the start of the programme to the estimated outturn for 1990-91; how much of that budget in cash terms was used to pay *(a)* the trainees' training allowances, and *(b)* the trainees' training premium; and if he will make a statement.

Mr. Nicholls: The table shows the annual expenditure on employment training (ET) from the start of the programme to 1990-91.

(£ million)

	1988-89 (from 5 September 1988)	*1989-90 provisional outturn*	*1990-91 estimate*
Total Employment Training expenditure	425	1,096	1,156
Training allowances	151	527	585
Training premium (estimated)	34	102	108

Employment training is currently helping over 200,000 unemployed people to obtain the skills and experience they need to get jobs. The Government believe that the level of financial support for ET trainees is reasonable given the need to devote adequate resources to maintaining the quality of training.

Availability for Work

Ms. Short: To ask the Secretary of State for Employment in what circumstances will an unemployed claimant, following the changes in regulations under the Social Security Act 1989, have good cause for refusing to take a temporary or a short-term job offered by the employment service, and if he will make a statement.

Mr. Eggar: The 1989 social security provision on refusal of employment makes no distinction between long-term, short-term or temporary work. If a job is offered to an unemployed person by the employment service which he or she can reasonably be expected to do, it is for the person to show good cause for refusal. The temporary or short-term nature of the job would be only a factor to be considered by the independent adjudicating authorities, in the event of refusal, with any other reasons put forward by the claimant.

Ms. Short: To ask the Secretary of State for Employment what guidance is given to offices about the treatment of a legally separated unemployed person with access rights to children at weekends in respect of the availability for work effect on his or her entitlement to benefit.

Mr. Eggar: There is no specific guidance issued to offices about the treatment of unemployed persons who are legally separated and who have access rights to children at weekends. A person with domestic or other commitments who restricts himself or herself to working only on certain days of the week would need to show that the restriction is reasonable and that it would not limit his or her prospects of obtaining work. Benefit can be disallowed for those days that the claimant is clearly not available, and for other days claimed if, because of restrictions imposed, he or she has no reasonable prospects of obtaining work. Each case has to be considered individually.

Ms. Short: To ask the Secretary of State for Employment how many unemployed claimants in each month since 9 October 1989, for each region and for Great Britain as a whole, have been *(a)* issued with warning letters for not actively seeking work, *(b)* had their claims referred to an adjudication officer for not actively seeking work, *(c)* had their claims (i) allowed or (ii) disallowed, and *(d)* have been referred to an adjudication officer for refusing suitable employment; and how many of those in *(d)* have had their benefit disqualified.

Mr. Eggar: The table shows the statistical information for the period 9 October 1989 to 23 February 1990 on questions of "actively seeking employment" and "refusal of employment".

Actively Seeking Work and Refusal of Employment Referrals and Disqualifications
Period 9 October 1989—23 February 1990

Regions	*Actively Seeking Employment*			*Refusal of Employment*		
	Claimants Issued Warning Letters	*Claims Referred to Adjudication Officer*	*Allowed*	*Disallowed*	*Claims Referred to Adjudication Officer*	*Not Disqualified*	*Disqualified*
Northern	914	156	23	57	33	6	16
Yorkshire and Humberside	874	142	28	46	89	15	13
East Midlands and Eastern	1,131	186	37	46	190	73	55
London and South East	5,828	930	180	191	1,048	117	159
South West	826	207	39	57	73	21	10
Wales	1,186	193	37	40	91	20	21
West Midlands	1,438	258	71	114	193	41	35
North West	1,918	225	56	75	107	20	22
Scotland	2,291	278	80	72	78	24	10

Regions	Claimants Issued Warning Letters	Actively Seeking Employment: Claims Referred to Adjudication Officer	Actively Seeking Employment: Allowed	Actively Seeking Employment: Disallowed	Refusal of Employment: Claims Referred to Adjudication Officer	Refusal of Employment: Not Disqualified	Refusal of Employment: Disqualified
National	16,406	2,575	551	698	1,895	337	345

Marchon Chemical Plant (Fire)

Dr. Cunningham: To ask the Secretary of State for Employment if he will instruct the Health and Safety Executive to carry out an urgent independent investigation into the fire on Thursday 19 April at the Marchon chemical plant in Whitehaven and publish its findings; and if he will make a statement.

Mr. Nicholls: Inspectors from the Health and Safety Executive (HSE) have already begun their investigation into the circumstances of the fire at the Marchon Chemical plant in Whitehaven on 19 April 1990. The HSE does not consider that the incident warrants any special report.

Health and Safety

Mr. Tony Lloyd: To ask the Secretary of State for Employment how many field inspectors there were within the Health and Safety Executive for each year from 1974 to 1989 inclusive; how many workplaces they were responsible for in each year and what was the ratio of inspectors to workplaces in each year.

Mr. Nicholls *[holding answer 24 April 1990]:* The information available is given for those factory, agricultural, mines and quarries inspectors working from district or area offices and the number of registered workplaces for which they were responsible. Field inspectors do not include nuclear installations or specialist inspectors.

Year	Inspector numbers[1,2,3]	Workplaces registered[4]	Ratio of inspectors to workplaces[5]
(1 July) 1975	615·0	n.a.	—
(1 April) 1976	670·5	n.a.	—
1977	878·0	n.a.	—
(1 January) 1978	889·0	280,716	1:456
1979	888·0	309,757	1:432
1980	934·5	318,936	1:422
1981	905·5	318,050	1:432
1982	857·5	*585,296	1:843
1983	803·5	*477,409	1:734
1984	781·0	668,037	1:855
(1 April) 1985	793·0	724,227	1:913
1986	754·0	720,243	1:955
1987	757·5	719,738	1:950
1988	711·5	707,474	1:994
1989	722·0	692,078	1:959

[1]HSE was established on 1 January 1975. Centrally maintained staffing figures became available from July of that year.

[2]Agricultural inspectors joined HSE from MAFF from March 1976, with the field force being in place by March 1977.

[3]The Industrial Air Pollution Inspectorate transferred to the Department of Environment on 1 April 1987 and have been excluded from the figures.

[4]The total for 1978 is for fixed premises registered with Factory Inspectorate only. Premises registered with Mines and Quarries Inspectorate are included from 1979, with those registered with Agricultural Inspectorate being included from 1984.

[5]For consistency, mines and quarries inspectors have been excluded from the calculation of the ratio in 1978, and agricultural inspectors have been excluded from 1978 to 1983 (see Note *).

*The 1982 figure was the first produced from a computerised database based on the Department of Employment Census. The database initially included premises for which HSE was not the enforcing authority: this accounts for the high figures for 1982 and 1983.

HOUSE OF COMMONS

Command Papers

Mr. Spearing: To ask the Lord President of the Council if he will state the respective numbers of Command Papers, under selected types or subject headings of their main topics, of Command Papers Cm 1-1,000.

Sir Geoffrey Howe: All recent Command Papers are indexed on the Library's POLIS system. If the hon. Member will give more specific details of his particular requirements to the Library then, from the POLIS data base, references could be produced to Command Papers for the period in question, either under specific subject headings; or by issuing Department; or by type, such as White Papers or the treaty or European Communities series.

SOCIAL SECURITY

Enterprise Allowance Scheme

Ms. Short: To ask the Secretary of State for Social Security what impact a spouse or domestic partner of an income support claimant joining an enterprise allowance scheme has on the benefit entitlement of the claimant; and if he will make a statement.

Mrs. Gillian Shephard: Income support is not normally payable to a couple when either member is participating in the enterprise allowance scheme because the participant is deemed to be in remunerative work. However, if their income is low they may continue to receive help from housing benefit and community charge benefit. In addition, family credit is available to those with a dependent child.

Disabled People

Mr. Alfred Morris: To ask the Secretary of State for Social Security what response he has received to "The Way Ahead: Benefits for Disabled People" from the Disablement Income Group; and if he will make a statement.

Mr. Scott: The Disablement Income Group has published a report, "Short Changed by Disability" in response to "The Way Ahead" proposals. The group is a member of the Disability Benefits Consortium, which I met on 5 April to discuss "The Way Ahead". We shall give careful consideration to all their comments in carrying forward the detailed work on our proposals.

Local Government Finance

Sir John Stanley: To ask the Secretary of State for Social Security whether he has issued any guidance to local authorities as to what amounts of community charge can be demanded from applicants for community charge benefit before their entitlement to benefit has been determined; and whether he will make a statement.

Mrs. Gillian Shephard: The Community Charge (Administration and Enforcement) Regulations provide that local authorities should issue rebated or unrebated community charge bills as soon as practicable after setting the community charge level. The Community Charge Benefit (General) Regulations provide that entitlement to community charge benefit should be determined within 14 days—or as soon as practicable—of the claim being received, with sufficient information, by the local authority. The administration of the benefit scheme is a matter for local authorities who must decide what action to take if they are unable to meet this requirement.

SCOTLAND

Whimbrel

Mr. Ron Davies: To ask the Secretary of State for Scotland if he will list those areas of land which support more than 1 per cent. of the British population of breeding whimbrel and in each case indicate those which have been notified and confirmed as sites of special scientific interest under section 28 of the Wildlife and Countryside Act.

Lord James Douglas-Hamilton: The Nature Conservancy Council advises that the majority of breeding whimbrel in Great Britain are to be found in Shetland. I refer the hon. Member to the NCC report "Shetland Moorland Bird Surveys 1986", a copy of which has been placed in the Library. Sites of special scientific interest are selected according to the guidelines published by the NCC in 1989. The assessment of individual sites is based upon the range and quality of the habitat required to sustain populations of protected species such as whimbrel. Other factors are also taken into account in the process of site notification in Shetland and elsewhere. As a result sites are not generally attributed to a single species but usually represent the best example of the habitat available in a particular area.

Hedgerows

Mr. Colvin: To ask the Secretary of State for Scotland how many miles of hedgerows have been removed, and how many miles planted *(a)* since 1 January 1960 and *(b)* since 1979.

Lord James Douglas-Hamilton: The information requested is not available.

Local Government Finance

Mr. Malcolm Bruce: To ask the Secretary of State for Scotland if he will publish in the *Official Report* in relation to each local authority in Scotland and the average for all local authorities in Scotland for the financial year 1990-91 *(a)* the level of net expenditure per head of population, *(b)* the level of net expenditure per head of population as set out in the Government's assessment of expenditure need, *(c)* the level of income per head of population from personal, standard and collective community charges, *(d)* the income from revenue support grant per head of population, *(e)* the income from non-domestic rates per head of population and *(f)* the income from the other sources per head of population all excluding reference to the water community charge.

Lord James Douglas-Hamilton *[holding answer 23 April 1990]:* The information is in the table:

Expenditure (£s) per head of population

	(a) Total Net Expenditure	*(b) Grant Aided Expenditure*	*(c) Community Charge Income*	*(d) Revenue Support Grant*	*(e) Non-Domestic Rate Income*	*(f) Specific Grant*
Borders	851	770	131	559	97	50
Central	775	686	158	384	177	44
Dumfries	817	754	140	511	123	43
Fife	819	693	183	374	202	40
Grampian	764	695	124	437	163	40
Highland	1,017	859	143	613	180	53
Lothian	834	651	234	316	208	57
Strathclyde	853	741	159	450	176	59
Tayside	817	717	161	444	151	50
Regions	838	721	166	430	176	53
Orkney	1,242	1,094	98	761	346	38
Shetland	2,457	1,219	65	1,371	931	47
Western Isles	1,596	1,170	107	1,267	160	60
Islands	1,766	1,165	92	1,164	447	50
Berwickshire	99	79	23	48	17	1
Ettrick and Lauderdale	104	84	29	40	28	1
Roxburgh	118	87	32	56	22	1
Tweeddale	99	85	31	48	20	1
Clackmannan	163	117	76	35	51	1
Falkirk	123	101	32	27	57	1
Stirling	193	133	79	35	74	7
Annandale and Eskdale	109	83	42	33	28	0
Nithsdale	108	89	36	31	35	1

	(a) Total Net Expenditure	(b) Grant Aided Expenditure	(c) Community Charge Income	(d) Revenue Support Grant	(e) Non-Domestic Rate Income	(f) Specific Grant
Stewartry	96	83	31	36	19	0
Wigtown	115	91	30	50	20	1
Dunfermline	128	112	44	25	53	0
Kirkcaldy	134	110	49	18	56	1
North East Fife	140	106	60	50	29	1
Aberdeen	183	117	68	35	74	3
Banff and Buchan	120	106	42	37	40	1
Gordon	120	103	30	51	17	2
Kincardine and Deeside	90	99	19	50	20	0
Moray	104	111	29	44	31	1
Badenoch and Strathspey	101	91	26	40	29	1
Caithness	103	87	19	43	31	0
Inverness	97	91	19	30	45	1
Lochaber	138	94	36	38	57	2
Nairn	101	86	20	57	14	1
Ross and Cromarty	142	97	35	62	40	1
Skye and Lochalsh	135	95	21	73	27	1
Sutherland	141	107	13	104	16	1
East Lothian	176	116	57	23	62	1
Edinburgh	198	121	83	42	69	5
Midlothian	144	110	45	55	29	1
West Lothian	119	108	40	41	35	2
Argyll and Bute	179	118	58	59	51	1
Bearsden	125	100	53	57	20	0
Clydebank	229	107	68	94	48	6
Clydesdale	155	105	57	47	35	1
Cumbernauld	124	106	40	37	41	0
Cumnock	141	106	44	57	29	1
Cunninghame	156	113	50	12	85	3
Dumbarton	163	104	73	34	54	2
East Kilbride	143	101	76	19	46	0
Eastwood	96	101	31	47	13	0
Glasgow	286	165	64	76	108	9
Hamilton	142	107	54	44	43	2
Inverclyde	159	110	50	70	35	2
Kilmarnock	131	101	40	42	41	1
Kyle and Carrick	148	116	64	38	49	1
Monklands	178	114	62	63	40	7
Motherwell	156	110	47	56	40	3
Renfrew	167	121	64	42	51	2
Strathkelvin	142	107	59	65	25	2
Angus	114	108	39	43	30	1
Dundee	180	123	63	47	64	6
Perth and Kinross	129	106	39	45	41	1
Districts	168	117	55	47	56	3
Scotland	1,017	843	219	487	235	56

Notes:

1. Population as estimated by the Registrar General for Scotland at 30 June 1988 has been used in calculating "per head" figures.
2. Total net expenditure is based on local authority budget estimates.
3. Grant Aided Expenditure (formerly assessed needs) excludes loan charges against which Revenue Support Grant is also paid.
4. Community Charge income from personal, collective and standard charges is as estimated by local authorities.
5. Revenue Support Grant for 1990-91 is payment made by the Scottish Office.
6. Non-Domestic Rate Income as estimated by the Scottish Office.
7. Specific Grant as estimated by local authorities.
8. No allowance is made for use of balances to finance expenditure.

Mr. Bill Walker To ask the Secretary of State for Scotland if he will give details for each region of Scotland showing how the non-domestic rates are affected by revaluation and the Government's scheme to reduce the actual cash required to be paid by businesses with rateable values above and below £10,000 for the years 1990-91.

Lord James Douglas-Hamilton *[holding answer 24 April 1990]:* The table sets out the non-domestic rate for each region, islands and district council for 1989-90, and for 1990-91 following revaluation. The effect of revaluation is to reduce the levels of non-domestic rate in real terms in inverse proportion to the average increase in rateable values (column 2). The rates for 1990-91 have been further reduced by 6·25 per cent. as the first step towards the introduction of a national non-domestic rate in Scotland (column 3).

Rateable values have increased by an average of 34·4 per cent. as a result of revaluation. Only those ratepayers facing an increase in rateable value in excess of the average will see their non-domestic rate bills increase in real terms. In order to protect ratepayers from any significant increases in rate bills resulting from revaluation we are limiting annual increases in rateable value. In 1990-91 no ratepayer will be required to pay non-domestic rates on more than 1·613 times his 1989-90 rateable value and where the rateable value on 1 April 1990 is less than

£10,000 the limit will be reduced to 1·546 times the 1989-90 rateable value. In order to maintain the level of rate income limits have also been placed on the amount by which rateable values may be reduced following revaluation so that these arrangements have no effect on the level of rate poundages.

	Column 1 1989-90 Rate poundage	*Column 2 1990-91 Rate poundage Pre-NNDR Reduction*	*Column 3 1990-91 Rate poundage Post-NNDR Reduction*
	p	*p*	*p*
Borders	48·5	38·4	36·0
Central	56·1	44·5	41·7
Dumfries and Galloway	51·6	40·9	38·3
Fife	62·1	49·2	46·1
Grampian	46·0	36·5	34·2
Highland	55·6	44·1	41·3
Lothian	63·9	50·6	47·5
Strathclyde	61·9	49·1	46·0
Tayside	57·9	45·9	43·0
Orkney	52·9	41·9	39·3
Shetland	50·0	39·6	37·1
Western Isles	77·6	61·5	57·6
Berwickshire	10·1	8·0	7·5
Ettrick and Lauderdale	11·5	9·1	8·5
Roxburgh	12·7	10·1	9·4
Tweeddale	9·7	7·7	7·2
Clackmannan	20·1	15·9	14·9
Falkirk	16·4	13·0	12·2
Stirling	24·3	19·3	18·1
Annandale and Eskdale	12·2	9·7	9·1
Nithsdale	12·2	9·7	9·1
Stewartry	10·6	8·4	7·9
Wigtown	10·0	7·9	7·4
Dunfermline	13·6	10·8	10·1
Kirkcaldy	16·9	13·4	12·6
North East Fife	15·2	12·0	11·3
Aberdeen City	14·8	11·7	11·0
Banff and Buchan	13·2	10·5	9·8
Gordon	10·6	8·4	7·9
Kincardine and Deeside	8·7	6·9	6·5
Moray	11·1	8·8	8·2
Badenoch and Strathspey	8·5	6·7	6·3
Caithness	13·2	10·5	9·8
Inverness	10·1	8·0	7·5
Lochaber	15·3	12·1	11·4
Nairn	8·5	6·7	6·3
Ross and Cromarty	13·2	10·5	9·8
Skye and Lochalsh	12·7	10·1	9·4
Sutherland	9·5	7·5	7·1
East Lothian	18·0	14·3	13·4
Edinburgh City	17·7	14·0	13·1
Midlothian	18·0	14·3	13·4
West Lothian	15·9	12·6	11·8
Argyll and Bute	20·1	15·9	14·9
Bearsden and Milngavie	13·8	10·9	10·3
Clydebank	20·6	16·3	15·3
Clydesdale	17·8	14·1	16·2
Cumbernauld and Kilsyth	17·5	13·0	13·0
Cumnock and Doon Valley	18·0	14·3	13·4
Cunninghame	21·7	17·2	16·1
Dumbarton	20·1	15·9	14·9
East Kilbride	15·1	12·0	11·2
Eastwood	10·6	8·4	7·9
Glasgow City	28·1	22·3	20·9
Hamilton	19·1	15·1	14·2
Inverclyde	16·9	13·4	12·6
Kilmarnock and Loudoun	17·5	13·9	13·0
Kyle and Carrick	18·0	14·3	13·4
Monklands	19·1	15·1	14·2
Motherwell	17·3	13·7	12·9
Renfrew	19·1	15·1	14·2
Strathkelvin	16·9	13·4	12·6
Angus	14·3	11·3	10·6
Dundee City	22·8	18·1	16·9
Perth and Kinross	14·8	11·7	11·0

Notes

1. Column 2 shows rate poundages which would have been required in 1990-91 following revaluation were it not for the Government's national non-domestic rate policy.
2. Column 3 shows the actual rate poundages for 1990-91 which the Secretary of State prescribed following the £80 million reduction in the burden on ratepayers in Scotland as the first move towards the introduction of a national non-domestic rate.

European Community Housing Ministers

Mr. Salmond: To ask the Secretary of State for Scotland what discussions he has held concerning the meeting of European Community Housing Ministers in Lille in December 1989.

Lord James Douglas-Hamilton *[holding answer 23 April 1990]:* My right hon. and learned Friend has held no such discussions.

Mr. Salmond: To ask the Secretary of State for Scotland what plans he or the Under-Secretary of State has to attend future meetings of European Community Housing Ministers.

Lord James Douglas-Hamilton *[holding answer 23 April 1990]:* My right hon. and learned Friend will consider attendance at future meetings of European Community Housing Ministers in the light of the agenda for any such meetings.

Bovine Spongiform Encephalopathy

Dr. David Clark: To ask the Secretary of State for Scotland what percentage of farms by region in Scotland, on which cattle were found to have bovine spongiform encephalopathy, also had sheep on them.

Lord James Douglas-Hamilton *[holding answer 23 April 1990]:* The percentage of farms from which cattle have been confirmed as suffering from bovine spongiform encephalopathy on which sheep were also present is as follows:

	per cent.
Borders	90·9
Central	91·6
Dumfries	88·2
Fife	80·0
Grampian	79·0
Highland	93·3
Lothian	100·0
Orkney	60·0
Shetland	100·0
Strathclyde	86·4
Tayside	80·0

Dr. David Clark: To ask the Secretary of State for Scotland how many cattle have been confirmed as having bovine spongiform encephalopathy in each region of Scotland for each year since the disease was discovered.

Lord James Douglas-Hamilton *[holding answer 23 April 1990]:* The numbers are as follows:

Region	*1987*	*1988*	*1989*
Borders	1	1	9
Central	—	3	8
Dumfries	4	13	32
Fife	—	—	11
Grampian	—	12	43
Highland	—	5	14
Lothian	1	2	7
Orkney	—	2	2
Shetland	1	—	1
Strathclyde	—	11	64
Tayside	—	5	17
Western Isles	—	—	—

Dr. David Clark: To ask the Secretary of State for Scotland what is the incidence in percentage terms of bovine spongiform encephalopathy affected herds in each region of Scotland at 31 December 1989.

Lord James Douglas-Hamilton *[holding answer 23 April 1990]:* The incidence in relation to BSE-affected dairy herds in Scotland is as follows:

	per cent.
Borders	5·19
Central	6·09
Dumfries	2·16
Fife	3·88
Grampian	7·35
Highland	3·66
Lothian	4·26
Orkney	—
Shetland	3·70
Strathclyde	2·62
Tayside	6·06

Dr. David Clark: To ask the Secretary of State for Scotland if he will list by age the cattle confirmed as having bovine spongiform encephalopathy in 1989.

Lord James Douglas-Hamilton *[holding answer 23 April 1990]:* The answers are as follows:

Age	*Number*
2 years	1
3 years	14
4 years	48
5 years	43
6 years	19
7 years	3
8 years	1

Dogs

Mr. McAllion: To ask the Secretary of State for Scotland if he will list the organisations and bodies which have responded to the consultation document "Action on Dogs."

Lord James Douglas-Hamilton *[holding answer 23 April 1990]:* One hundred and six organisations responded to the consultation paper. I am writing to the hon. Member with the details.

Radiation

Dr. David Clark: To ask the Secretary of State for Scotland how much his Department contributed towards the funding of the aerial survey of radioactive contamination in Galloway and Upper Nithsdale which was carried out by the Scottish Universities Research and Reactor Centre in February 1988; and if he will make a statement.

Lord James Douglas-Hamilton *[holding answer 23 April 1990]:* The Scottish Office supported the survey by making available, on a shared cost basis, an inshore fisheries patrol aircraft. This contribution was equivalent to £700.

Birds of Prey

Mr. Malcolm Bruce: To ask the Secretary of State for Scotland what steps he is taking to eliminate illegal poisoning of birds of prey; and if he will make a statement.

Lord James Douglas-Hamilton *[holding answer 23 April 1990]:* Birds of prey are protected under the Wildlife and Countryside Act 1981. The Nature Conservancy Council is presently reviewing the effectiveness of the legislation and expects to report this year. We shall consider its report and any recommendations for change most carefully.

Bed-and-Breakfast Businesses

Mr. Home Robertson: To ask the Secretary of State for Scotland if he will make a further statement on the liability of bed-and-breakfast businesses for non-domestic rates; and if he intends to give any guidance to local authorities on the collection of rates on those bed-and-breakfast businesses which have been assessed for non-domestic rates for 1989-90.

Lord James Douglas-Hamilton *[holding answer 23 April 1990]:* We have made clear our intention to clarify in legislation the boundary between domestic and non-domestic in the case of bed-and-breakfast establishments. We have recently consulted interested parties on our proposals in this respect and we are currently considering the responses to that consultation exercise before bringing forward appropriate regulations. These regulations cannot apply retrospectively and any bed-and-breakfast operator faced with an assessment for rates in respect of 1989-90 which he considers not to be justified should appeal through the normal channels. We see no need to provide guidance to local authorities on the collection of rates from bed-and-breakfast businesses.

THE ARTS

Arts (Devon)

Mr. Speller: To ask the Minister for the Arts what assistance he is giving to the promotion of the arts in Devon.

Mr. Luce: Promotion of the arts is a matter for the Arts Council and the regional arts associations. In 1990-91 it is estimated that direct spending on the arts in Devon by South West Arts and the Arts Council will be in excess of £1·25 million.

AGRICULTURE, FISHERIES AND FOOD

Sulphadimidine

Sir Richard Body: To ask the Minister of Agriculture, Fisheries and Food whether he has received any information from the United States Food and Drugs Administration about the safety of sulphadimidine.

Mr. Curry: The Department has received no new information from the Food and Drugs Administration or any other source which would affect the conclusion of the Veterinary Products Committee and the committee on toxicity that sulphadimidine can be used safely.

Caseons Lymphademitis

Mr. Robert Hicks: To ask the Minister of Agriculture, Fisheries and Food what is the number of outbreaks of caseons lymphademitis reported to his Department; what is the number of restriction orders placed on farms; what action he intends taking; whether compensation will be paid to affected farmers; and if he will make a statement.

Mr. Maclean: Caseons lymphademitis has been confirmed on two premises and movement restrictions placed on a further 10 premises to date. Material taken from suspect goats and sheep is still being examined and tracing of animals connected with the source of infection is continuing. More information on the extent and nature of the infection is needed before decisions are taken on what further action is required.

Departmental Research

Mr. Cartwright: To ask the Minister of Agriculture, Fisheries and Food (1) whether he has estimated the effect on sales of home grown potatoes in United Kingdom supermarkets if retailers' views were taken into consideration in assessing the research priorities of his Department;

(2) whether the views of *(a)* retailers and *(b)* growers are considered when assessing his Department's research priorities for apples and pears;

(3) whether the views of *(a)* retailers and *(b)* growers are taken into consideration when assessing his Department's research priorities for potatoes.

Mr. Curry: In setting research priorities, we take full account of the advice of the priorities board for research and development in agriculture and food. In preparing its advice to Agriculture Ministers and the chairman of the Agricultural and Food Research Council, the priorities board draws on the views of retailers, as well as food manufacturers, farmers, growers, academics and others.

NATIONAL FINANCE

Local Government Finance

Mr. Hind: To ask the Chancellor of the Exchequer by how much local authorities overspent in 1989-90 and 1988-89; what were the effects on inflation; and if he will make a statement.

Mr. Norman Lamont: Local authorities' total net current expenditure exceeded their grant-related expenditure (GRE) by 7 per cent. in both 1988-89 and 1989-90. Increases in total domestic rates added around 0·36 per cent. and 0·4 per cent. to the level of the RPI in 1988-89 and 1989-90 respectively.

Supply Side

Mrs. Gorman: To ask the Chancellor of the Exchequer what recent measures he has introduced affecting the supply side of the economy.

Mr. Norman Lamont: The Government have introduced many measures designed to improve the operation of the supply side of the economy, through improved incentives, more open markets, the abolition of unnecessary or obsolete regulations, and the introduction of greater competition to the public sector. The following are among the most recent measures introduced which should have important supply side effects.

The successful transfer of the 10 water supply companies to the private sector last December means that since 1979 we have reduced the size of the state-owned sector of industry by almost half. The future privatisation programme includes the sale of the 12 regional electricity distribution companies in England and Wales in the autumn. And, of course, more competition has been introduced into the electricity generating industry with the splitting of the CEGB into National Power and PowerGen, leading up to their intended privatisation early next year. The Scottish electricity industry will also be sold next year.

The Employment Act 1989 has continued the Government's process of gradual reform of industrial relations legislation to remove inflexibilities from the labour market and reduce unions' capacity to abuse their market power. Specifically the Act removed the remaining legal protection from all types of closed shop, and from secondary industrial action. The Dock Work Act 1989 repealed the national dock labour scheme, so removing the unneccessary costs imposed by its restrictive labour practices.

Last October saw two highly significant reforms: the reform of employees' national insurance contributions which cut contributions for virtually all employees, and removed a major disincentive to the low-paid who previously lost out when their income rose above the two intermediate steps, now abolished; and the abolition of the pensioners' earnings rule which also removed a severe disincentive, allowing a large number of pensioners to work and earn more income without having their pensions abated or eliminated altogether.

We have now launched the first training and enterprise councils, or TECs (local enterprise councils in Scotland), which will be charged with developing the quality effectiveness and relevance to local labour markets of the Government's existing training and business assistance programme.

The Budget last month included a number of measures of specific help to small businesses, whose general success is vital to the efficient operation of the supply side. These included an increase in the small firms corporation tax threshold, a comprehensive system of relief from VAT on bad debts, simplification of VAT registration rules, and the maximum increase in the VAT registration threshold allowed under EC law.

The Budget also gave a further boost to the Government's measures to encourage wider share ownership by increasing the annual limit on investment in

a personal equity plan, and providing capital gains tax deferral for sales of shares to employee share ownership plans. In addition, the Chancellor of the Exchequer announced the Government's intention to abolish stamp duty on share transactions. This will reduce the cost of share dealing, improving the competitiveness of the United Kingdom equity market and encouraging the spread of share ownership. This reform will take effect in late 1991-92, to coincide with the introduction of the stock exchange's TAURUS dematerialised (paperless) share register and settlement system.

Public Sector Investment

Mr. Adley: To ask the Chancellor of the Exchequer if he will make a statement about changing guidelines on public sector investment criteria.

Mr. Norman Lamont: The Treasury issues guidance on investment appraisal by central Government, as do Departments for their own programmes. These documents are revised from time to time to reflect improvements in methodology, the objective in all cases being to achieve best value for money.

Farm Land (Sporting Rights)

Mr. Barry Field: To ask the Chancellor of the Exchequer (1) what representations he has received about the valuation of sporting rights on farm land;

(2) representations he has received about value added tax on sporting rights on farm land.

Mr. Ryder: The only recent representations on these matters of which I am aware are contained in a letter from my hon. Friend to my noble Friend the Paymaster General.

Community Support Loans

Mr. Leighton: To ask the Chancellor of the Exchequer if he will make a statement on the legal conditionality which might attach to any Community support loans referred to in his answer to the hon. Member for Richmond and Barnes (Mr. Hanley) on 3 April, *Official Report*, column *523*.

Mr. Ryder: The possibility of attaching binding economic conditions to support loans from the Community to an individual member state was discussed at the last informal ECOFIN, but no formal proposal has been put forward.

Delors Plan

Mr. Denzil Davies: To ask the Chancellor of the Exchequer what are the latest proposals of the European Community Commission on the Delors plan and the financing by member states of budget deficits by monetary means.

Mr. Ryder: The European Commission's latest report, entitled "Economic and Monetary Union: The Economic Rationale and Design of the System", was deposited in the Vote Office with an explanatory memorandum on Tuesday 24 April. This report notes that there is a "virtual consensus" in the Community in favour of a rule proposing no monetary financing of public deficits.

ECOFIN

Mr. Norris: To ask the Chancellor of the Exchequer if he will make a statement on the outcome of the latest meeting of the European Community's Economic and Finance Council.

Mr. Major: The ECOFIN Council met in Luxembourg on 23 April. The Paymaster General and I represented the United Kingdom. The Council heard a report on the presidency's negotiations with the European Parliament on the revision of the financial perspective but without substantive discussion. The German Finance Minister reported on the latest developments regarding economic and monetary union between the two Germanies. There was further discussion of the site and presidency of the European bank for reconstruction and development. I stressed the strong case for London and the need for an early decision in order to begin the bank's work in eastern Europe as soon as possible. I also emphasised the need to maintain budgetary discipline in the context of agricultural price fixing.

A brief note from the presidency outlining the necessary procedures for conducting multilateral surveillance of member states' economies was also agreed, as was the text of a speech to be given by the presidency at the forthcoming meeting of the interim committee of the International Monetary Fund.

The presidency offered a progress report on discussions concerning the scope of zero and reduced VAT rates, pointing out that there was a need for further work on a wide range of issues before decisions could be taken. In the subsequent discussion, the Paymaster General expressed our regret that no progress was made in accepting the Commission's proposals for substantial increases in travellers' allowances between now and the completion of the single market on 1 January 1993.

A package of three tax measures which would encourage cross-border co-operation in tax affairs was also discussed but without agreement.

Arms Exports

Mr. Cryer: To ask the Chancellor of the Exchequer what routine arrangements exist for co-ordination between Customs and Excise officers and the Department of Trade and Industry to ensure that regulations prohibiting the export of arms are carried out; and if he will make a statement.

Mr. Ryder *[holding answer 23 April 1990]:* Customs and Excise is in regular contact with the DTI on these matters. In particular, whenever customs staff at ports and airports in the course of their routine monitoring arrangements have grounds for suspecting an export licensing irregularity they are required to contact the Department of Trade and Industry for a ruling on the licensability of the items in question.

Unit Labour Costs

Mr. Meacher: To ask the Chancellor of the Exchequer what has been the annual percentage rise in unit labour costs in manufacturing in West Germany, France, Italy, the United States, Japan, Sweden and the United Kingdom since 1979.

Mr. Norman Lamont *[holding answer 23 April 1990]:* Following is the information requested.

Growth in manufacturing unit labour costs in national currencies

	(annual average percentage change)	
	1979-88[1]	*1979-89*
United Kingdom	5·0	4·9
United States	2·3	—
Japan	−1·2	—
Germany	3·2	—
France	6·2	—
Italy	8·5	—
Sweden	6·1	—

[1] Latest complete annual data.
Source: IMF except for United Kingdom (CSO).

Optical Equipment

Mr. Fearn: To ask the Chancellor of the Exchequer how many *(a)* shops and *(b)* manufacturers dealing with optical equipment were trading in Britain in 1987; and what are the current figures.

Mr. Norman Lamont *[holding answer 20 April 1990]*: What information is available is shown in the table.

Total number of legal units registered for VAT as at end of April 1989

	1987	[1]*1989*
(a) Shops		
Opticians	[2]2,200	2,476
Chemists and photographic shops	8,717	8,528
(b) Manufacturers		
Surgical instruments and appliances	409	402
Scientific and industrial instruments and systems	2,807	2,961
Photographic and document copying equipment	124	155

[1] Latest year for which figures are available.
[2] Opticians were not required to register for VAT in 1987. This figure, which is comparable to that shown for 1989, is estimated from entries in the Opticians Register for 1987.
Source: CSO Register of Businesses.

FOREIGN AND COMMONWEALTH AFFAIRS

Cambodia

Mr. Ernie Ross: To ask the Secretary of State for Foreign and Commonwealth Affairs whether he has had an opportunity to discuss the Australian peace proposals for Cambodia; and if he will make a statement.

Mr. Maude: I refer the hon. Member to the reply given by my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs to my hon. Friend the Member for Broxtowe (Mr. Lester) on 26 March, at columns *29-30*.

Afghanistan

Mr. Cummings: To ask the Secretary of State for Foreign and Commonwealth Affairs under what conditions diplomatic relations between the United Kingdom and Afghanistan will be re-established; and if he will make a statement.

Mr. Maude: Diplomatic relations between the United Kingdom and Afghanistan have not been broken. British diplomats were temporarily withdrawn from Kabul in February 1989. It is still too early to say when they will return.

Mr. Cummings: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he will take to prevent weapons from reaching elements opposed to the Government of Afghanistan in Afghanistan; and whether he will raise this matter with the United States of America or at the United Nations.

Mr. Maude: None. We understand the issue of arms supplies to all sides is under discussion by the parties to the 1988 Geneva accords.

China

Mr. Wallace: To ask the Secretary of State for Foreign and Commonwealth Affairs whether any recent representations have been made to the Government of the Republic of China regarding human rights violations since the events in June 1989; and if he will make a statement.

Mr. Maude: We and our EC partners have made our concerns very clear. On 2 and 21 February, the EC presidency in the UN Commission on Human Rights recorded the deep dismay of the international community at the repression of peaceful demonstrations in June 1989, and called upon the Chinese authorities to guarantee full respect for human rights throughout China, including Tibet. On 7 March, Britain and its EC partners co-sponsored a resolution in the Commission on Human Rights critical of human rights violations in China, which was narrowly defeated. We and our EC partners made representations in February to the Chinese Government about the arrests of Catholic priests.

Mr. Allen: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his Department's latest estimate of the number of deaths in the incident in Tiananmen square, Peking.

Mr. Maude: It is not possible to provide a precise figure for the number of deaths in Peking last June. Amnesty International estimated that at least 1,000 civilians died.

Middle East

Mr. Cummings: To ask the Secretary of State for Foreign and Commonwealth Affairs if he has discussed with his Israeli counterpart, or any Israeli official, the issue of nuclear or chemical weapon proliferation in the middle east; and if he will make a statement.

Mr. Waldegrave: No, but my right hon. and learned Friend the then Secretary of State for Foreign and Commonwealth Affairs raised the question of Israeli accession to the nuclear non-proliferation treaty during his talks with Professor Arens on 15 February 1989.

Mr. Cummings: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with the United Nations and other international bodies on the Israeli treatment of the Palestinians.

Mr. Waldegrave: We are in touch with interested UN agencies and other international organisations about Israel's treatment of Palestinians in the occupied territories, which unfortunately often falls below the expected standard. We take every opportunity to remind the Israeli authorities of their obligation to administer the occupied territories in accordance with their obligations under international law.

Mr. Cummings: To ask the Secretary of State for Foreign and Commonwealth Affairs if, through the British consulate in east Jerusalem, Her Majesty's Government are monitoring Israeli use of west bank water resources, in respect of possible contraventions of the 1949 Geneva convention on the responsibilities of occupiers.

Mr. Waldegrave: We take a close interest in all aspects of the Israeli administration of the occupied territories and take every opportunity to remind the Israeli authorities of their obligations to respect international law. My right hon. Friend the then Secretary of State for Foreign and Commonwealth Affairs mentioned the question of discriminatory allocation of water resources to the Foreign Minister of Israel when they met in New York in September last.

Mr. Cummings: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on progress in the middle east peace process and on the relations between the Palestine Liberation Organisation and Her Majesty's Government.

Mr. Waldegrave: Our aim is to encourage a dialogue between Israel and representative Palestinians as a first step towards a comprehensive settlement of the Arab/Israel dispute. We look to the next Israeli Government to pursue such a dialogue with vigour and speed. We use our frequent contacts with the PLO to urge it to maintain its welcome commitment to a peaceful, negotiated settlement.

Mr. Cummings: To ask the Secretary of State for Foreign and Commonwealth Affairs if Her Majesty's Government are monitoring Israeli use of the natural resources of the west bank and Gaza strip.

Mr. Waldegrave: We take a close interest in all aspects of the Israeli administration of the occupied territories, including the use of natural resources, and take every opportunity to remind the Israeli authorities of their obligation to respect international law.

Mr. Cummings: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the United States and the European Community on violations of the 1949 Geneva convention in the occupied territories on the west bank and the Gaza strip; and if he will make a statement.

Mr. Waldegrave: We are in frequent contact with the United States and our EC partners about Israel's administration of the occupied territories. We take every opportunity to remind the Israeli authorities of their obligations under international law.

Israel

Mr. Cummings: To ask the Secretary of State for Foreign and Commonwealth Affairs what information he has on the possession by Israel of chemical, biological, or nuclear weapons.

Mr. Waldegrave: As far as we are aware, Israel has never confirmed or denied possession of chemical, biological or nuclear weapons.

Iraq

Mr. Flynn: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will instruct the United Kingdom ambassador to the United Nations to initiate investigations at the United Nations into the Iraqi nuclear weapons programme.

Mr. Waldegrave: I refer the hon. Member to the reply I gave him on 19 April, at column *1013*. I have nothing further to add.

Libya

Mr. Janman: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received on the article in "Defence and Foreign Affairs Weekly", volume XVI, No. 10, 12 to 18 March, by Gregory R. Copley, on the current situation in Libya and the declining political position of Colonel Gadaffi; and if he will make a statement.

Mr. Waldegrave: We have received no such representations and we have no diplomatic relations with Libya.

Chile

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations have been made by Her Majesty's embassy in Santiago to the new Chilean Government concerning human rights and political prisoners; and if he will make a statement.

Mr. Maude: Shortly before the inauguration of President Aylwin on 11 March, Her Majesty's ambassador wrote to the Minister of Justice-designate to remind him of our concern about excessive delays in the remand procedure under the former regime and its use of military courts to try civilians, and particularly the case of Sra Ledy Castro, since freed on bail.

More recently, my right hon. and learned Friend the Lord President of the Council, who attended the celebrations following President Aylwin's inauguration, expressed to the new Chilean Ministers our satisfaction at their approach to the human rights problem.

ENVIRONMENT

Homelessness

3. **Ms. Armstrong:** To ask the Secretary of State for the Environment what is his most recent assessment of the level of homelessness in England and Wales.

43. **Mr. Clay:** To ask the Secretary of State for the Environment what is his estimate of the total housing needs of homeless people.

Mr. Michael Spicer: The most recent figures available give a total of 31,840 households accepted as homeless by local authorities in England in the last quarter of 1989. Homelessness in Wales is a matter for my right hon. Friend the Secretary of State for Wales.

19. **Mr. Sheerman:** To ask the Secretary of State for the Environment if he will give the latest figures for homelessness in Yorkshire and Humberside region; and if he will make a statement.

Mr. Chope: Accommodation was found for 3,100 households accepted as homeless by local authorities in Yorkshire and Humberside in the last quarter of 1989.

34. **Mr. Janner:** To ask the Secretary of State for the Environment what representations he has received regarding the level of homelessness in Leicester.

Mr. Michael Spicer: Over the past year my officers have discussed the problem of homelessness with Leicester city council twice. The director of housing has written to my Department requesting additional resources to help deal with it.

58. **Mr. Corbyn:** To ask the Secretary of State for the Environment what proposals he has to fund programmes to accommodate permanently people sleeping rough in London.

Mr. Skinner: To ask the Secretary of State for the Environment if he will make a statement on the implementation of new proposals to deal with the problem of teenage homelessness.

Mr. Michael Spicer: The Government are concerned about the needs of rough sleepers and Departments are looking at the way their policies work together to ensure that appropriate assistance is available. An announcement will be made in due course.

62. **Mr. Ian Taylor:** To ask the Secretary of State for the Environment what proportion of households accepted as homeless in 1989 was as a result of a breakdown in family life or because of a breakdown of a relationship with a partner.

Mr. Michael Spicer: Local authorities make quarterly returns of the numbers of households for which they have accepted responsibility for securing accommodation under the homelessness provisions of the Housing Act 1985. They also provide a breakdown of these acceptances by the main immediate reasons for homelessness.

For 1989 the figures are as follows:

	per cent.
Parents, relatives or friends no longer able/willing to accommodate	43
Breakdown of relationship with partner	17
Mortgage arrears	6
Rent arrears:	
Local authority dwellings	3
Private dwellings	2
Loss of private rented dwelling (other reasons)	12
Loss of service tenancy	4
Other	13
ALL REASONS	100
(Number of households accepted—100 per cent.	(126,240)

51. **Mr. Fraser:** To ask the Secretary of State for the Environment whether he has any new proposals to deal with the problem of homeless families and homeless single people.

69. **Mr. Squire:** To ask the Secretary of State for the Environment if he will make a further statement on Government assistance for the homeless.

73. **Mr. McCartney:** To ask the Secretary of State for the Environment whether he plans any new initiatives to deal with homelessness.

81. **Mr. Leighton:** To ask the Secretary of State for the Environment whether he will make a further statement on the progress of his proposals about homelessness in England and Wales.

Mr. Michael Spicer: I refer the hon. Members to the reply I gave earlier to my hon. Friend the Member for Stevenage (Mr. Wood).

52. **Mr. Meale:** To ask the Secretary of State for the Environment what plans he has to use Government owned empty property for homeless families.

Mr. Michael Spicer: I refer the hon. Member to my earlier reply to the hon. Member for Vauxhall (Miss Hoey).

Local Government Finance

12. **Mr. Loyden** To ask the Secretary of State for the Environment when he will next meet representatives of local government to discuss the poll tax.

61. **Mr. Patchett** To ask the Secretary of State for the Environment when he will next meet representatives of local government to discuss the poll tax.

70. **Ms. Gordon:** To ask the Secretary of State for the Environment when he will next meet representatives of local government to discuss the poll tax.

Mr. Chris Patten: There is no meeting fixed at present.

16. **Mr. Robert G. Hughes:** To ask the Secretary of State for the Environment if he will list the five boroughs in inner London with the highest overspend in terms of £ sterling per head over standard spending assessment.

Mr. David Hunt: The five inner London boroughs whose 1990-91 budgets represent the highest overspends in pounds per head of relevant population compared with their standard spending assessments are:

Greenwich
Lambeth
Hammersmith
Southwark
Tower Hamlets

26. **Mr. Nellist:** To ask the Secretary of State for the Environment what representations he has received opposing the poll tax since 1 April; and if he will make a statement.

Mr. David Hunt: I continue to receive representations on a wide range of issues including the level of charge which some authorities have chosen to set.

27. **Mr. David Porter:** To ask the Secretary of State for the Environment if he will list the 10 local authorities in England with the highest community charge.

Mr. David Hunt: The list is as follows:

	£
Haringey	573
Lambeth	548
Camden	534

	£
Hackney	499
Islington	499
Brent	498
Bristol	490
Oxford	489
Basildon	478
Derby	458

29. **Mr. Livsey:** To ask the Secretary of State for the Environment what recent representations he has received from young people about the community charge.

Mr. Chris Patten: I continue to receive representations from both young and old people on a wide range of issues related to the community charge.

30. **Mr. Colin Shepherd:** To ask the Secretary of State for the Environment what representations he has received on the operation by local authorities of the standard charge in respect of empty properties.

Mr. Chope: I continue to receive representations on a wide range of issues related to the standard community charge including the use that local authorities make of their discretion to levy no charge or a lower charge in respect of certain types of empty property.

32. **Mr. Matthew Taylor:** To ask the Secretary of State for the Environment what are the expected receipts from the uniform business rate in Cornwall for 1990-91; and what contribution is to be made from the uniform business rate to Cornwall.

Mr. Chope: The provisional amount which local authorities in Cornwall are to pay into the national non-domestic rating pool in 1990-91 is £50,105,153.

The amount of redistributed business rates which will be paid to authorities in Cornwall for 1990-91 is £102,492,371. This money is paid in support of parish, district and county council services in the area and is nearly £293 per adult.

35. **Mr. David Evans:** To ask the Secretary of State for the Environment what estimate he has as to the number of sports clubs and facilities that will benefit in real terms from lower rate bills as a result of the introduction of the uniform business rate and the non-domestic revaluation.

Mr. Chope: I refer the hon. Member to the answer I gave on 19 March 1990 to my hon. Friend the Member for Basildon (Mr. Amess) and the hon. Member for Glasgow, Rutherglen (Mr. McAvoy) at column *483*.

36. **Mr. Jacques Arnold:** To ask the Secretary of State for the Environment how many representations he has received in favour of a tax on capital values in place of the community charge.

Mr. Chope: I am not aware of any representations in favour of capital value rates.

41. **Miss Widdecombe:** To ask the Secretary of State for the Environment how many recent representations he has received in favour of a local income tax in place of the community charge.

Mr. Chope: We continue to receive many representations on all aspects of the community charge; however, only a relatively small number suggest that the community charge should be replaced by a system of local income tax.

48. **Mr. French:** To ask the Secretary of State for the Environment what representations he has received about the standard community charge on empty properties.

Mr. Chope: I have received and continue to receive many representations on all aspects of the standard community charge.

49. **Mr. Marland:** To ask the Secretary of State for the Environment what representations he has received about hardship caused by his decision not to make 1 April the starting date for empty property being liable for the community charge; and if he will make a statement.

Mr. Chope: While I have received a large number of representations about empty properties and the standard community charge, I have received very few about this particular aspect.

50. **Mr. Geraint Howells:** To ask the Secretary of State for the Environment what recent representations he has received from private tenants about the community charge and levels of rents.

Mr. Chope: I have received and continue to receive representations on a wide range of issues related to the community charge including from private tenants. My Department has recently produced a leaflet giving advice to people in rented accommodation on their rights following the abolition of domestic rates.

55. **Mr. Cummings:** To ask the Secretary of State for the Environment if he will make a statement on his plans to review standard spending assessments for 1991-92.

83. **Mr. Cousins:** To ask the Secretary of State for the Environment if he will make a statement on his plans to review standard spending assessments for 1991-92.

100. **Mr. Steinberg:** To ask the Secretary of State for the Environment if he will make a statement on his plans to review standard spending assessments for 1991-92.

Mr. Chope: My right hon. Friend has made it clear both in the House on 18 January, and on many subsequent occasions, that any fresh evidence in support of a new methodology for calculating standard spending assessments will be considered with a view to making changes if that should prove necessary. Officials have already begun discussions with local authority representatives with a view to establishing a programme of work for examining any such fresh evidence.

65. **Mr. Darling:** To ask the Secretary of State for the Environment what plans he has for further changes to the poll tax system in 1990-91.

75. **Mr. Rees:** To ask the Secretary of State for the Environment what plans he has for further changes to the poll tax system in 1990-91.

84. **Mr. Stott:** To ask the Secretary of State for the Environment what plans he has for further changes to the poll tax system in 1990-91.

Mr. Chope: None.

78. **Mr. Wall:** To ask the Secretary of State for the Environment what recent representations he has received concerning the community charge.

Mr. Chope: I have received and continue to receive a large number of representations on a wide range of issues concerning the community charge.

89. **Mr. Amess:** To ask the Secretary of State for the Environment what representations he has received from the Basildon area on his charge-capping decision.

Mr. Chope: None so far.

90. **Mr. Hind:** To ask the Secretary of State for the Environment how many Labour-controlled local authorities in England and Wales have planned to increase their expenditure above the rate of inflation in 1990-91; and if he will make a statement.

Mr. Chope: Information showing the increase in demands and precepts over corresponding figures of income from rates and grant in 1989-90 for each local authority in England has today been placed in the Library of the House.

92. **Mr. Fearn:** To ask the Secretary of State for the Environment what recent representations he has received from hoteliers and guest house proprietors about the uniform business rate.

Mr. Chope: My right hon. Friend has received a number of recent representations from hoteliers and guest house proprietors on this matter.

93. **Mr. David Shaw:** To ask the Secretary of State for the Environment if he will list the 10 local authorities with the highest levels of uncollected council house rents.

Mr. Chope: The 10 local authorities with the highest arrears as a percentage of their rent roll at the end of 1988-89 were as follows:

	Rent arrears (£000s)	*Arrears as a percentage of rent roll*
Brent	[1]13,713	49·0
Lambeth	17,492	35·7
Southwark	[1]26,820	35·5
Hackney	12,357	30·3
Islington	13,081	28·9
Ealing	5,651	26·2
Liverpool	15,292	26·2
Haringey	7,200	25·6
Waltham Forest	4,365	20·6
Newham	5,373	16·0

[1] DOE estimate of rent arrears.

103. **Mr. Dykes:** To ask the Secretary of State for the Environment what recent representations he has received against the proposals for community charge capping.

Mr. Chope: The Department has received a number of letters against capping since my right hon. Friend's statement to the House on 3 April.

Sir Peter Emery: To ask the Secretary of State for the Environment if he will list in real and percentage terms, the actual community charge for each local authority with the assumed community charge made by Her Majesty's Government on 11 January.

64. **Mr. Butler:** To ask the Secretary of State for the Environment if he will list the 10 London boroughs with the highest overspend in terms of £ sterling per head over standard spending assessment.

72. **Mr. Janman:** To ask the Secretary of State for the Environment if he will list the top 10 local authorities in England with the highest overspending in terms of £ sterling per head over standard spending assessment.

91. **Mr. Burns:** To ask the Secretary of State for the Environment if he will list the 10 county councils with the highest overspend in terms of £ sterling over standard spending assessment.

94. **Mr. Jessel:** To ask the Secretary of State for the Environment if he will list the 10 London boroughs with the highest community charge.

97. **Mr. Tracey:** To ask the Secretary of State for the Environment if he will list the five boroughs in inner London with the highest community charge.

98. **Mr. Hayward:** To ask the Secretary of State for the Environment if he will list the top 10 local authorities in England with the highest percentage overspend over standard spending assessment.

Mr. Chris Patten: I am arranging for a summary of information relating to the demands, precepts and community charges set for each authority to be placed in the Libraries of both Houses.

Mr. Fearn: To ask the Secretary of State for the Environment if he will list the alterations that he recently considered making to the community charge.

Mr. Chope: We continue to keep all aspects of local government finance policy under review.

Dr. Thomas: To ask the Secretary of State for the Environment if he will amend the relevant poll tax regulations to ensure that wardens of retirement people's homes living residentially during the week, but in their own homes at weekends, do not have to pay two lots of poll tax bills.

Mr. Chope: Individuals are subject to the personal community charge for the area where they have their main residence and cannot be subject to more than one personal charge. Individuals with a freehold or leasehold interest in a second residence may be subject to a standard charge only if that residence is not used as the main residence of another person. It is possible that wardens of retirement homes could be liable to a standard charge but where the nature of their employment and household circumstances causes this, the local authority has a discretion to set the multiplier at a zero or low multiplier.

Dr. Thomas: To ask the Secretary of State for the Environment (1) what guidelines have been given to local councils on the charging of standard poll tax to those payers in the process of selling their second homes:

(2) if he will amend poll tax guidelines to local councils so as to ensure that those currently selling off property but living elsewhere are not subject to poll tax for the property which is in the process of being sold.

Mr. Chope: We have prescribed in the Community Charge (Administration and Enforcement) Regulations 1989 that no standard charge is payable in respect of unoccupied property which is substantially unfurnished and has been so for less than three months. This would include properties which are in the process of being sold.

There was a similar arrangement under the domestic rating system. Local authorities have discretion to extend the period of relief or to set a multiplier different from the one generally applied. My Department has written to local authorities explaining the scope and exercise of this discretion.

Mr. Favell: To ask the Secretary of State for the Environment what is the percentage in expenditure for which Stockport metropolitan borough council is budgeting this year; and if he will make a statement.

Mr. Chope: *[holding answer 23 April 1990]:* Information comparing the demands of individual local authorities with corresponding information for 1989-90 has been placed in the Library of the House.

Local Government Associations

20. **Mr. Anthony Coombs:** To ask the Secretary of State for the Environment when he last met the Association of County Councils; and what matters were discussed.

Mr. Chris Patten: I last met the leader of the Association of County Councils on 27 March. Representatives of the Association of Metropolitan Authorities and of the Association of District Councils were also present. We discussed the community charge.

82. **Mr. Oppenheim:** To ask the Secretary of State for the Environment when he last met the Association of District Councils; and what matters were discussed.

Mr. Chope: My right hon. Friend the Secretary of State met the Association of District Councils on 27 March. The Association of County Councils and the Association of Metropolitan Authorities were also present. They discussed the community charge.

Rents

Ms. Short: To ask the Secretary of State for the Environment what proposals he has to maintain rents at affordable levels in England and Wales.

Mr. Chope: In respect of England, I refer the hon. Member to the answer I gave earlier today to the hon. Member for Bristol, South (Ms. Primarolo). Rents in Wales are a matter for my right hon. Friend the Secretary of State for Wales.

39. **Mr. Frank Cook:** To ask the Secretary of State for the Environment whether he is satisfied that local authority rent increases properly reflect Government guidelines.

Mr. Chope: It is for each local authority to set its own rents. The guidelines merely seek to ensure that housing revenue account subsidy is targeted to reflect the needs of authorities, and to encourage a more sensible pattern of rents.

54. **Mr. Redmond:** To ask the Secretary of State for the Environment whether he proposes to issue any new guidance on rent levels.

87. **Mr. Hinchliffe:** To ask the Secretary of State for the Environment whether he proposes to issue any new guidance on rent levels.

Mr. Chope: We will not be issuing any further rent guidelines for 1990-91 but local authorities and their associations will be consulted in due course on rent guidelines and related matters for 1991-92.

Sewerage

25. **Mr. Harris:** To ask the Secretary of State for the Environment what information he has on the level of investment planned by the water industry over the next 10 years in the sewerage network.

46. **Mr. Roger King:** To ask the Secretary of State for the Environment what information he has on the level of investment planned by the water industry over the next 10 years in sewage treatment.

Mr. Trippier: Of the total investment of £26·3 billion allowed for in determining charges limits for the water industry in England and Wales some £5·3 billion was for investment at sewage treatment works, £5·7 billion for investment in the sewerage network and £1·2 billion for investment in sea and estuarial outfalls. Discussions with the water industry are now in hand to revise these investment programmes to take account of the Secretary of State's recent announcement that in future all significant discharges of sewage to sea should be treated and that dumping of sewage sludge at sea should be ended.

Rivers

28. **Mr. Andy Stewart:** To ask the Secretary of State for the Environment what percentage of British rivers are of good or fair quality; and what is the comparable figure in the rest of Europe.

Mr. Trippier: A review of river classification schemes across the European Community published in 1988 by the water research centre showed that 95 per cent. of river length in the United Kingdom was of good or fair quality compared with 75 per cent. in the European Community as a whole. The review also indicated that no other member state bettered our position.

31. **Dr. Goodson-Wickes:** To ask the Secretary of State for the Environment what progress is being made by the National Rivers Authority in tackling the pollution of rivers.

Mr. Heathcoat-Amory: The National Rivers Authority has already demonstrated clearly its commitment to effective regulation of water quality. A number of offenders have been successfully prosecuted, and many more have received formal warnings. The authority has embarked on a number of reviews of key policy areas, including the discharge consent system, and it will carry out a national survey of river water quality in 1990.

79. **Mr. Mans:** To ask the Secretary of State for the Environment what percentage of river pollution to the North sea comes from *(a)* the river Rhine, *(b)* the river Elbe, *(c)* continental rivers as a whole and *(d)* British rivers as a whole.

60. **Mr. Hague:** To ask the Secretary of State for the Environment what percentage of input of contaminants into the North sea from rivers comes from English rivers.

67. **Mr. Fishburn:** To ask the Secretary of State for the Environment what percentage of pollution in the North sea comes from British rivers.

Mr. Heathcoat-Amory: Rivers are the most important source of North sea pollution, but their exact contribution varies according to the contaminant and year chosen for study.

The most recent comprehensive information available comes from a study published this year by the Netherlands-based International Centre for Water Studies, and I am arranging for copies to be placed in the Library. This shows in broad terms that the combined effect of all United Kingdom rivers flowing into the North sea is to contribute about 20 per cent. of river-borne contaminants. The remaining 80 per cent. of river-borne contaminants come from continental rivers with the Rhine-Meuse contributing about 30 per cent. and the Elbe around 35 per cent.

Housing

33. **Mr. Allen McKay:** To ask the Secretary of State for the Environment when he last met the director of the Institute of Housing; and what was discussed.

86. **Mr. Lofthouse:** To ask the Secretary of State for the Environment when he last met the director of the Institute of Housing; and what was discussed.

Mr. Chope: I last met the director when I addressed the institute's presidential dinner on Thursday 1 March. My speech concentrated on housing management issues and the many new initiatives introduced by my Department to improve and enhance management practice. I encouraged the institute to play its part in promoting good management and in the productive working relationship it has with my Department.

37. **Mr. Chris Smith:** To ask the Secretary of State for the Environment if he will make a statement on the Government's policy on the supply of rented accommodation.

74. **Mr. Sedgemore:** To ask the Secretary of State for the Environment what proposals he has to increase the supply of rented accommodation.

Mr. Chope: The Government's aim is to ensure that decent housing is within reach of every family, and that enough subsidised rented accommodation is available for those who cannot afford to rent privately or to buy. The increases in public expenditure provision for housing association investment announced by my right hon. Friend the Chancellor of the Exchequer in his autumn statement, together with the increased scope for housing associations to use private finance, are a major step towards achieving that aim.

38. **Mr. Barron:** To ask the Secretary of State for the Environment what allocation of the housing investment programme for 1990-91 is being allowed for building new dwellings, and if he will make a statement.

Mr. Chope: It is for local authorities to decide their own priorities in using the resources available to them from housing investment programme (HIP) allocations and usable capital receipts, although the Government have encouraged them to concentrate on the improvement of their own stock and assisting private owners with grants. The task of providing new subsidised homes for rent and sale is increasingly passing to housing associations, with local authorities fulfilling an enabling role.

45. **Mr. Buckley:** To ask the Secretary of State for the Environment if he will give the figures for the housing investment programme allocation in 1979 and 1990, updated to 1990 prices; and if he will make a statement.

76. **Mr. Boyes:** To ask the Secretary of State for the Environment if he will give the figures for the housing investment programme allocation in 1979 and 1990, updated to 1990 prices, and if he will make a statement.

Mr. Chope: The relevant figures for England are £5·43 billion and £2·16 billion respectively. However, since 1979 local authority spending has been enhanced significantly by resources released through the sale of council houses to their tenants.

66. **Mr. Madden:** To ask the Secretary of State for the Environment what is the average annual rate of decline of council house building between 1979 and 1989.

Mr. Chope: The figures for new house building in England in 1989 are contained in table 1.2(a) "Housing and Construction Statistics, Part 1" No. 40; those for 1979 are in table 6.1(a) of "Housing and Construction Statistics 1978-1988". Copies are in the Library.

71. **Mr. Battle:** To ask the Secretary of State for the Environment what percentage of housing stock is estimated to be empty in *(a)* the local authority sector, *(b)* the housing association sector, *(c)* the private sector and *(d)* the Government sector.

Mr. Chope: I refer the hon. Member to the answer given by my hon. Friend the Minister for Housing and Planning on 27 February 1990 to the hon. Member for Hammersmith (Mr. Soley) at columns *180-81*.

96. **Ms. Mowlam:** To ask the Secretary of State for the Environment whether he has any new proposals to assist first-time home buyers.

Mr. Chope: I refer the hon. Member to the answer given by my hon. Friend the Minister for Housing and Planning on 21 February to the hon. Member for Leicester, South (Mr. Marshall) at column *741*.

57. **Mr. Flannery:** To ask the Secretary of State for the Environment what action he is taking to make private housing properties which are unfit for human habitation or lacking basic amenities adequate for letting to help reduce waiting lists of local authorities; and if he will make a statement.

Mr. Michael Spicer: I refer the hon. Member to the answer given earlier today to the hon. Member for Newcastle-under-Lyme (Mrs. Golding).

Action for Cities

40. **Mr. Andrew Mitchell:** To ask the Secretary of State for the Environment what is the total sum being spent on the Government's action for cities programme.

Mr. Moynihan: I refer my hon. Friend to the reply given to my hon. Friend the Member for Surbiton (Mr. Tracey) on 7 March at columns *734-35*.

Hazardous Waste

42. **Mr. Watts:** To ask the Secretary of State for the Environment what percentage of hazardous waste disposed of in Britain is imported from abroad.

Mr. Trippier: The latest figures available for England and Wales indicate that imports are about 2 per cent. of total disposals.

44. **Mr. Patrick Thompson:** To ask the Secretary of State for the Environment what progress has been made on implementing the agreement reached at the last North sea conference on the disposal of polychlorinated biphenyls.

Mr. Heathcoat-Amory: Ministers of North sea states meeting in March at the third North sea conference held in The Hague agreed to take measures to phase out and destroy all remaining identifiable uses of polychlorinated biphenyls by 1999 at the latest, making use of storage only as an interim option and with each country pledging to develop destruction facilities to allow each to deal with its own waste.

Provisional estimates indicate that the United Kingdom already possesses sufficient destruction capacity to deal with its PCB waste. This and other aspects of the North sea conference declaration will be the subject of a guidance note on implementation, which I propose to publish within the next two months.

56. **Mr. Day:** To ask the Secretary of State for the Environment what is his policy on the import of hazardous waste from abroad.

Mr. Trippier: The Government are not opposed to imports of hazardous waste to specialised facilities which are available here but not in the country of origin provided that the imports are properly notified and in accordance with all the relevant regulations. The Government are advocating, internationally, that developed countries should aim to be self-sufficient in waste disposal facilities so that transfrontier movements are reduced to a minimum.

104. **Mr. Gill:** To ask the Secretary of State for the Environment when he will announce his action plan for implementing the agreements reached at the last North sea conference.

Mr. Heathcoat-Amory: I hope to publish a full report, detailing how we intend to implement all of the measures agreed at the third North sea conference, within the next two months.

Carbon Dioxide Emissions

47. **Mr. Lewis:** To ask the Secretary of State for the Environment what action the Government are taking to reduce carbon dioxide emissions.

Mr. Trippier: Within the Department of the Environment we have announced changes to the building regulations which will result in significant improvements in energy efficiency. The principal sources of emissions of carbon dioxide are from the energy and transport sectors, and measures to reduce these are a matter for my right hon. Friends the Secretaries of State for Energy and for Transport.

Recycling

53. **Mrs. Roe:** To ask the Secretary of State for the Environment what further steps he is taking to increase the amount of waste that is recycled.

Mr. Heathcoat-Amory: The Environmental Protection Bill contains a range of measures which will help to bring recycling to the forefront of waste disposal strategies in the United Kingdom. These include stricter controls on waste disposal by landfill and other means which will increase their costs and make recycling more attractive, and a requirement for all waste regulation authorities to give priority to recycling in their waste disposal plans wherever it is practicable to do so. Authorities will be permitted to specify recycling as a disposal option when letting contracts for the disposal of their waste even if it may be more expensive than traditional disposal methods. All waste collection authorities will have to draw up recycling plans and they will be permitted to arrange for the recycling of all the waste that they collect unless the disposal authority has an existing recycling contract for it.

A joint DTI and DOE recycling advisory group has been examining, in conjunction with the Government's Warren Spring laboratory, the market barriers that prevent recycling from accounting for a higher proportion of the domestic waste stream. The reports of this group will be used in drawing up proposals for the forthcoming White Paper on the environment.

Following Royal Assent to the Environmental Protection Bill, comprehensive guidance will be given to local authorities and others on the new obligations and powers.

Advice will also be given to the public to explain how they can fulfil the vital role that they will have in co-operation with local authorities to keep the recyclable part of their waste clean and fit for re-use.

My right hon. Friend the Secretary of State for Trade and Industry will be continuing to hold discussions with manufacturing industry to encourage it to use more recycled waste in its processes and to develop the markets for the increasing quantity of recyclables that will be collected.

World Student Games

59. **Mr. John Carlisle:** To ask the Secretary of State for the Environment whether he has approved any funding towards the cost of the World Student Games in Sheffield.

Mr. Moynihan: The organisers of the World Student Games have made it clear from the outset that theirs was a private sector bid. The Government clearly stated that they would not be providing direct financial support to the games, since all central Government funding for sport is directed to the Sports Council. However, £9·45 million has been provided for games-related projects through urban programme funding, derelict land grant and city grant where normal programme criteria were fully met. In addition, the Sports Council has indicated that, subject to certain conditions, it would be prepared to earmark some £3 million in support of the games. Together these provide a substantial contribution to the games.

Environmental Labelling

63. **Mr. Evennett:** To ask the Secretary of State for the Environment whether he has any plans to introduce a scheme of official labelling for environmentally friendly products.

Mr. Trippier: Yes. My right hon. Friend the Secretary of State for the Environment announced on 9 January at columns *589-91* the basis on which the Government intend to establish a scheme of eco-labelling, and indicated that

an advisory group would be set up to help develop a suitable scheme. We expect to announce the membership of the group very shortly.

Conservation

68. **Mr. Tony Banks:** To ask the Secretary of State for the Environment when he last met the Royal Society for the Protection of Birds to discuss conservation measures.

Mr. Trippier: My right hon. Friend has not yet had the opportunity for a formal meeting with the Royal Society for the Protection of Birds. There are, however, frequent contacts at official level between my Department and the voluntary conservation bodies, including the RSPB.

Water Pollution

77. **Mr. Tony Lloyd:** To ask the Secretary of State for the Environment what was the total number of water pollution incidents in 1988.

Mr. Heathcoat-Amory: The total number of reported water pollution incidents in England and Wales in 1988 was 26,926. This information is published in the annual "Digest of Environmental Protection and Water Statistics", copies of which are available in the Library of the House.

80. **Mr. David Davis:** To ask the Secretary of State for the Environment what steps he is taking to minimise the input of dangerous substances into the North sea.

Mr. Heathcoat-Amory: Important new agreements on the reduction of inputs of dangerous substances into the North sea were reached in early March at the third North sea conference held in The Hague. These include the reduction by 70 per cent., or more if possible, of inputs of several of the most hazardous substances (such as cadmium, mercury, dioxins and lead) by 1995 and the reduction by 50 per cent. or more of air inputs for 17 substances, as well as agreement on a new common list of 36 substances dangerous in the aquatic environment on which reductions are required for all inputs to rivers, estuaries and coastal waters.

These new agreements build on existing reduction timetables set at the second conference hosted by the United Kingdom. Significant progress, as set out in the United Kingdom North sea action plan, has already been made towards reaching the 50 per cent. target for reduction in river inputs by 1995.

I intend to publish a guidance note on implementation of these and other aspects of the third conference declaration within the next two months.

Unleaded Petrol

85. **Mr. Andrew MacKay:** To ask the Secretary of State for the Environment if he will make a statement on the progress of his Department's campaign to increase the use of unleaded petrol.

Mr. Heathcoat-Amory: The unleaded petrol campaign has been a great success. In the 12 months from January last year the market share of this fuel increased from 2 per cent. to 29 per cent. and is now over 30 per cent. We expect that the increased differential in duty between unleaded and leaded petrol, introduced in the recent Budget announced by my right hon. Friend the Chancellor of the Exchequer, will increase the rate of take-up of unleaded petrol.

Fly-tipping

88. **Mr. Gerald Bowden:** To ask the Secretary of State for the Environment what action he is taking against fly-tipping.

Mr. Trippier: The new duty of care in the Environmental Protection Bill will place a legal duty on producers and other holders of waste to take measures to prevent illegal disposal and to secure the transfer of waste only to authorised persons. They will also be required to keep records of waste consignments. These measures, in combination with the compulsory register of waste carriers introduced by the Control of Pollution (Amendment) Act 1989, will greatly assist the deterrence, detection and prosecution of fly-tippers. In addition, local authorities will be empowered to impound vehicles suspected of fly-tipping until someone comes forward entitled to reclaim them, and the person in a position to control the use of a vehicle will become responsible for fly-tipping offences committed using that vehicle.

Chlorofluorocarbons

95. **Mr. Martyn Jones:** To ask the Secretary of State for the Environment what steps he is taking to reduce the use of chlorofluorocarbons.

Mr. Trippier: The Montreal protocol restricts the supply of chlorofluorocarbons. In the negotiations to revise the protocol the Government are pressing for much tighter restrictions on supply, leading to a phase-out within 10 years.

Sites of Special Scientific Interest

99. **Mr. Cohen:** To ask the Secretary of State for the Environment what representations he has received about damage done to sites of special scientific interest.

Mr. Trippier: I have received a number of representations from a wide range of individuals and interested bodies.

Ms. Walley: To ask the Secretary of State for the Environment what guidance he gives on the criteria adopted by local authorities in determining whether or not to review planning permission given for operations on, or which would otherwise affect, a site of special scientific interest.

Mr. Moynihan: The Department's circular 27/87 gives general guidance about development control in relation to nature conservation. I also refer the hon. Member to the answer given to her on 8 March 1990 by my hon. Friend the Minister for Housing and Planning at column *802*.

Right to Buy

101. **Mr. Amos:** To ask the Secretary of State for the Environment what is the latest information he has available on the level of delays by local authorities processing right-to-buy applications.

Mr. Chope: Serious delays continue to cause concern in some London boroughs, although the position is generally improving. Tenants are making good use of the procedure introduced last year by which they can require the landlord either to take the next step in the sale or put the rent toward the purchase price. The necessary forms are available from the Department's regional offices.

Common Land

102. **Mr. Andrew F. Bennett:** To ask the Secretary of State for the Environment if he will make a statement about proposals relating to access to common land.

Mr. Heathcoat-Amory: I refer the hon. Member to the answer I gave the hon. Member for Don Valley (Mr. Redmond) on 27 March at column *116*.

European Community Environment Directives

105. **Mr. Robert B. Jones:** To ask the Secretary of State for the Environment whether he is seeking any changes in the method adopted by the European Commission for investigating complaints about infractions of European Community environment directives.

Mr. Trippier: We have for some time been pressing the Commission to take a more focused and rigorous approach towards ensuring the effective implementation of Community environment legislation in all member states. I am pleased that the Commission is increasing its efforts in this area, and I welcome recent initiatives to improve public awareness of member states' performance in meeting their legal obligations.

Cetaceans

Mr. Flynn: To ask the Secretary of State for the Environment what new initiatives he is preparing to investigate the incidence of disease of cetaceans in British coastal waters.

Mr. Trippier: Relatively little is known about the epidemiology of diseases of wild animals. The experience of the 1988 seal virus has reinforced the need for greater study of this area. I am currently considering proposals for projects to study marine mammal strandings, including small cetacean species, in the coastal waters of England and Wales including tissue sampling, post mortem examinations, analysis of contaminants and other tests as required. I have also placed a contract with the Institute of Terrestrial Ecology of the Natural Environment Research Council to review existing knowledge and assess future needs on wildlife disease generally, including marine mammals.

Local Authority Borrowing

Mr. Ralph Howell: To ask the Secretary of State for the Environment how much money was borrowed by local authorities, which was *(a)* sanctioned by Government and *(b)* not sanctioned by Government (i) overall and (ii) from abroad, in each year since 1979.

Mr. Chope: Total net external borrowing, that is net of repayments, and total net direct borrowing from abroad by local authorities in England was as follows:

	Total net borrowing (£ million)	*of which direct from abroad (£ million)*
1979-80	2,228	n/a
1980-81	1,741	6
1981-82	−326	7
1982-83	42	15
1983-84	1,018	32
1984-85	2,246	8
1985-86	2,042	71
1986-87	1,703	14
1987-88	2,152	45
1988-89	2,588	19

Local authorities may borrow without the approval of my right hon. Friend in anticipation of revenue and for the purpose of repaying existing loans. They may also borrow for any other purpose or class of purpose approved by my right hon. Friend. In practice, in the years mentioned in the question local authorities operated loans pools which were partly funded by external borrowing and partly from internal sources such as balances and unapplied capital receipts. Expenditure financed from loans pools under borrowing approvals given by my right hon. Friend was as follows:

	Expenditure financed from loans pools (£ million)
1979-80	2,992
1980-81	2,900
1981-82	2,527
1982-83	3,358
1983-84	3,538
1984-85	3,381
1985-86	3,008
1986-87	2,814
1987-88	2,953
1988-89	not yet available

Private Rented Accommodation

Mr. David Atkinson: To ask the Secretary of State for the Environment if he has any evidence of a change in the level of private rented accommodation arising from the implementation of the Housing Act 1988; and if he will make a statement.

Mr. Chope: It is too early to assess the overall impact of deregulation on the supply of rented accommodation, but there are clear signs of increased activity in the residential lettings market. In particular, we estimate that about £480 million has so far been invested in business expansion scheme companies letting on assured tenancies, which will provide some 8,000 additional homes for letting.

Mr. David Atkinson: To ask the Secretary of State for the Environment if he has any plans to promote the provisions of the Housing Act 1988 to potential landlords to encourage private rented accommodation.

Mr. Chope: My Department has published 11 booklets for both landlords and tenants since part I of the Housing Act 1988 came into force on 15 January 1989. Nearly 2 million of these free booklets have been sent out. Our latest booklet, "Want to Rent a Room", was launched this week.

EC Member States (Environment Offences)

Mr. Butterfill: To ask the Secretary of State for the Environment if he will list the number of European Court of Justice cases taken against each member country for environment-related offences since 1984; and if he will make a statement.

Mr. Trippier: The table below gives the number of court cases on environmental directives for each member state since 1985, based on the best information my Department has been able to collect. Figures for 1989 and 1990 are not complete as no annual report on Commission monitoring of the application of Community law has yet been published for these years.

It can be seen from the table that the United Kingdom has an excellent record compared with other member states. Excluding Portugal, where most Community environmental legislation has been applicable only since 1989, only Denmark has been taken to the ECJ fewer times for breaches of environmental directives.

Environmental ECJ cases by country: 1985-90

	1985	*1986*	*1987*	*1988*	*1989*	*1990*	*Total*
Belgium	7	1	0	2	3	1	14
Denmark	1	0	0	0	0	0	1
France	2	0	0	4	2	2	10
FRG	2	0	0	4	4	1	11
Greece	1	0	2	0	2	0	5
Ireland	1	1	0	3	0	0	5
Italy	3	1	1	4	7	0	16
Luxembourg	1	1	0	2	1	0	5
Netherlands	1	0	1	1	1	0	4
Portugal	—	—	—	—	—	0	0
Spain	—	—	—	0	2	2	
United Kingdom	0	0	0	0	1	1	2
Total	19	4	4	20	23	5	75

Child Care and Family Services

Mr. Leighton: To ask the Secretary of State for the Environment what mechanisms his Department has to deal with services and policies on child care and family services.

Mr. Chris Patten: A ministerial group on women's issues was established in 1986 under Home Office chairmanship to co-ordinate policy issues of special concern to women. My hon. Friend the Parliamentary Under-Secretary of State, the Member for Southampton, Itchen (Mr. Chope), is a member of the group. Issues on which the group has focused in the past 12 months include child care and domestic violence.

As an employer my Department operates a range of policies to support working parents. These include career breaks of up to five years, with an associated keeping in touch scheme and extensive opportunities for part-time working. Paternity leave arrangements will be introduced shortly. The Department has also supported play schemes in central London and the regions and further proposals are under consideration.

Planning Permission

Ms. Walley: To ask the Secretary of State for the Environment whether he has any power to provide financial assistance to local authorities for purposes connected with revocation or discontinuance of planning permissions.

Mr. Moynihan: My right hon. Friend has no statutory powers specifically to give such assistance.

Development Projects

Mr. Wigley: To ask the Secretary of State for the Environment whether district valuers have any function in evaluating the financial viability of development projects being considered by local planning authorities for planning permission; and if he will make a statement.

Mr. Moynihan: District valuers are not formally required to evaluate the financial viability of development projects being considered by local planning authorities for planning permission. There is nothing, however, to prevent local authorities from seeking such advice from district valuers, but it is not a criterion for consideration for planning purposes.

Portable Discounts

Mr. Soley: To ask the Secretary of State for the Environment whether he intends the recently announced portable discount scheme for council tenants to apply to tenants seeking to move to *(a)* Ireland and *(b)* other countries.

Mr. Michael Spicer: It is for each local authority proposing a cash incentive scheme to consider what criteria it wishes to apply, and to put its proposals to the Secretary of State for approval. Scheme proposals are considered on their merits.

Marchon Chemical Plant (Fire)

Dr. Cunningham: To ask the Secretary of State for the Environment whether he will set up an investigation by Her Majesty's inspectorate of pollution into the fire at the Marchon chemical plant in Whitehaven on Thursday 19 April and publish its findings; and if he will make a statement.

Mr. Trippier: This matter is primarily one for the Health and Safety Executive. I will not be asking Her Majesty's inspectorate of pollution to undertake an investigation.

Car Exhaust Emissions

Mr. Morgan: To ask the Secretary of State for the Environment (1) what consultations he has undertaken on the impact on health of increased benzene emissions in car exhausts arising from the duty concessions on lead-free petrol;

(2) whether he will commission a study into the safe concentrations of benzene in the atmosphere consequent upon the policy of increasing the tax advantages of lead-free petrol;

(3) whether he has established what effects the increasing use of lead-free petrol will have on benzene concentrations in the atmosphere.

Mr. Heathcoat-Amory *[holding answer 24 April 1990]:* The Department of the Environment is funding a substantial programme of research into emissions from vehicles using leaded and unleaded petrol, including emissions of benzene. The Government's health advisers will be asked to consider the evidence on exposure to benzene in the atmosphere resulting from this research and advise on its implications for public health. It is not expected that the increased use of lead-free petrol will result in a significant increase in benzene concentrations in the atmosphere.

Dumping at Sea

Mr. Nicholas Bennett: To ask the Secretary of State for the Environment what action is being taken to assist coastal local authorities with the removal of debris on beaches dumped by ships at sea.

Mr. Heathcoat-Amory *[holding answer 24 April 1990]:* Material dumped by ships at sea is one source of beach debris, and to prevent or minimise such pollution the United Kingdom Government have implemented all the relevant provisions of the international convention for the prevention of pollution from ships (MARPOL). This includes strict controls on the discharge of oil and chemicals, garbage and the carriage of packaged dangerous goods. The provision and monitoring of port reception facilities for these wastes is an important requirement of the convention. With regard to garbage, the disposal of any plastic into the sea is prohibited and other forms of garbage may be dumped only under strict conditions. Regulations to this effect were made by the Secretary of State for Transport, which came into force on 31 December 1988.

The responsibility for clean up of the coastline lies principally with local authorities, and while it is for authorities to determine their own priorities, their spending on environment protection generally is taken into account in the Government's support for local authority expenditure.

Dereliction

Mr. Hardy: To ask the Secretary of State for the Environment what assessment he has made of the effect of his decisions on local authority expenditure on the speed with which the problem of dereliction faced by the Rotherham, Barnsley and Doncaster authorities will be resolved.

Mr. Chope *[holding answer 24 April 1990]:* My right hon. Friend is of the view that, on the basis of all the information available to him, the caps which he proposed for authorities are reasonable and appropriate in all the circumstances of the authorities concerned, and are achieveable without disruption to services.

Excess Nutrients

Mr. Flynn: To ask the Secretary of State for the Environment what measures he is taking to reduce the risk of excess nutrients building up round the coasts.

Mr. Heathcoat-Amory: I refer the hon. Member to the reply given earlier today to the hon. Member for Vale of Glamorgan (Mr. Smith).

Peat Alternatives

Ms. Walley: To ask the Secretary of State for the Environment what advice and assistance has been made available to local authorities for the purposes of encouraging the use of peat alternatives in horticulture.

Mr. Curry: I have been asked to reply to this question.

My Ministry has undertaken a considerable amount of work on alternatives to the use of peat in horticulture. The Agricultural Development Advisory Service is currently advising a number of local authorities on the management of amenity plant production, including the development and use of peat substitutes.

Written Answers to Questions

Thursday 26 April 1990

TRANSPORT

Crash Barriers

Mr. Fearn: To ask the Secretary of State for Transport what is his policy in respect of crash barriers on the central reservations of trunk roads.

Mr. Atkins: It is the Department's policy to provide central reserve safety fencing in England on all motorways and, where justified by the traffic level, on non-motorway dual carriageway trunk roads. The fencing provided is essentially designed to contain an errant vehicle weighing up to 1·5 tonnes travelling at 70 mph and impacting the fence at an angle of up to 20 deg.

London Regional Transport

Mr. Spearing: To ask the Secretary of State for Transport if he will state his reasons for not including the text of the letter he sent to the chairman of London Regional Transport in his press notice 132 of 19 April, announcing the fact that he had sent the letter and commenting on its contents.

Mr. Portillo: A desire to save paper. The press notice made it clear that copies of the letter were available on request, and it was reproduced in the *Official Report* on 19 April 1990 at columns *993-95*.

Roads

Mr. Tom Arnold: To ask the Secretary of State for Transport what changes he envisages to the planning system to speed up the road projects for which he has responsibility.

Mr. Atkins: We are speeding up road schemes by a range of measures. These include more effective procedures and organisation in the Department, more staff and greater use of the private sector. We do not propose to change statutory procedures at present or to reduce the opportunities of those affected by proposals for a full and fair hearing.

Sub-standard Shipping

Sir John Farr: To ask the Secretary of State for Transport, pursuant to his reply to the hon. Member for Harborough of 18 April, *Official Report*, columns *913-14*, about sub-standard shipping, whether foreign ships in his reply includes all ships belonging to member nations of the EEC.

Mr. McLoughlin: Yes. Merchant ships belonging to other members of the European Community are regarded as foreign ships and therefore subject to port state control inspection when they enter a United Kingdom port.

Sir John Farr: To ask the Secretary of State for Transport, pursuant to his reply to the hon. Member for Harborough of 18 April about sub-standard shipping, how often in the past 12 months his Department's marine surveyors have used their powers relating to deficiencies on visiting ships *(a)* to prevent their entry to British ports and *(b)* to retain vessels; and in how many cases the vessel's owner or master was prosecuted.

Mr. McLoughlin: There has been no case in the last 12 months of Department of Transport marine surveyors using their powers to prevent the entry of visiting ships into United Kingdom ports. During that period, 60 ships were detained and seven prosecutions were initiated.

Travis Brow

Mr. Favell: To ask the Secretary of State for Transport when he first requested that Stockport metropolitan borough council convey to his Department the land at Travis Brow, Stockport, near to the M63, referred to in a letter from the Minister for Roads and Traffic to the hon. Member for Stockport dated 22 June 1989; and when he expects the transaction to be completed.

Mr. Atkins: August 1988. Conveyance of the council's title to the land has proved to be a complex matter. While we are pressing to complete as soon as possible, there are a number of outstanding items still to be resolved.

Channel Tunnel

Mr. Fearn: To ask the Secretary of State for Transport what criteria his Department has laid down in the interest of safety about the number of passengers not segregated from their vehicles who are allowed to travel in a single carriage through the channel tunnel.

Mr. Portillo: I refer the hon. Member to the answer I gave him on 23 April 1990, *Official Report*, column *43*. The number of passengers allowed in a single carriage is a matter for decision when Eurotunnel submits its proposed operating rules for approval.

Light Dues

Mr. Macdonald: To ask the Secretary of State for Transport when he expects to make a response to the report by the British Ports Federation recommending the charging of light dues on seagoing pleasure craft.

Mr. McLoughlin: Not before I have given careful consideration to the responses from the interested bodies which have been consulted on the federation's report. These bodies have been asked to send their comments to the Department by the end of July.

Radioactive Material (Transport)

Mr. Simon Hughes: To ask the Secretary of State for Transport how many *(a)* crashes and *(b)* reported near misses have occurred for each year since 1960 in which aircraft carrying radioactive material have been involved; and if he will make a statement.

Mr. McLoughlin: Available information commences in 1964. There have been three crashes involving consignments of radioactive materials from the United Kingdom, none of which was caused by the nature of the radioactive cargo:

(i) In 1965 a Boeing 707 crashed and burned at Heathrow. The package remained intact and there was no release of radioactivity.

(ii) In 1979 an aircraft crashed and burned at Athens airport. There was a partial release of package contents. Radiological implications were minimal and confined to the area around the aircraft.

(iii) In 1987 a Piper Navajo crashed in a field near Teesside after engine failure. There was no reported fire and the packages remained intact.

My Department does not collect data on near misses. I understand from the Civil Aviation Authority that data on near misses do not include detailed information on the type of cargo carried.

Mr. Simon Hughes: To ask the Secretary of State for Transport how may aeroplane flights occurred in 1989 in United Kingdom airspace in which radioactive material was carried; and if he will make a statement.

Mr. McLoughlin: The Department does not collect data of the kind requested; however, I understand from recent research that there are around 8,000 such flights per year.

Transport Ministers (Meeting)

Mr. Hayward: To ask the Secretary of State for Transport if he will make a statement on the outcome of the recent meeting of European Transport Ministers in Paris.

Mr. Parkinson: I attended the second meeting of the European civil aviation conference of Transport Ministers which was held in Paris on 24 April.

In response to a United Kingdom initiative, the meeting took a major step towards reducing air traffic congestion and flight delays. Ministers unanimously agreed an action programme to increase capacity in Europe, by integrating air traffic control systems and optimising the air traffic route network.

The programme commits the ECAC states to intensify work on measures to handle safely the forecast growth in traffic to the end of the century. The Civil Aviation Authority already has an investment programme of about £100 million a year. Our European partners are also investing substantial amounts on updating their air traffic control equipment. The ECAC programme will build on and give emphasis to this work.

Ministers agreed to harmonise air traffic control systems in high-density traffic areas by 1995, and elsewhere not later than 1998; optimise air traffic services route network and airspace structure by 1995; achieve comprehensive radar coverage throughout the continental ECAC area by 1995; reduce safe minimum separation distances between aircraft to 5 nautical miles in high-density areas, and to 10 nautical miles elsewhere; complete automatic data links between air traffic control centres and aircraft from 1998 onwards.

The programme will be managed by Eurocontrol, the European air traffic control body centred in Brussels. It will be overseen by a group of senior officials from participating states, reporting to their respective Governments.

At the meeting, Denmark, Finland, Norway and Sweden indicated that they would apply to join the existing 11 members of Eurocontrol soon. Four more states have also recently been accepted for membership. Ministers reaffirmed that they hoped the remaining ECAC states would join Eurocontrol.

Ministers agreed that they would meet again in the second half of 1991 to review progress.

This is an important and historic agreement which should greatly contribute to the welfare of European civil aviation in the years ahead.

EDUCATION AND SCIENCE

Child Care and Family Services

Mr. Leighton: To ask the Secretary of State for Education and Science what mechanisms his Department has on services and policies on child care and family services.

Mrs. Rumbold: National responsibility for policies in these areas rests with my right hon. and learned Friend the Secretary of State for Health.

Obtaining suitable premises is a major difficulty for those organising child care schemes and this is where the education service can offer substantial help, through making available school premises for this purpose out of normal school hours. As part of an initiative to enhance child care provision launched last year by the ministerial group on women's issues, of which I am deputy chairman, the Department issued a letter last October to all local education authorities and the chairmen of governors of all maintained schools, asking them to respond sympathetically to requests for such use of their school premises. It is, of course, for individual schools to decide on whether to help, but there are encouraging first signs of a positive response to our approach.

Within the Department, consideration is being given to the provision of creche facilities and a holiday play scheme at the Darlington office. In London the Department is participating in an interdepartmental study of the scope for providing creches centrally and in commuting areas.

Calderdale

Mrs. Mahon: To ask the Secretary of State for Education and Science what representations he has received regarding expenditure on education in Calderdale; and if he will make a statement.

Mr. Alan Howarth: My right hon. Friend has received no recent representations specifically about education expenditure in Calderdale.

Corby CTC

Ms. Armstrong: To ask the Secretary of State for Education and Science who appoints the trustees of the Corby city technology college trust; if he will list the names and designations of trustees, the total amount of private sector funds received by the trust to date, the names of persons or companies who, to date, have contributed and the amount each has contributed; and if he will make a statement.

Mrs. Rumbold: The members of the Corby City Technology Trust are appointed by the principal sponsor or the Secretary of State for Education and Science. The initial members are the lead sponsor Mr. Hugh de Capell Brooke who is the chairman. Other members are Mr. John Nelson-Jones, Sir Cyril Taylor and Sir Monty Finniston. A total of £1·6 million of private sector sponsorship has been received to date; £1·1 million of this is in the form of a donation of land from the lead sponsor. The balance comes from other private sector sponsors who will decide when to make their involvement public.

Environmental Protection Education

Ms. Walley: To ask the Secretary of State for Education and Science what assessment has been made of the environmental protection education needs at colleges and universities in the 1990s; and if he will make a statement.

Mr. Jackson: This is a matter for individual institutions.

Teachers' Pay

Mr. Robert B. Jones: To ask the Secretary of State for Education and Science when he expects to announce his proposals for new permanent teachers' pay negotiating machinery; and if he will make a statement.

Mr. MacGregor: I am writing today to the local authority employers and the teacher unions setting out my proposals for new permanent machinery, as follows:

Text of letter of 26 April from Secretary of State for Education and Science to the local authority employers and the teacher unions

New teachers' pay determination arrangements

1. Following the useful series of meetings I had with the teacher unions and employers before Christmas I have been reflecting on the best way forward. My immediate priority has been to complete consideration of the IAC's recommendations for the 1990-91 settlement, but now that that is nearly out of the way I can bring forward my proposals for permanent new pay determination arrangements.

2. In formulating the proposals set out in this letter and its attachment I have sought to reflect as far as possible those areas where there was broad consensus. If parties to these consultations share the objective that the new machinery should be introduced on the basis of the maximum possible amount of agreement, we shall need over the next month or so to move forward together constructively.

3. The best way ahead appears to lie with the restoration of negotiations between teachers and their employers in a way which gives sufficient scope to negotiate realistically from one year to the next, while at the same time providing essential safeguards in the public interest against the kind of stalemate and long term disruption which characterised the Burnham arrangements, and on overall cost. Enclosed with this letter is a note setting out my proposals in detail. Their main features are:

(a) direct national negotiations between local authority employers and teacher unions, with no Government presence at the negotiating table;
(b) separate sub-committee for heads and deputies;
(c) a firm deadline for the completion of negotiations;
(d) reserve powers for the Government to refer back to the negotiating body with its reasons aspects of agreed settlements with which it is unhappy and in the last resort, if reference back does not produce an acceptable outcome, to impose its own views; but
(e) an undertaking that the Government will not normally override on cost grounds a settlement falling within the inter-quartile range of non-manual private sector settlements;
(f) if the deadline is passed without a negotiated settlement being achieved, consideration of that year's settlement to be taken out of the hands of negotiators and referred to an IAC type body for advice;
(g) provision for individual LEAs or the governing bodies of GM schools to apply to me to withdraw from the national arrangements and determine the pay and conditions of their teachers locally.

4. While my preference would be for a restitution of national negotiations between teachers and their employers, and I would expect discussions to concentrate on how best to achieve this, I would not want to rule out at this stage further consideration of the alternative possibility of an independent advisory body broadly similar to the present IAC but on a permanent basis, should any of the parties want to propose that.

5. My main concern at this stage is to develop in consultation with the local authority employers and the teacher unions a permanent mechanism for determining pay nationally. At some point in our discussions, however, we will have to consider how best to handle the 1991-92 pay settlement. The three broad options appear to be to deal with it in the new machinery, retrospectively if necessary, once that has been put in place; to run the new machinery on a voluntary, shadow basis in anticipation of the passage of any necessary legislation; or to ask the IAC to make recommendations. The first of these would bring on the new machinery at the earliest possible date, but probably at the price of significant delay to the 1991-92 settlement. The second would only be possible if all the parties involved were willing to participate. The third would ensure a timely settlement, but delay for another year the operation of the new permanent machinery.

6. Accordingly I should like to arrange an early meeting with your association. My Private Office will be in touch about a date. In the meantime my officials stand ready to explore any of these issues with you in further detail if that would be helpful. If we are to be ready to legislate at the start of the next session of Parliament, we need to finalise our proposals well before the summer break. I must therefore ask that your association complete its representations by Friday 15 June.

7. I am writing in similar terms to the General Secretaries of the other teacher associations and to the Chairman of NEOST.

Proposals for new teachers' pay negotiating machinery

Scope

1. All pay and conditions matters to be within scope. But only proposals for changes to the School Teachers' Pay and Conditions Document (ie to pay, duties and working time) to require the Secretary of State's endorsement and acquire statutory force.

Structure

2. Main negotiating body to comprise representatives of the local authority employers and of the teacher unions, together with observers from the voluntary sector and grant maintained schools.

3. Separate sub-committee for heads and deputies, with rights as set out in paragraph 9 below.

Teachers' Side Composition

4. In the light of views expressed in earlier discussions this might be determined as follows:

(a) rules about how representation is to be determined to be laid down in regulations;
(b) the rules to cover
  (i) voting strength: to be determined for each union in proportion to the number of its members paid according to scales determined as a result of negotiations in the particular committee or sub-committee, and to be reviewed at least every 3 years and more frequently at the Secretary of State's discretion;
  (ii) numbers of representatives per union, with a limit on total numbers attending. In view of (i), the number of representatives need not vary with the size of the union. Should the rule be no more than two, or perhaps three, representatives per union, in order to keep meetings to a manageable size?
  (iii) returns of union membership: a requirement for unions to make returns annually to the Certification Officer identifying separately the number of members within their total membership figures whose pay and conditions

are determined by each separate element of the new machinery, with a provision for the returns to be subject to audit;

(iv) threshold for representation: what union membership threshold should be set before an association justified membership of the teachers' side, and should provision be made to accommodate small associations representing distinctive groups of teachers?

Management side composition

5. To be determined by the employers, within a limit that total numbers attending should not exceed the limit for the teachers' side. Observer status to be given in addition to two representatives of the voluntary sector, one each appointed by the Catholic Education Council and the General Synod of the Church of England Board of Education, and to a representative of the grant maintained schools appointed by the Secretary of State.

Proceedings

6. The Burnham "one voice" convention (whereby only single union and management positions were put forward and differences of view within each side were not aired publicly) should not operate.

7. Each side to appoint its own chairman in each committee. Chairmanship of committees for discussion: is there advantage in an independent chairman?

8. Decisions in the negotiating body will be reached when the two sides are in agreement with each other. It is for consideration whether a simple majority of the votes within each side should suffice for the establishment of that side's position or whether some other majority should be required eg two thirds.

9. Agreements reached in the heads and deputies sub-committee to take the form of recommendations to the main committee. The main committee not to be able to reject such recommendations without first referring them back to the sub-committee.

10. Agreements reached in main negotiating body for changes to the Document to take the form of recommendations to the Secretary of State for statutory implementation.

11. Secretary of State to establish a firm deadline—probably the end of January for an April settlement—for completion of negotiations on changes to the Document, with automatic reference to second stage body if negotiations not completed in time. But the Secretary of State has an open mind on a switch to a September settlement date if that seemed advantageous.

Government Reserve Powers

12. Secretary of State to have the power to refer back to the negotiating body with reasons recommendations made by them for changes to the Document, for further consideration within a defined timescale.

13. If the Secretary of State remains dissatisfied with the recommendations following a reference back he should have the power to override the negotiating body's recommendations, subject to the agreement of Parliament under the negative resolution procedure.

14. The Secretary of State will not set a constraint on the cost of the negotiating body's recommendations at the outset of its work, but the employers will negotiate against the background of the assumptions about standard spending in the Government's proposals for the local authority grant settlement. The Secretary of State would not normally refer back or override on cost grounds pay recommendations falling within the inter-quartile range of non-manual private sector settlements.

Second Stage Body

15. If the deadline for negotations passes without agreement being reached consideration of a settlement shall be referred by the Secretary of State for advice to a body similar to the present IAC, appointed by him and with terms of reference set by him which would not go outside the inter-quartile range. Thus the advisory body would make recommendations to the Secretary of State and he would determine pay in the light of their recommendations. (Statutory provision for this could be based on sections 2 and 3 of, and Schedule 1 to the Teachers' Pay and Conditions Act 1987).

Local Pay Determination

16. The Act establishing new national pay determination arrangements should contain provision for individual local authorities or the governing bodies of GM schools which wish to do so to determine teachers' pay and conditions locally. This is in order to provide maximum flexibility to respond to local needs and circumstances.

17. The Act would provide for local education authorities and GM school governing bodies to apply to the Secretary of State for the provisions of the Act obliging them to pay teachers only in accordance with the scales and other provisions resulting from the national pay determination process, and giving statutory force to national conditions of employment, to be disapplied from them. Applicants would be required to state what provisions they proposed to put in place of the national arrangements.

18. The relevant provisions of the Act would apply to teachers in all LEA maintained schools and GM schools unless specifically disapplied by the Secretary of State.

19. Before making an application local education authorities would be obliged to consult on their proposals for local pay and conditions provisions with the governing bodies of their maintained schools, and with the local representatives of teacher unions recognised nationally for pay determination purposes. The governing body of a GM school would be obliged to consult with the staff of the school. In each case applicants would be required to report the views expressed, together with their comments on those views, to the Secretary of State when making the application.

20. If the Secretary of State approved an employer's application, the national arrangements would cease to apply from the date the employer put the arrangements described in the application, subject to any variation agreed by the Secretary of State, into place. The local pay and conditions provisions put into place by a LEA would apply to all the schools it maintained.

21. Once the relevant provisions of the Act had been disapplied from a local authority or a governing body their future approach to pay and conditions matters would be unconstrained except that

(a) any change in their initial local provisions within 12 months of the date of their implementation would require the Secretary of State's consent; and

(b) local education authorities would be placed under a general obligation to consult with the governing bodies of their maintained schools and with the teachers concerned before implementing proposals for changes in local pay and conditions provisions.

City Technology College, Brighton

Mr. Straw: To ask the Secretary of State for Education and Science if he will make a statement on progress towards the establishment of a city technology college at Woodingdean, Brighton.

Mr. MacGregor *[pursuant to his reply, 24 April 1990, c. 146]:* I have been reviewing the progress of the proposal by the Michael Faraday Trust to establish a city technology college in Brighton. My period of review ended on 23 April and I have decided that I must withdraw my financial support because of the trust's failure to raise adequate private sector sponsorship. I have so informed the chairman of the Michael Faraday Trust.

Education Costs

Dr. Kim Howells: To ask the Secretary of State for Education and Science if he will give the average cost, per student across all subjects, of education *(a)* in United Kingdom universities as a whole, *(b)* in United Kingdom

polytechnics as a whole, *(c)* in Scottish universities, *(d)* in English universities, *(e)* in Welsh universities, *(f)* in English polytechnics and *(g)* in the Polytechnic of Wales.

Mr. Jackson *[pursuant to his reply, 24 April 1990, c. 145]:* It is not possible to determine the teaching cost per student in universities. The available information, published in the universities' statistical record—for example, "University Statistics, Volume 3" for the academic year 1987-88—relates to aggregate income and expenditure without differentiation between teaching and research. Recurrent expenditure, excluding specific expenditure, by universities on teaching and research per full-time equivalent United Kingdom university student was £6,385 in the academic year 1987-88.

The lower research load of polytechnics means that their unit cost is a closer reflection of the unit cost of teaching. For the financial year 1987-88, this was £3,356 for English polytechnics, calculated by reference to net recurrent institutional expenditure per full-time equivalent student.

TRADE AND INDUSTRY

Industrial Planning

Mr. Redmond: To ask the Secretary of State for Trade and Industry (1) whether his Department's current industrial sector studies into the capacities of and demands on British industry in crisis and war have been or will be discussed by NATO's industrial planning committee or its sub-committees or working groups; and if he will make a statement;

(2) if he will list the industries which have supplied or will supply members to the sectoral groups currently involved in studying the capabilities of and demands on British industry in crisis and war.

Mr. Douglas Hogg: My Department is consulting as necessary representatives of sectors of UK industry relevant to its study of the possible role of UK industry in crisis and war. NATO's industrial planning committee has been kept informed about this work.

South Africa (Steel Imports)

Mr. Redmond: To ask the Secretary of State for Trade and Industry if he will list by year and for the last 10 years, and by port, the amount in tonnes of steel imported from South Africa.

Mr. Redwood: The information requested is not available.

European Regional Policy

Mr. Leighton: To ask the Secretary of State for Trade and Industry how big the regional fund would need to be if the European Community had a regional policy for the whole of the European Community on the same cost per head as the payments to Northern Ireland within the United Kingdom.

Mr. Douglas Hogg: In 1990 European regional development fund commitments to Northern Ireland are expected to be around 70 mecu (approximately £50 million), or about 45 ecu (£32) per head. If all regions of the European Community eligible for the fund had commitments per head at this level, total commitments in 1990 would be about 6,300 mecu. If the whole of the Community had commitments per head at this level, total commitments would be about 14,500 mecu. The 1990 budget commitments appropriation for the fund is 5,408 mecu.

Libya

Mr. Janman: To ask the Secretary of State for Trade and Industry (1) if he will list the British companies currently working within Libya;

(2) what are the main activities of the British contractors and companies working in Libya;

(3) how many British companies are currently working on projects within the People's Republic of Libya.

Mr. Redwood: We have no record of the number of British firms working in Libya, but we understand that their main areas of activity include oil and gas, consultancy and services, and construction.

Krytrons

Mr. Flynn: To ask the Secretary of State for Trade and Industry which companies import krytrons into the United Kingdom from the United States of America.

Mr. Redwood: There is no requirement for a licence to import krytrons, and my Department has no record of which companies do so.

Oil Recovery

Mr. Simon Hughes: To ask the Secretary of State for Trade and Industry what steps he takes to promote the recovery of used oil; and if he will make a statement.

Mr. Forth: A workshop on used oil recovery was held by my Department in September 1988 at which representatives from the motor and oil industries and central and local government agreed to work more closely in publicising schemes for recovering and correctly disposing of oil. Since then the number of local authorities and garage chains providing facilities for recovering used oil have increased. We will keep progress under careful review as part of our overall drive to raise the levels of recycling generally.

English Estates

Mr. Fry: To ask the Secretary of State for Trade and Industry if he will make a statement on the future role of English Estates.

Mr. Ridley: In autumn 1989, the Department and the board of English Estates jointly commissioned consultants to advise on certain aspects of the corporation's activities. I have considered the consultants' report with the board and have now determined the future strategy for the corporation.

The Government policy is to ensure that suitable premises and sites are available to meet the needs of new and growing businesses in the assisted areas. Wherever possible this should be done through private sector provision. English Estates will continue to make an important contribution to regional policy, but I now want it to move away from direct provision wherever possible, and in many areas to operate primarily as a facilitator, using a range of mechanisms to draw in private sector developers.

I am introducing two changes which will further our policy of encouraging the private sector to play a greater part in the provision and management of industrial and commercial property in the assisted areas.

First, I propose to introduce a new grant scheme which will be operated by English Estates mainly through a negative tendering procedure. I shall be discussing details with the European Commission. This will be a new, powerful weapon in English Estates' armoury of incentives to draw in the private sector. The corporation will also continue to use the weapons already available: provision of serviced sites in areas where there are difficulties of land assembly and servicing; provision of market information to demonstrate the opportunities available in the assisted areas; and short-term rental guarantees and joint ventures with the private sector.

There will be some areas where these incentives will still not be sufficient to attract private sector interest. In these cases English Estates will have a residual direct development role. But I hope that with the availability of grant and other incentives the areas of English Estates' direct development will continue to narrow over time, as market conditions allow, in line with the policy set out in 1988.

I have asked English Estates to use the incentives energetically to promote the recent signs of growing private sector interest, in line with Government's aim that in time the normal working of the property market should of itself ensure an adequate supply of industrial and commercial floorspace in all parts of the assisted areas.

I have asked English Estates to aim for an assisted areas programme of up to £52·8 million in the financial year 1990-91, including provision for the Sunderland special programme. In addition, it will have a programme of up to £10·1 million for the provision of managed work space in inner-city areas of England.

Second, English Estates' role as a landlord is peripheral to its main regional policy role. I want to release the capital tied up in the DTI-funded portfolio. The private sector is ready to buy and manage property in these areas. I have, therefore, asked the corporation to plan to sell its DTI-funded assets in the assisted areas. I consider that the broad objectives of maximising the return to the taxpayer from sales and encouraging the involvement of a wider spread of private sector interests, can best be met through a phased sale, with the intention that this should be spread over a period of around three years and with the rate of disposal adjusted to market conditions. Wherever in English Estates' commercial judgment it is practical to do so, in line with these objectives, existing tenants will be given the opportunity to acquire their premises in advance of sales to investors.

I do not propose any change in the role of English Estates in the redevelopment of the former naval dockyard at Chatham.

English Estates' activities on behalf of the Rural Development Commission are being considered separately.

RENAVAL

Ms. Quin: To ask the Secretary of State for Trade and Industry (1) when he expects the allocation of grants available to Tyne and Wear under the European Economic Community RENAVAL programme to be fully utilised;

(2) if he will list the local authorities and other public bodies involved in submitting applications for assistance under the European Economic Community's RENAVAL programme in Tyne and Wear;

(3) if he will list the numbers of applications that have been made for assistance under the European Economic Community's RENAVAL programme in Tyne and Wear.

Mr. Douglas Hogg *[holding answer 25 April 1990]:* In consultation with Sunderland metropolitan borough council, North Tyneside metropolitan borough council, South Tyneside metropolitan borough council, Gateshead metropolitan borough council and Newcastle metropolitan borough council, and the Wearside opportunity (TWO), my Department is preparing a programme of measures for which the European Commission's approval will be sought. Specific applications for grant can be made only when the programme is approved and in operation. I hope this will be before the end of 1990. Since the programme will last four years, I expect the grants to be fully utilised in 1994.

ENERGY

Offshore Oil Spills

Mr. Gareth Wardell: To ask the Secretary of State for Energy if he will publish in the *Official Report* for each year since 1975 a list of all those offshore oil spill incidents that have occurred around the British coast, identifying the operator responsible, the date of the incident, and the sum of money paid for remedial measures under the offshore pollution liability agreement.

Mr. Peter Morrison: Since 1976 a total of 1,442 oil spills from offshore installations have been reported to my Department. The details are:

	Total number of spills	*Number of spills in excess of 25 tonnes*
1976	9	—
1977	14	2
1978	27	—
1979	27	—
1980	86	1
1981	71	—
1982	42	2
1983	62	2
1984	47	1
1985	87	4
1986	166	7
1987	254	3
1988	259	3
1989	291	2

This information is compiled from details of oil spill incidents reported by operators as a requirement of their production licences which is summarised in the Department's reports on the development of oil and gas resources of the United Kingdom 1977-89. The information given for 1989 will be included in the report for 1990. Information for 1975 is not readily available.

More specific information can be provided only under the terms of the various licences with the consent of the licensees and could be obtained only at disproportionate cost.

Operators who are party to the offshore pollution liability agreement accept claims on a strict liability basis.

Claims for payment for remedial measures following oil spills from offshore installations have been settled directly by the operators concerned. I have no information on the amounts involved.

The rise in the number of reported spills between 1985 and 1986 can be attributed to increased pressure on operators to report even the smallest spills. Also, in 1986, random aerial surveillance flights over offshore installations commenced.

Although the number of reported incidents increased, the number of spills greater than 25 tonnes have remained low.

Electricity Privatisation

Mr. Austin Mitchell: To ask the Secretary of State for Energy whether he will seek powers to require electricity companies to publish cash flow statements as part of their annual corporate reports.

Mr. Baldry: Electricity companies will be required to publish statements of source and application funds under statement of standard accounting practice 10.

Mr. Austin Mitchell: To ask the Secretary of State for Energy what information the electricity privatisation prospectus will contain about whether investors will be entitled to receive a set of accounts automatically.

Mr. Baldry: Under section 238 of the Companies Act 1985 all public limited companies must provide members with a set of accounts. The prospectuses of the electricity industry companies therefore will not need to refer to this matter.

Appliance Labelling

Mr. Simon Hughes: To ask the Secretary of State for Energy if he will make it his policy to require clear labelling of appliances to show energy consumption; and if he will make a statement.

Mr. Peter Morrison: Nearly all manufacturers in western Europe already provide energy consumption information in their brochures and in the users' instructions for new appliances. We are considering the report of the study of the energy efficiency of appliances which we have recently received and will be considering the way ahead in the light of its findings.

Nuclear Energy

Mr. Dobson: To ask the Secretary of State for Energy what was his Department's expenditure on nuclear energy programmes in 1987-88, 1988-89 and 1989-90, broken down into fast reactor, fusion, thermal reactor and other; if he will list the categories included in other; and if he will make a statement on the reasons for the increase in this expenditure.

Mr. Wakeham: My Department's expenditure on nuclear energy programmes was as follows:

	1987-88[1]	*1988-89*[1]	*1989-90*[2]
Fast Reactor[3]	82·33	104·21	98·58
Fusion[3]	21·89	26·21	26·60
Thermal Reactor	20·05	19·53	17·27
Other	49·02	117·95	73·27
Total	173·29	267·89	215·72

Note: £ million in money of the year.

[1] These figures are a breakdown of the Appropriation Accounts.

[2] These figures appear in the Supply Estimates.

[3] These include restructuring costs where appropriate.

All figures include contribution to the UKAEA's Underlying Research Programme where appropriate.

The nuclear programmes included under "Other" in the table are general nuclear safety research (GNSR), radiological protection research (RPR), decommissioning and radioactive waste management studies (DRAWMS), nuclear materials management (NMM), safeguards, decommissioning and radioactive waste management operations (DRAWMOPS), the UKAEA's contribution to NIREX, Winfrith steam generating heavy water reactor (SGHWR), public information and advisory services.

The increase in total expenditure in 1988-89 was a result of the following: payment to clear outstanding liabilities of the UKAEA to BNFL for waste management and decommissioning costs, in respect of work and waste arising before 1971; restructuring costs due to the rundown of the fast reactor programme; and a one-off payment of £17 million because of a change in the timing of payment to the UKAEA.

Compared with 1987-88, the fast reactor figures for 1989-90 are higher due to restructuring costs (£25·2 million) and the "Other" figures mainly due to DRAWMOPS.

Electricity Tariff Policy

Mr. Dobson: To ask the Secretary of State for Energy whether a uniform tariff policy will be maintained after electricity privatisation.

Mr. Wakeham: Tariffs are a matter for the industry subject to its statutory and other obligations. However, I refer the hon. Member to the statement given by my hon. Friend the Minister of State, Scottish Office on 26 January 1989 during the Committe stage of the Electricity Bill that the area board chairmen in England and Wales, and the chairman of the South of Scotland electricity board have given an assurance that they expect to maintain common tariffs for domestic consumers for five years from privatisation.

Electricity Distribution Companies

Mr. Dobson: To ask the Secretary of State for Energy when he expects to publish the prospectus for the sale of electricity distribution companies.

Mr. Wakeham: The prospectus for the sale of the electricity distribution companies will be published on impact day. It is too early to say when this will be.

Mr. Dobson: To ask the Secretary of State for Energy when he expects to float the electricity distribution companies.

Mr. Wakeham: Subject to the market conditions at the time, it is planned to float the electricity distribution companies in November 1990.

Mr. Dobson: To ask the Secretary of State for Energy what is his current estimate of the value of the electricity distribution companies.

Mr. Wakeham: The market value of the electricity distribution companies will depend on a wide range of

factors including the profitability of the companies, their capital structures, their future prospects and the state of the market. It is, therefore, too early to estimate the likely proceeds for the sale of the companies.

Sizewell B

Mr. Dobson: To ask the Secretary of State for Energy what is the latest estimate of the cost of Sizewell B and the likely dates of completion and fuel loading.

Mr. Wakeham: The latest estimate of the capital cost of Sizewell B is £1·87 billion at 1987 prices, derived from evidence given by the CEGB to the Hinkley Point C inquiry in September 1989. This represented an increase of about 10 per cent. over the previous estimate of £1·69 billion as sanctioned by the CEGB in April 1987, which was consistent in 1982 prices in real terms with the estimate of £1·17 billion given to the Sizewell inquiry.

The timetable for the completion of the station is a matter for Nuclear Electric plc. The CEGB indicated in its last report and accounts that it aimed to achieve full commercial load in May 1994, six months after the start of fuel loading.

Offshore Licensing Round

Mr. Wood: To ask the Secretary of State for Energy whether he has any proposals for a further round of offshore licensing for the established petroleum areas of the United Kingdom continental shelf.

Mr. Peter Morrison: I am today making available a list of the blocks which will be available for licensing in the 12th offshore round.

I am making the list available at this stage to give applicant companies an opportunity to carry out preliminary seismic work, which will assist them in choosing the blocks to apply for, during the limited fair weather season in our offshore waters.

There will be 120 blocks and groups of blocks on offer distributed across the most prospective areas of the United Kingdom continental shelf. The number of blocks (including grouped and part blocks) in each area is as follows:

	Number of Blocks
Northern North Sea	17
Central North Sea	34
Southern North Sea	41
Moray Firth	21
East Shetland Platform	1
Irish Sea/Manx Basin	3
English Channel	2
Caernarvon Basin	1

I shall place in the Libraries of both Houses a full list of the blocks which are available for licensing in the round.

The exploration which will follow from a round containing this number and range of blocks will help to ensure that the UKCS remains a major oil province well into the next century, and that the nation will continue to benefit from the efficient and safe exploitation of a valuable national resource.

As in previous rounds, it will be necessary in the case of many blocks to specify additional conditions which the operator will be required to observe when undertaking activity under the licence. These will be designed to take into account the concerns of defence, fishing, environmental, navigational and other interests.

As soon as possible after the necessary statutory instrument is in place, I will publish in the *London, Edinburgh* and *Belfast Gazettes* a formal announcement giving the detailed financial terms for 12th round licences and the basis on which awards will be made. The model clauses incorporated in the 12th round licences will generally be the same as those incorporated into existing licences issued as a result of the 11th offshore round. Additional licence conditions, the format of licence applications, and the information required, will be available from my Department as soon as the *Gazette* notice has been published.

Applications will be returnable by a date in December 1990 which has yet to be determined.

NORTHERN IRELAND

International Fund for Ireland

Mr. Kilfedder: To ask the Secretary of State for Northern Ireland whether the expenditure and receipts of the International Fund for Ireland are subject to examination by *(a)* the local government auditor and *(b)* the Comptroller and Auditor-General.

Mr. Cope: The responsibility for auditing the accounts of the international fund lies with the independent auditors appointed by the board as provided for under article 11 of the agreement establishing the fund. A number of the fund's main programmes of work are administered on behalf of the fund by Government Departments and agencies. In such cases where a Government Department or agency makes payments on behalf of the fund such payments are subject to scrutiny by the Comptroller and Auditor-General in the normal way.

Mr. Kilfedder: To ask the Secretary of State for Northern Ireland what action he proposes to take to ensure that the religious composition of the work force in firms and other organisations grant-aided by the International Fund for Ireland in the border counties is a fair reflection of the composition in the local travel-to-work area.

Mr. Cope: The Fair Employment (NI) Act 1989 places the primary responsibility for ensuring fair participation by members of both communities in a work force on the employer concerned. This duty is, however, backed up by strong enforcement measures which can be taken by the Fair Employment Commission as necessary. Additionally, I understand that each recipient of assistance from the International Fund for Ireland is required to confirm acceptance of the principle of equality of opportunity and non-discrimination in employment.

Mr. Kilfedder: To ask the Secretary of State for Northern Ireland if he will make representations to the board of the International Fund for Ireland to call for it to require recipients of its funds to carry out the Government's recommendations on fair employment.

Mr. Cope: The conditions attaching to the receipt of assistance from the International Fund for Ireland are a matter for the independent board appointed to administer the fund. I understand, however, that each offer of

assistance from the fund requires the recipient to confirm acceptance of the principle of equality of opportunity and non-discrimination in employment. In addition, of course, each recipient is subject to the statutory obligations placed upon employers by the Fair Employment (NI) Acts.

PRIME MINISTER

Ivory

Ms. Walley: To ask the Prime Minister whether she will publish the reply she gave to the letter from George Medley, director of the United Kingdom World Wide Fund for Nature, of 18 January regarding Hong Kong's exemption from the ivory trade ban.

The Prime Minister: It is not my normal practice to do so.

India

Dr. Thomas: To ask the Prime Minister what was discussed during her meeting with President Venkataraman of India in April in London.

The Prime Minister: President Venkataraman and I had wide-ranging discussions about events in India and around the world, and about the close relationship between India and Britain.

United Nations

Dr. Thomas: To ask the Prime Minister what matters she or her officials raised with Secretary-General de Cuellar of the United Nations, or his accompanying officials, during Senor de Cuellar's visit to London on 10 April.

The Prime Minister: I thanked Senor Perez de Cuellar for the United Nations' part in holding the highly satisfactory world ministerial conference on drugs. We reviewed a wide range of regional issues in which Britain plays a constructive role as a permanent member of the Security Council.

Iraq

Dr. Thomas: To ask the Prime Minister, pursuant to her oral reply to the hon. Member for Leicestershire, North-West (Mr. Ashby), *Official Report*, 29 March, column 667, if she will state how many *(a)* signatory states to the nuclear non-proliferation treaty and *(b)* member states of the missile technology control regime, Her Majesty's Government have contacted over Iraq; and what responses have been received from each state, respectively.

The Prime Minister: The Government have contacted the group of western states that are parties to the NPT and the other depositary powers of the treaty. The Government have had separate discussions with our European Community partners, and we have contacted all partners of the missile technology control regime. Without exception, our partners share our concern to ensure that barriers against proliferation are strengthened, and that export controls are adequate.

Exchange Rate Mechanism

Q133. **Mr. Dykes:** To ask the Prime Minister what co-ordination there is between officials at 10 Downing street, Her Majesty's Treasury and the Bank of England for the starting date of United Kingdom entry into the European exchange rate mechanism.

The Prime Minister: I refer my hon. Friend to the reply that I gave to the right hon. Member for Yeovil (Mr. Ashdown) on 3 April at column 1029.

Mr. Nicholas Bennett: To ask the Prime Minister whether she will reconsider the conditions for entry to the exchange rate mechanism of the European monetary system set out at the Madrid summit in July 1989 with a view to adding the successful union of the deutschmark and the ostmark as a necessary precondition for British entry.

The Prime Minister: The Government stand by the Madrid conditions. When those conditions are fulfilled, we shall join the exchange rate mechanism.

Engagements

Mr. Tony Lloyd: To ask the Prime Minister if she will list her official engagements for Thursday 26 April.

Mr. Hind: To ask the Prime Minister if she will list her official engagements for Thursday 26 April.

Mr. Harry Greenway: To ask the Prime Minister if she will list her official engagements for Thursday 26 April.

Mr. Stern: To ask the Prime Minister if she will list her official engagements for Thursday 26 April.

The Prime Minister: This morning I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall have further meetings later today.

WALES

NHS (Performance-related Pay)

Mr. Wigley: To ask the Secretary of State for Wales how many senior staff in each of the district health authorities in Wales have received performance-related pay bonuses during the past 12 months, on top of their salaries; and what was the total payment made in Wales last year by way of such bonuses.

Mr. Grist: I refer the hon. Gentleman to the reply I gave the hon. Member for Alyn and Deeside (Mr. Jones) on 5 April 1990.

Planning Permission

Ms. Walley: To ask the Secretary of State for Wales if he will list for each of the past three years those sites where he has provided financial assistance to local authorities for purposes connected with the revocation or discontinuance of planning permission.

Mr. Grist: No financial assistance has been made available to Welsh local authorities during the past three years in connection with the revocation or modification of

planning permission or with orders requiring the discontinuance of use or alteration or removal of buildings or works.

Single-sex Schools

Mr. Norris: To ask the Secretary of State for Wales if, in respect of each of those local education authority maintained single-sex secondary schools in Wales which have been closed since 1985, he will list (i) the maintaining local authority, (ii) the gender of pupils, (iii) the physical capacity and (iv) the number of pupils on roll at the most recent convenient date before closure.

Mr. Roberts: There have been no closures since 1985 of local education authority maintained single-sex secondary schools in Wales.

Sites of Special Scientific Interest

Ms. Walley: To ask the Secretary of State for Wales what provisions exist to enable the periodic review of planning permission for mineral extraction or otherwise granted on an area prior to such an area being notified as a site of special scientific interest.

Mr. Grist: Mineral planning authorities have a general duty to undertake at such intervals as they consider fit reviews of mineral working sites in their area and to consider whether it is necessary to revoke or modify planning permissions, or to make discontinuance, prohibition or supervision orders.

Disability

Mr. Rowlands: To ask the Secretary of State for Wales how many households in Wales were beneficiaries in reduced rates under the Rating (Disabled Persons) Act 1978.

Mr. Grist: This information is not held centrally.

Voluntary Fund-raising

Mr. Michael: To ask the Secretary of State for Wales (1) what steps he has taken to seek the views of community health councils in Wales on the place of voluntary fund-raising in the financial structure of the National Health Service in their areas; and what views have been expressed to him;

(2) what research he has commissioned on the views of *(a)* patients and *(b)* carers and families of patients on the degree to which the National Health Service in each health authority district in Wales should be financed by voluntary and charitable donations.

Mr. Grist: I refer the hon. Gentleman to the reply I gave him on 23 April 1990.

Office Furniture (Expenditure)

Mr. Morgan: To ask the Secretary of State for Wales (1) what was the total expenditure on *(a)* office chairs and *(b)* other office furniture in his Department in each of the four quarters of the financial year 1989-90;

(2) what was the total expenditure on office furniture in his Department in the fiscal years *(a)* 1985-86, *(b)* 1986-87, *(c)* 1987-88, *(d)* 1988-89 and *(e)* 1989-90.

Mr. Peter Walker: The expenditure figures are given in the following tables. Much of the furniture in the Department's 56 offices has aged and merits replacement in the interests of staff well-being and health and safety considerations. A decision was therefore taken in 1987 to increase the annual furniture budget in 1988-89 and subsequent years in order to undertake a furniture modernisation and replacement programme. The 1989-90 figure was further increased by the need to furnish a new office at Llanishen for the Welsh Office education department and HMI, for which the cost of the necessary office furniture was £132,000.

Financial Year	*Expenditure in cash terms £000s*
1985-86	204
1986-87	117
1987-88	131
1988-89	363
1989-90	[1]461

[1] Provisional.

Financial Year 1989-90

	1st Quarter £000s	*2nd Quarter £000s*	*3rd Quarter £000s*	*4th Quarter[1] £000s*
(a) Office Chairs	5	14	9	71
(b) Other Office Furniture	42	71	34	215

[1] Provisional.

National Rivers Authority

Mr. Gwilym Jones: To ask the Secretary of State for Wales if he has appointed the members of the advisory committee for Wales on National Rivers Authority matters.

Mr. Peter Walker: I have made the following appointments:

Professor Ron Edwards *(Chairman)*
Professor Michael Bruton
The Lord Moran KCMG
Dr. Hugh Tebbutt
Councillor John Thompson JP
Dr. Stephanie Tyler
Mr. Murray McLaggan JP
Mr. Bryan Riddleston

OVERSEAS DEVELOPMENT

Poland

Mr. Pawsey: To ask the Secretary of State for Foreign and Commonwealth Affairs how much aid has so far been given to Poland; what form it took; and what plans exist for it to be increased.

Mrs. Chalker: In 1989-90, bilateral aid for Poland was £64 million. This consisted of the United Kingdom contribution of $100 million (£61·7 million) to the international stabilisation fund for Poland; and disbursements of £2·3 million from the know-how fund. Expenditure under the balance of the £50 million know-how fund, and the separate £15 million agricultural project will be spread over a number of years.

Mr. Pawsey: To ask the Secretary of State for Foreign and Commonwealth Affairs what action is being taken to encourage British industry to invest in Poland.

Mrs. Chalker: Under the know-how fund for Poland, support is available for up to 50 per cent. of the costs of feasibility studies which British companies may need to undertake before investing in eastern Europe. Specific training can also be provided for potential local joint venture partners. Additionally, an investment protection and promotion agreement exists for Poland, and the full range of ECGD's investment insurance cover is available to equity investors. The Department of Trade and Industry provides British companies with information and advice on the latest legislation and other matters relating to joint ventures.

Mozambique

Mr. Mans: To ask the Secretary of State for Foreign and Commonwealth Affairs how Her Majesty's Government will respond to Mozambique's 1990 emergency appeal.

Mrs. Chalker: The Government will pledge 10,000 tonnes of food aid and £3·5 million in emergency relief for Mozambique at the international donors conference on emergency assistance to Mozambique which is being held in New York today.

Romania

Mrs. Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs whether the £500,000 of aid for Romania, announced on 5 April, is to be paid from the overseas aid programme; whether it is to be administered by the Overseas Development Administration or the joint Overseas Development Administration-Foreign and Commonwealth Office east European unit; and if he will make a statement.

Mrs. Chalker: Our contribution to the World Health Organisation's programme of assistance for the Romanian health service is an exceptional one-off payment from the know-how fund for eastern Europe, in response to Romania's particularly acute humanitarian needs. Expenditure from the fund is met from a separate section of the aid vote, but is additional to and separate from the agreed PES provision for overseas aid to developing countries. The contribution is being administered by the eastern European department of the diplomatic wing of the Foreign and Commonwealth Office.

SOCIAL SECURITY

Social Fund

Mr. Marlow: To ask the Secretary of State for Social Security, pursuant to his reply of 26 March, if he will set out the policy considerations involved in his decision not to make retrospective ex-gratia payments to those pensioners with savings up to £16,000.

Mrs. Gillian Shephard: The changes in the capital rules for the income-related benefits formed part of a package of measures, designed to help savers, which were announced by my right hon. Friend the Chancellor of the Exchequer in his Budget statement. The changes took effect from the benefit uprating dates in April. It is well-established policy that such changes are not applied retrospectively, with the recalculation of benefit entitlement this would require, and to do so in this case would be neither appropriate nor practical.

Ms. Short: To ask the Secretary of State for Social Security whether employment training trainees who were formerly in receipt of income support can apply for a loan or a grant from the social fund; what account is taken of the £10 training premium; and if he will make a statement.

Mr. Scott: A claimant receiving income support when starting employment training would normally continue to do so, and would be eligible for help from the social fund in the normal way. When a crisis loan is being considered, all resources available to the claimant are taken into account.

Pension Age

Sir David Steel: To ask the Secretary of State for Social Security whether he has any plans to integrate the pension age for men and women.

Mrs. Gillian Shephard: I refer the right hon. Member to paragraph 18 of the Government's response to the 10th report from the House of Lords Select Committee on the European Communities, Session 1988-89, on equal treatment for men and women in pensions and other benefits—Cmnd. 1038.

Disabled People (Benefits)

Mr. Alfred Morris: To ask the Secretary of State for Social Security what response he has received to "The Way Ahead: Benefits for Disabled People" from Age Concern England; and if he will make a statement.

Mr. Scott: Age Concern England has sent me a written response and was represented at a meeting I held on 5 April with the Disability Benefits Consortium to discuss "The Way Ahead". We shall give careful consideration to all their comments in carrying forward the detailed work on our proposals.

Pensions

Mr. Soley: To ask the Secretary of State for Social Security what was the state retirement pension for a single pensioner and a pensioner couple in each year from 1987 to 1989.

Mrs. Gillian Shephard: The information requested is set out in the table.

Standard Rate basic Retirement Pension—1987-89

	Man or Woman[1]	*Man plus Wife*[2]
1987	38·70	61·95
1987 (wef 6 April 1987)	39·50	63·25
1988 (wef 11 April 1988)	41·15	69·50
1989 (wef 10 April 1989)	43·60	69·80

Source: Abstract of Statistics for Index of Retail Prices, Average Earnings, Social Security Benefits and Contributions.

[1] On basis of own National Insurance Contributions.

[2] On basis of his National Insurance Contributions.

Councillors (Benefit Claims)

Mr. Norman Hogg: To ask the Secretary of State for Social Security what advice he has given to local offices of his Department concerning the payment of invalidity

benefit to claimants who are local authority councillors and who may be in receipt of councillors' allowances; and if he will make a statement.

Mrs. Gillian Shephard: Since 11 May 1987, local authority councillors have been able to receive invalidity benefit in full where their entitlement to local government attendance allowance does not exceed the therapeutic earnings limit (currently £35 a week) for invalidity benefit; and, where the limit is exceeded, invalidity benefit is abated only by the amount of the excess. These arrangements, which were introduced in 1987 on an ex-gratia basis, were formalised in schedule 8 to the Social Security Act 1989. Instructions were issued to offices putting these arrangements into effect.

Local Government Finance

Mr. Alan Williams: To ask the Secretary of State for Social Security what income it is assumed that a person will draw from savings of *(a)* £6,000, *(b)* £10,000, *(c)* £13,000 and *(d)* £16,000 when determining eligibility for reduced levels of community charge; and what marginal rate of return is assumed for each £1,000 savings over £3,000.

Mrs. Gillian Shephard: The information requested is shown in the table.

Tariff income assumed at various levels of capital

Capital	*Tariff income (£ per week)*
6,000	12
10,000	28
13,000	40
16,000	52

No tariff income from the first £3,000 of savings is assumed when assessing income-related benefits: the actual income received from the savings is disregarded.

When account is taken of the first £3,000 of savings, and of the application of the 15 per cent. benefit taper, the annual average interest rate implied by the tariff income rules varies from 0·2 per cent. (on capital of £3,250) to 2·6 per cent. (on capital of £15,750·01).

HOME DEPARTMENT

Birmingham Pub Bombings

Mr. Tony Banks: To ask the Secretary of State for the Home Department what steps he has taken to prevent material in police archives relating to the Birmingham pub bombings case from being destroyed or tampered with.

Mr. John Patten: I understand that the West Midlands police and the Devon and Cornwall constabulary have made arrangements to ensure that all material in their possession relating to the Birmingham pub bombings case is stored in secure conditions pending the outcome of further inquiries into the safety of the convictions of the Birmingham Six.

Probation Service

Mr. Boswell: To ask the Secretary of State for the Home Department what consultations he has held on changes in the probation service.

Mr. John Patten: In February we published the White Paper, "Crime, Justice and Protecting the Public" (Cm. 965), which set out our proposals for change in the way the courts in England and Wales deal with offenders. Since then, we have published two consultative documents about changes to the probation service, both related to the White Paper.

The Green Paper "Supervision and Punishment in the Community" (Cm. 966) sets out options for reorganising the probation service, to enable it to meet the demands of the White Paper. We have invited comments on the Green Paper by the end of June. We published a further consultative paper on 17 April, "Partnership in Dealing with Offenders in the Community". This sets out various ways in which voluntary organisations and profit-making bodies could collaborate more closely with the probation service in work with offenders in the community. Comments have been invited by the end of September.

Draft national standards for the supervision of offenders before and after release from custody were published today. Again, comments have been invited by the end of September.

Drugs

Mr. Sheerman: To ask the Secretary of State for the Home Department if he will meet representatives of the Association of Chief Police Officers, the National Drugs Investigation Unit and the Metropolitan police to discuss police investigation methods into the drug crack.

Mr. Peter Lloyd: My right hon. and learned Friend has no plans to meet representatives from these organisations specifically to discuss police investigations into crack. The Home Office is in regular contact with the organisations mentioned on a wide variety of policing matters.

Immigration

Mr. Colvin: To ask the Secretary of State for the Home Department if he has yet completed his review of the workings of the Immigration (Carriers' Liabilities) Act 1987; and if he will make a statement.

Mr. Peter Lloyd: A review of the workings of the carriers' liabilities Act has not been undertaken, nor is one planned.

Telephone Tapping

Mr. Redmond: To ask the Secretary of State for the Home Department what was the total cost to his Department of telephone tapping services provided by British Telecom in 1989.

Mr. Waddington: It has been the practice of successive Governments not to give information about the costs relating to interception authorised under the Interception of Communications Act 1985.

Contempt of Court Act

Mr. Redmond: To ask the Secretary of State for the Home Department if he will be proposing legislation to amend section 10 of the Contempt of Court Act, in respect of the interests of justice category; and if he will make a statement.

Mr. John Patten: Section 10 of the Contempt of Court Act 1981 provides that no court may require a person to

disclose, nor will he be guilty of contempt for refusing to disclose, the source of his information in a publication for which he is responsible, unless it is established to the court's satisfaction that disclosure is necessary in the interests of justice or national security or for the prevention of disorder or crime. We believe that these are and remain proper grounds on which to allow a court to insist on disclosure.

Commission for Racial Equality

Mr. Tim Smith: To ask the Secretary of State for the Home Department how many staff are employed by the Commission for Racial Equality; and how many of these are of *(a)* Afro-Caribbean, *(b)* Indian, *(c)* Pakistani and *(d)* Bangladeshi origin.

Mr. John Patten: At 30 March 1990, the Commission for Racial Equality employed 193·35 staff of which 87 were of black Caribbean, black African or other black origin; 17 were of Indian origin; six of Pakistani origin and three of Bangladeshi origin.

Prison Visits

Mr. Neil Hamilton: To ask the Secretary of State for the Home Department if he will give a breakdown of the prison service grant of £1,564,000 for assisted visits to prison inmates giving the number of visits this figure represents and the total number of individuals who have received visits under this scheme.

Mr. Mellor: Under the assisted prison visits scheme the cost of visits to inmates by close relatives who are on low incomes may be met from public funds. The scheme is not cash limited and the costs of all valid claims by eligible people are met in full. The Budget estimate for the scheme in England and Wales for the year ending 31 March 1990 was £1,564,000. The actual cost of the scheme in the year was £1,489,941, of which just over 70 per cent. was taken up by travelling costs, and the remainder by subsistence and other expenses. This represents the payment of 60,807 claims divided between 15,680 claimants.

Figures for the number of individual inmates who have received assisted visits are not readily available and could not be obtained except at disproportionate cost.

Prisons

Mr. Bermingham: To ask the Secretary of State for the Home Department how many additional places have been provided by extending existing prisons since 1984 and how many more will be provided when current plans are completed.

Mr. Mellor: During the period 1 January 1984 to 11 February this year, the latest date for which figures are available, 2,446 additional places were provided at existing prison establishments in England and Wales.

The following net increases in places at existing establishments are currently planned for the period up to 1993-94:

	Increases
1990-91	1,171
1991-92	573
1992-93	1,059
1993-94	315

These figures do not take account of the effect which the recent disturbances may have on the number of places available in future years.

Further increases in places at existing establishments after 1993-94 are also planned, but the timing and number of these depend on the availability of resources.

Mr. Bermingham: To ask the Secretary of State for the Home Department what is the average cost per place of the prisons currently under construction.

Mr. Mellor: The average cost per place of the 14 prisons currently under construction, or where construction is due to start shortly, is about £117,000.

Mr. Bermingham: To ask the Secretary of State for the Home Department what is the estimated total capital cost at current prices of the 24 new prisons in the prison building programme.

Mr. Mellor: The total capital cost of the design and construction of the 24 prisons in the prison building programme is estimated at £1,355 million. This total represents the sum of the various costs incurred, or likely to be incurred, at each prison at outturn prices. It is not possible in the time available to provide a total at current prices.

Mr. Bermingham: To ask the Secretary of State for the Home Department how many places in the new purpose-built prisons have been provided since 1984 and how many more will be provided at the end of the current prison building programme.

Mr. Mellor: Since 1984, a total of 3,512 places have been provided in new prison establishments in England and Wales. A further 8,397 places are due to be provided by 1994 in new prison establishments which are either under construction or are due to be started shortly. The current programme also envisages the construction of a further 3,600 places, but the locations and time scales of these places have yet to be determined and they will have to be assessed in the light of the prison service's needs.

Mr. Bermingham: To ask the Secretary of State for the Home Department which new prisons have opened in premises converted from other uses since 1984; and how many places they contain.

Mr. Mellor: The following prison establishments currently in use have been converted from other uses since 1984:

Name	*Type*	*Places (certified normal accommodation)*
Lindholme, near Doncaster (former RAF station)	Adult male category C training	1,001
Downview, Banstead (former mental hospital and nurses home)	Adult male category C training	332

Mr. Bermingham: To ask the Secretary of State for the Home Department which new prisons have been opened since 1984.

Mr. Mellor: The following prison establishments have been opened since 1984 in England and Wales:

Name of establishment	Date of opening
Wayland, Norfolk (Adult Male, Category C)	1985
Stocken, Leicestershire (Adult Male, Category C)	1985
Thorn Cross, Cheshire (Young Offender Institution)	1985
Full Sutton, Yorkshire (Adult Male, Category B Dispersal)	1987
Littlehey, Cambridgeshire (Adult Male, Category C)	1988
The Mount, Hertfordshire (Young Offender Institution)	1988
Swaleside, Sheppey (Adult Male, Category B)	1988
Garth, Lancashire (Adult Male, Category B)	1988

Police Pay

Mr. David Nicholson: To ask the Secretary of State for the Home Department what were the increases or otherwise in real terms of the pay of police constables, at various levels of seniority, for the periods *(a)* 1973 to 1978, *(b)* 1978 to 1983 and *(c)* 1983 to 1988; and if he will list other significant changes in the terms and conditions of service of police officers and the dates at which they became effective.

Mr. Peter Lloyd: Increases in real terms in the basic pay of police constables for the periods in question are set out in the table. Since 1973 other significant changes in the terms and conditions of service of police officers have included changes in pension arrangements in 1975 (counting of war service) and 1982 (increase in contributions) and increases in annual leave (1979, 1983 and 1987). Allowances payable in addition to basic pay have been uprated on a regular basis.

Increases in pay of Police Constables (real terms)

1. 1973-1978[1]

Rank and Service Constable	Percentage increase (real terms)[2] Per cent.
Under 1 year	20
After 1 year	19
After 2 years	18
After 3 years	18
After 4 years	11
After 5 years	11
After 6 years	5
After 7 years	5
After 8 years	9
After 13 years	3
After 17 years	2

[1] 1 April 1973—1 April 1978
[2] To the nearest whole number

2. 1978-1983[1]

Rank and service	[2] Percentage increase (real terms)
Constable	
Under 1 year	38
After 1 year	41
After 2 years	44
After 3 years	41
After 4 years	40
After 5 years	44
After 6 years	49
After 7 years	54
After 8 years	52
After 12 years	55
After 15 years	56

[1] 1 April 1978—1 April 1983.
[2] To the nearest whole number.

3. 1983-88[1]

Rank and service	Percentage increase (real terms)[2]
Constable	
Under 1 year	—
After 1 year	—
After 2 years	5
After 3 years	5
After 4 years	5
After 5 years	5
After 6 years	5
After 7 years	5
After 8 years	5
After 12 years	5
After 15 years	5

[1] 1 April 1983-1 April 1988.
[2] To the nearest whole number.

SCOTLAND

Ferries (Fire Safety)

Mr. Beggs: To ask the Secretary of State for Scotland if he will provide additional funding to local authorities in south-west Scotland to ensure that fire-fighting teams in that area are adequately trained and equipped to be able to deal with an outbreak of fire on cross-channel ferries at sea between Northern Ireland and Scotland; and if he will make a statement.

Lord James Douglas-Hamilton: The fire services, like other local services, are supported by central Government through the revenue support grant. Within Scotland, it is for the eight fire authorities, including Dumfries and Galloway regional council, to determine the level of fire expenditure and the priorities for their area.

Accountancy Firms

Mr. Austin Mitchell: To ask the Secretary of State for Scotland if he will list the accountancy firms which he is using for the privatisation of electricity.

Mr. Lang: The information requested is as follows:

Name of firm	Function
1. Coopers and Lybrand Deloitte (formerly Coopers and Lybrand)	Advisers on regulation, contracts, accounting and tax
2. Ernst and Young	Advisers on nuclear matters
3. KPMG Peat Marwick McLintock[1]	Reporting accountants to Scottish Hydro-Electric plc (formerly North of Scotland Hydro-Electric Board)
4. Coopers and Lybrand Deloitte[2] (formerly Deloitte, Haskins and Sells)	Reporting accountants to Scottish Power plc (formerly South of Scotland Electricity Board)

[1] Appointed jointly with Scottish Hydro-Electric plc.
[2] Appointed jointly with Scottish Power plc.

Foreign Language Teachers

Mr. Wray: To ask the Secretary of State for Scotland whether the scheme to give £1,500 on top of their normal grants to graduates prepared to train as foreign language teachers, announced on 13 March, applies also in Scotland; and if he will make a statement.

Mr. Lang: The scheme applies only in England and Wales. The teacher supply position does not at present justify such a scheme in Scotland.

Bankruptcy

Mrs. Margaret Ewing: To ask the Secretary of State for Scotland what was the number of staff of the accountant in bankruptcy for each year since 1984-85; whether the number of staff is to be increased; and what were for each year since 1984-85 the total costs of the accountant in bankruptcy's office.

Lord James Douglas-Hamilton *[holding answer 25 April 1990]:* Following the coming into effect on 1 April 1986 of the provisions of the Bankruptcy (Scotland) Act 1985 the resources made available to the office of the accountant in bankruptcy have been and are being kept under review to match staffing levels to the additional workload resulting from the new provisions. The number of staff in post, at 1 April in each year, was as follows:

Year	*Number*
1984	2·5
1985	2·5
1986	5·5
1987	5·5
1988	14·5
1989	25·5
1990	37·5

The annual running costs for the office of the accountant in bankruptcy were as follows:

£000

Year	*£000*
1984-85	31
1985-86	38
1986-87	73
1987-88	94
1988-89	221
1989-90	400

Mrs. Margaret Ewing: To ask the Secretary of State for Scotland what were the total sums paid out in each of the last five years from *(a)* the legal advice and assistance scheme and *(b)* the civil legal aid scheme to solicitors representing bankrupt persons, persons contesting bankruptcy petitions and otherwise in connection with matters pertaining to bankruptcy.

Lord James Douglas-Hamilton *[holding answer 25 April 1990]:* The information requested is not available.

HEALTH

Environmental Health Departments

Mr. McAvoy: To ask the Secretary of State for Health when he expects to respond to the Audit Commission report on the work of local authority environmental health departments.

Mr. Freeman: The Audit Commission has not yet produced a report. We will be responding when we have considered the commission's recommendations.

Norwich Health Authority (Land Sales)

Mr. Ralph Howell: To ask the Secretary of State for Health how much land has been sold by Norwich health authority in each year since 1979; and if he will give details of the price realised in each case.

Mr. Freeman: Information, which has for brevity been restricted to sales of over £50,000, is as follows:

Year and property	*Acreage*	*Price £*
1979-80 to 1984-85		
Nil		
1985-86		
Blofield Hall Hospital, Norwich	16·0	250,000
Longacre Maternity Home, West Runton	1·4	129,500
Home Place Convalescent Home, Holt	16·0	207,000
Hampshire House Nurses Home, Cromer	1·1	75,000
1986-87		
Vale Hospital (part) Norwich	7·4	240,000
1987-88		
Land adjacent to North Walsham Hospital	3·0	402,000
1988-89		
Land at Drayton	1·0	1,000,000
1989-90		
Pine Heath Hospital, Holt	12·0	701,000

Consultants

Ms. Armstrong: To ask the Secretary of State for Health what percentage of hospital consultants are members of the British Medical Association.

Mrs. Virginia Bottomley: We do not collect such information.

Head Lice

Mr. Pawsey: To ask the Secretary of State for Health what information exists on the incidence of head lice in schools.

Mr. Freeman: The only relevant information held centrally is on the number of children found to be infected on examination by the school health service, with one or more of the following conditions: head lice, vermin, scabies, ringworm, inpetigo and veruccae. The figures in the table show a decline in the incidence of infestation from 1983 to 1987-88 (latest figures available) but there has also been a reduction in the number of pupils examined as the school health service staff have adopted a more targeted approach to health prevention and promotion.

Number of pupils examined (000s): Number of pupils found to be infected (000s): Number infected as percentage of maintained school population

England

	1983	*1984*	*1985*	*1986*	*1987-88*[1]
Individual Examinations	11,682·00	9,401·90	7,288·20	6,089·60	4,546·30
Individual pupils found to be infected	172·60	132·10	105·50	94·60	91·40
Infected pupils as percentage of maintained school population	2·23	1·74	1·42	1·29	1·27

[1]In 1987-88, figures were collected for the financial year, rather than as previously for the calendar year.

Care Homes

Mr. Boswell: To ask the Secretary of State for Health what consultations he has had on the regulation of care homes with fewer than four residents.

Mrs. Virginia Bottomley: Informal consultation has taken place with representatives of local authority associations, directors of social services and the independent sector.

Free Prescriptions

Mr. Pike: To ask the Secretary of State for Health whether he now proposes to make any extension in the categories for eligibility for free prescriptions.

Mrs. Virginia Bottomley: No. A full charge is paid on less than one in five prescription items dispensed. The present exemption arrangements protect those who are likely to have difficulty in paying charges. Those who are not exempt, but who need a lot of prescriptions, can limit their outlay by buying a prepayment certificate.

Homelessness

Mr. Soley: To ask the Secretary of State for Health how many children under 16 years were received into the care of their local authority in 1989 because of homelessness.

Mrs. Virginia Bottomley: The latest statistics available about children in care are the provisional statistics for the year ending 31 March 1988. These provisional figures show that there were 163 children under the age of 16 received into care in England in the year ended 31 March 1988 where the specific cause was that their family was homeless.

Food Safety

Mr. Hinchliffe: To ask the Secretary of State for Health what guidance is given by his Department to health authorities regarding monitoring the safety of food bought from outside premises for consumption within hospitals by patients.

Mr. Freeman: Health authorities are responsible for monitoring the safety of foods purchased for consumption by patients. The Department has issued guidelines contained in the publications "Hygiene, Clean Food" and

"Guidelines on Cook-chill and Cook-freeze Catering Systems". Copies of these publications are available in the Library.

Residential Accommodation (Finance)

Mr. Hinchliffe: To ask the Secretary of State for Health what arrangements are made by his Department for the resolution of disputes between local authorities over the financial responsibility for the care of elderly or handicapped persons requiring residential accommodation.

Mrs. Virginia Bottomley: If a dispute concerns the provision of services under part III of the National Assistance Act 1948 the authorities concerned can ask my right hon. and learned Friend the Secretary of State to determine the question in accordance with section 32(3) of that Act.

Hospital Food

Mr. Hinchliffe: To ask the Secretary of State for Health what steps are taken by his Department to monitor the levels of food wastage within hospitals.

Mr. Freeman: It is for health authorities to determine such monitoring.

Phosphine Gas

Mr. Simon Hughes: To ask the Secretary of State for Health what assessment he has made of the possible implications for human health resulting from exposure to phosphine gas; and if he will make a statement.

Mr. Freeman: The chronic and acute effects of phosphine gas are well documented; in high concentrations it is extremely toxic and can cause death. It has no current commercial use.

However, I assume that the hon. Member is referring to the suggestion that this gas is generated by fungal contaminants of cot mattresses and is a cause of sudden infant death syndrome (SIDS). The chief medical officer has asked a group of independent experts to investigate this theory. He has asked the group to report as soon as possible and will make public its findings.

Hospital Travel Costs Scheme

Mr. Ron Davies: To ask the Secretary of State for Health what is the total cost in each of the last 10 years of the NHS hospital travel costs scheme.

Mr. Freeman *[holding answer 9 March 1990]:* The total annual cost figures available for the National Health Service hospital travel costs scheme in England are as follows.

The scheme has varied in scope over the years (the present arrangements date from April 1988) and prior to 1985-86 was accounted for centrally. The figures for more recent years are derived from the annual accounts and associated returns of health authorities.

We are currently considering measures to increase public awareness of the hospital travel costs scheme.

	£000 (cash)
1980-81	247
1981-82	364
1982-83	677
1983-84	703
1984-85	1,219
1985-86	2,822
1986-87	3,037
1987-88	3,263
1988-89	3,265

Note:
The figures do not encompass administration costs. Those for the years prior to 1985-86 include elements which are not separately identifiable for patients attending artificial limb and appliance centres (ALACs).

ENVIRONMENT

Conservation of Wild Birds

Ms. Walley: To ask the Secretary of State for the Environment what is the number of sites which meet the criteria for designation and protection under the European Community directive on the conservation of wild birds; what is the number of sites so designated; and what is the site next to be designated and the date on which he expects to designate it.

Mr. Trippier: The NCC has identified 91 potential special protection areas in England and Wales, of which 22 have been designated. A total of 128 potential sites have been identified in Scotland of which 18 have now been designated, including another seven announced by my noble Friend the Minister of State yesterday.

I cannot forecast when the next designation will be announced. A number of proposals are currently being considered by my right hon. Friend the Secretary of State for the Environment and my right hon. and learned Friend the Secretary of State for Scotland. The next designation will take place as soon as the necessary consultations have been satisfactorily completed.

Municipal Refuse Sites

Mr. Simon Hughes: To ask the Secretary of State for the Environment what information he has as to how many local authority municipal refuse sites have equipment to enable steel cans to be magnetically separated from the waste stream; and what plans he has to encourage an increase in the number of such facilities.

Mr. Heathcoat-Amory: About 37 local authorities have equipment for the magnetic extraction of steel cans and about 20 authorities currently operate such facilities. An expert recycling advisory group, which includes Government and local authority representation, has been considering various measures to encourage recycling, including the provision of additional sorting and separation facilities. The findings of the group will be taken into account in the forthcoming White Paper on the environment.

Habitats (Protection)

Ms. Walley: To ask the Secretary of State for the Environment whether he will provide new money for the implementation of the EC habitats directive, and specifically for site protection and management, for extending environmentally sensitive areas, and for enforcement of the directive.

Mr. Trippier: I understand that the European Commission hopes to publish soon a draft regulation designed to provide funding to assist the implementation of the draft directive.

Chemical Congress, Belfast

Dr. Thomas: To ask the Secretary of State for the Environment what representation his Department had at the annual chemical congress in Belfast in April.

Mr. Trippier: One member of the Department attended. Several of the Department's research contractors were also represented.

Environmental Economics

Dr. Thomas: To ask the Secretary of State for the Environment if his Department has been invited to present a paper at, or attend, the two-day seminar on environmental auditing and environmental economics, to be held at the International hotel in London on 17 and 18 May.

Mr. Trippier: Professor David Pearce, who is the special adviser to the Secretary of State, will be giving a paper at this seminar on 18 May. Members of the Department of the Environment will be participating on both days of the seminar, though an invitation to present a paper on 18 May was declined.

Rivers

Mr. Onslow: To ask the Secretary of State for the Environment what action he is taking to ensure that environmentally acceptable flows are maintained in rivers in England and Wales during the remainder of this year.

Mr. Trippier: It is for the National Rivers Authority to decide what action to take to maintain flows in rivers. I understand that the authority is giving priority to investigating 20 rivers in England and Wales with low flows during the summer months, in order to formulate long-term solutions.

Homeless Teenagers

Mr. Soley: To ask the Secretary of State for the Environment what proposals he has for estimating the number of homeless teenagers in England and Wales.

Mr. Michael Spicer: The 1991 census will include a count of people of all ages who are sleeping rough or in temporary accommodation.

Shorthold Tenancies

Mr. Soley: To ask the Secretary of State for the Environment how many assured and assured shorthold tenancies have been created under the Housing Act 1988 in England and Wales, by region, and excluding council leases.

Mr. Michael Spicer: This information is not yet available. We shall, as soon as practicable, be undertaking a detailed evaluation of the impact of deregulation which will include an assessment of the number of tenancies created. However, initial impressions are very encouraging. It is estimated that about £480 million has so far been invested in business expansion scheme companies letting on assured tenancies, which will provide some 8,000 additional homes to let in Great Britain.

Children (Temporary Accommodation)

Mr. Soley: To ask the Secretary of State for the Environment (1) how many children are living in forms of temporary accommodation, excluding bed-and-breakfast hotels, in England and Wales, having been accepted by their local authority as homeless;

(2) how many children are living in bed-and-breakfast accommodation in England and Wales, having been accepted by their local authority as homeless.

Mr. Michael Spicer: The number of children among the homeless households in bed-and-breakfast and other forms of temporary accommodation in England are not reported by local authorities and my Department has no estimates.

For information about Wales I refer the hon. Member to my right hon. Friend the Secretary of State for Wales.

Children (Housing)

Mr. Soley: To ask the Secretary of State for the Environment how many children under 16 years are in households refused by local authorities under homeless legislation in 1989.

Mr. Michael Spicer: This information is not held centrally.

Local Government Finance

Mr. Steen: To ask the Secretary of State for the Environment what additional resources will be made available to local authorities when the duty of dealing with stray dogs is transferred from the police to the local authority; and if he will make a statement on the basis of the calculation by his Department as to the additional funds required for local authorities to carry out their duties.

Mr. Heathcoat-Amory: No legislation for transferring the duty of dealing with stray dogs from the police to local authorities is currently before Parliament. We remain committed to this proposal however and intend to introduce such legislation at a convenient opportunity. Local authority comments would be sought on the details of any proposed legislation and we would consider at that time any representations they might make on the question of additional resources.

Mr. Steen: To ask the Secretary of State for the Environment what additional resources he will make available to local authorities in order to implement the draft code of practice on litter and refuse as required under the Environmental Protection Bill.

Mr. Trippier: It is not yet possible to determine precisely the cost implications for local authorities of meeting the standards of cleanliness described in the draft code of practice on litter and refuse. The draft code is currently the subject of consultation with local authorities and other interested parties. The results of this consultation, together with the report of the management consultants commissioned to undertake a survey of a representative sample of authorities, will be taken into

account when we decide what level of revenue support grant will be appropriate for 1991-92 and subsequent years.

Mr. Tracey: To ask the Secretary of State for the Environment whether any authorities designated for community charge capping have so far accepted the cap he proposed; and if he will make a statement.

Mr. Chris Patten: Camden notified me on 24 April that it accepted the cap. I have today confirmed the figure of £177 million that I originally proposed. Camden must now set its new lower budget which will reduce the bills of Camden charge payers by over £30, which I am sure they will welcome.

Council Rents

Mr. Soley: To ask the Secretary of State for the Environment if he will publish a table showing such information as he has concerning the average council rent level in *(a)* Hammersmith and Fulham and *(b)* the Greater London area in each year from 1987 to 1989.

Mr. Michael Spicer: The information is as follows:

Average weekly unrebated rent (£ per week)

	April 1987	*April 1988*	*April 1989*
Hammersmith and Fulham	24·67	27·06	29·34
Greater London	18·86	21·69	24·19

Trees

Mr. Simon Hughes: To ask the Secretary of State for the Environment what grants are available for tree planting; and to what extent the level of any grant is governed by the proposed density of tree cover.

Mr. Heathcoat-Amory: A wide range of grants is available to encourage amenity and commercial planting. Through its local government partners the Countryside Commission offers aid for the planting of amenity trees on land up to 0·25 hectares. Grant is not governed by the planned density of cover, but the commission offers general guidance on spacing.

Local authorities may also offer planting grants at their own discretion.

On larger sites the Forestry Commission aids planting through the woodland grant scheme. The maximum tree spacings normally acceptable for this grant are 2·1 m for conifers and 3 m for broadleaves. Where the commission considers it silviculturally acceptable, proposals to plant at wider spacings may be permitted and grant paid on a pro rata basis.

Grants are also available from the Ministry of Agriculture, Fisheries and Food for planting shelter belts of trees. The rate of grant is not dependent on the density of planting.

Bats

Mr. Simon Hughes: To ask the Secretary of State for the Environment what information he has in respect of population levels of each of the 15 species of bat native to the United Kingdom *(a)* in 1989, *(b)* in 1980 and *(c)* in 1970; and if he will make a statement.

Mr. Trippier: This information is not readily available in the form requested.

Earth Day

Mr. Simon Hughes: To ask the Secretary of State for the Environment what steps his Department took to promote, encourage and participate in Earth Day.

Mr. Trippier: I refer the hon. Member to the answer I gave to the right hon. Member for Tweeddale, Ettrick and Lauderdale (Sir D. Steel) on 8 March 1990, *Official Report*, column *801*.

Metaldehyde

Mr. Simon Hughes: To ask the Secretary of State for the Environment what research has been carried out to establish the incidence of death among wild birds attributable to metaldehyde; what have been the results of the research; and if he will make a statement.

Mr. Trippier: Deaths of wild birds from pesticides are investigated by the Ministry of Agriculture, Fisheries and Food's wildlife incident scheme. I understand that of the 900 such incidents investigated between 1984-1989, only six were found to involve metaldehyde.

Aflatoxin

Mr. Beith: To ask the Secretary of State for the Environment what steps he proposes to take to prevent the sale of peanuts contaminated with aflatoxin as food for wild birds; and if he will make a statement.

Mr. Trippier: Existing controls on foodstuffs for domestic animals and birds, for which my right hon. Friend the Minister of Agriculture, Fisheries and Food is responsible, do not extend to materials supplied for feeding to wild birds. However, there are voluntary initiatives by the pet food trade aimed at preventing the supply of aflatoxin contaminated peanuts as wild bird food. My Department is shortly to discuss with the Ministry of Agriculture, Fisheries and Food what further action, if any, may be required.

Vacant Land

Mr. Nicholas Bennett: To ask the Secretary of State for the Environment if he will list *(a)* the total amount of vacant land held by each local authority in England, *(b)* the percentage this represents of each local authority's land holding and as a percentage of the total land within each authority's area; and *(c)* the estimated value of the vacant land held by each local authority together with the measures being taken by his Department to encourage local authorities to release such land.

Mr. Moynihan *[holding answer 24 April 1990]:* I am arranging for copies of a list showing the amount of each local authority's unused and underused land entered on the Department's land register as at 30 September 1989 to be placed in the Library of the House.

Information on the relationship between these amounts and the total land within each authority's area could be provided only at disproportionate cost. Information on authorities' total land holdings and the value of their registered land is not available.

Measures to encourage the disposal or bringing into use of authorities' vacant land include the incentives for disposal within the capital and revenue finance systems;

the public accessibility of the land register and of individual owners' registers, including the publicity given to the "public right to order disposal"; and the use of directions to require authorities to take steps to dispose of particular sites. We are currently considering whether further measures might be appropriate to reduce the amount of public sector vacant land.

District Health Authorities (Funding)

Mr. Nicholas Bennett: To ask the Secretary of State for the Environment what allowance is made in the formula for funding district health authorities for large increases in population in the summer months as a result of tourism; and how this will be taken into account under the new system based on weighted resident capitation to be introduced in 1991-92.

Mr. Freeman: I have been asked to reply.

The allocation of funds to district health authorities is a matter for regional health authorities, or, in Wales, for my right hon. Friend the Secretary of State for Wales. From 1991-92, all treatments will be paid for by a patient's home district health authority, except for out-patient attendances at accident and emergency departments. Regional health authorities will have discretion to take account of local circumstances in making allocations to district health authorities, including where relevant exceptional demands imposed on A and E departments by tourism.

Waste Site Licences

Ms. Walley: To ask the Secretary of State for the Environment (1) if he will name those waste site licences revoked, and the date, by the local authority which are currently subject to appeal to the Secretary of State;

(2) if he will give the name and date of revocation of those waste licences revoked by local authority licensing authority which are currently subject to appeal to the Secretary of State.

Mr. Trippier: Following is a list of the appeals made under section 10 of the Control of Pollution Act 1974 currently under consideration in respect of waste disposal licences which have been revoked:

Site	*Appellant*	*Waste Disposal Authority*	*Effective date of revocation*
Halfhead Farm, Shallowford	S. and R. Hopley Ltd.	Staffordshire County Council	20 October 1989
Ex YEB substation, Parkwood Road, Neepsend	Parkwood Skip Hire	Sheffield City Council	21 October 1989
Parkwood Road Coal Yard, Neepsend	Parkwood Aggregates Limited	Sheffield City Council	21 October 1989
Rough Park Quarry, Mill Lane, Upholland	Landfill Services Limited	Lancashire County Council	15 September 1989
Gilbey Road, Grimsby	Roy Kendall Ltd.	Humberside County Council	26 August 1987

FOREIGN AND COMMONWEALTH AFFAIRS

Nuclear Non-proliferation

Mr. Flynn: To ask the Secretary of State for Foreign and Commonwealth Affairs what institutional arrangements exist to bring to account any nation that violates its commitments under article II of the nuclear non-proliferation treaty.

Mr. Waldegrave: While there is no provision under the non-proliferation treaty for action against any state that might violate its commitments under the treaty, the fourth review conference, on 20 August to 14 September, will provide an opportunity for parties to the treaty to discuss any such violations.

Mr. Ienan Wyn Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs if he has received any recent communication from the French Government concerning accession to the 1968 nuclear non-proliferation treaty.

Mr. Waldegrave: No.

Antarctic

Ms. Walley: To ask the Secretary of State for Foreign and Commonwealth Affairs whether he will make a statement of the Government's position on making Antarctica a nature reserve free of mineral exploration.

Mr. Maude: We remain totally committed to the protection of the Antarctica environment and support current proposals to introduce comprehensive measures to enhance environmental protection. We do not, however, see any particular merit in labelling the Antarctica a "world park" or "international wilderness area", as suggested by the French and Australians.

The Franco-Australian initiative aims to replace the convention on the regulation of Antarctica minerals resource activity (CRAMRA). The United Kingdom however, remains committed to CRAMRA which provides stringent means of regulating or preventing mineral exploitation and development in Antarctica.

Arab League

Mr. Latham: To ask the Secretary of State for Foreign and Commonwealth Affairs whether he will instruct his Department to convey to the official representatives of the Arab League in London the views of Her Majesty's Government on the statement issued by the Arab League in London on 14 April criticising Her Majesty's Customs and Excise regarding the seizure of metal tubes apparently intended for gun components; and whether he will make a statement.

Mr. Waldegrave: Our position on the seizures which took place at Teesport on 10 April was set out clearly by my right hon. Friend the Secretary of State for Trade and Industry in his statement to the House on 18 April, column 1427.

Middle East

Mr. Latham: To ask the Secretary of State for Foreign and Commonwealth Affairs whether his Department will seek the co-operation of the Palestine Liberation Organisation to investigate whether any credence should

be placed upon threats reported to have been made on 15 April by Sheikh Assad Al-Tamimi, of the Islamic jihad movement in Palestine.

Mr. Waldegrave: No. The Palestine Liberation Organisation does not include a group of this name.

Parking Fines

Mr. French: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will publish the number of unpaid parking fines incurred by each diplomatic mission in London during 1989.

Mr. Sainsbury: The information is given in the table. The table also includes those international organisations which incurred unpaid fines. The figures may be reduced by late payment.

The total for 1989 (7,831) indicates a 22 per cent. reduction over the 1988 figure (10,079) and is only 7 per cent. of the 1984 figure (108,932), the last to be published before the introduction in May 1985 of the Government's policy on parking by members of diplomatic missions.

We welcome the further reduction in unpaid parking fines that has been achieved during 1989 and appreciate the co-operation of diplomatic missions since the introduction of the parking policy. We shall continue to monitor carefully the level of unpaid fines and bring pressure to bear on diplomatic missions to reduce this still further.

Unpaid Parking Fines

	1989	*1988*
Soviet Union	599	656
Saudi Arabia	287	357
Cote d' Ivoire	272	300
Cameroon	261	311
Egypt	261	668
Poland	244	340
Pakistan	243	228
Sudan	238	286
United Arab Emirates	231	122
Korea	216	175
Angola	197	36
Greece	195	259
Spain	177	310
Qatar	166	228
Israel	166	195
Bulgaria	152	88
Iraq	147	274
Germany (Federal Republic)	145	123
Malaysia	142	237
Morocco	135	182
Thailand	134	188
Brunei	118	281
Turkey	117	201
Kuwait	113	70
Portugal	106	109
Ghana	102	105
Cyprus	102	72
France	94	112
Algeria	90	88
China	83	167
India	79	79
Barbados	79	50
Bangladesh	77	77
Brazil	75	102
Canada	74	66
Germany (Democratic Republic)	68	91
Yugoslavia	65	88
Jordan	63	87
Gambia	60	28
Hungary	57	44
Japan	57	110
Sierra Leone	55	157
Venezuela	55	105
Tanzania	53	58
Norway	52	72
Finland	51	59
Uruguay	48	38
Tunisia	46	158
Zambia	46	45
Oman	44	26
Ethiopia	43	80
Czechoslovakia	40	35
Ireland	39	43
Seychelles	39	9
Nigeria	37	44
Yemen Arab Republic	37	29
Liberia	36	61
Sweden	35	50
Romania	34	54
Zaire	34	141
Cuba	33	41
Mauritius	33	32
Peoples Democratic Republic of Yemen	32	44
Burma	28	37
Guyana	28	27
Belgium	27	45
Italy	27	69
Nicaragua	26	29
Jamaica	23	41
Philippines	22	26
Senegal	22	58
Zimbabwe	21	34
Lebanon	19	35
Fiji	18	43
Uganda	18	32
Honduras	16	16
Somalia	15	36
Chile	14	6
Kenya	14	40
Paraguay	14	31
United States of America	14	22
Malawi	13	22
Trinidad	13	16
Indonesia	12	38
Ecuador	11	49
Gabon	11	31
Austria	9	6
Dominica	9	14
Mongolia	9	4
Guatemala	8	8
Iceland	8	16
Lesotho	8	11
Peru	8	75
Vietnam	8	6
Iran	7	33
Bolivia	6	5
Australia	5	0
Benin	5	0
Nepal	5	5
Panama	5	12
South Africa	5	0
Afghanistan	4	9
Denmark	4	2
Mexico	4	10
Netherlands	4	8
Togo	4	11
Bahrain	3	0
Botswana	3	5
Colombia	3	10
Malta	3	0
Sri Lanka	3	5
Swaziland	3	0
East Caribbean	2	5
Mozambique	2	0
Singapore	2	2
Switzerland	2	3
Bahamas	1	2
Belize	1	0
Luxembourg	1	3
Papua New Guinea	1	1

	1989	1988
Tonga	1	0
Antigua and Barbuda	0	6
Costa Rica	0	0
El Salvador	0	2
Grenada	0	0
New Zealand	0	0
International Organisations		
Commonwealth Secretariat	23	21
Cocoa	5	13
Immarsat	5	0
IMO	4	1
Coffee	3	0
EC	0	1
Sugar	0	0
UN	0	0
WEU	0	10
	7,831	10,079

Diplomatic Immunity

Mr. Bowis: To ask the Secretary of State for Foreign and Commonwealth Affairs how many serious offences were allegedly committed in 1989 by persons entitled to diplomatic immunity; and how many foreign diplomats were withdrawn from their posts in Britain in that year as a result of alleged offences.

Mr. Sainsbury: Forty alleged serious offences by persons entitled to immunity were drawn to the attention of the Foreign and Commonwealth Office in 1989 (four fewer than in 1988). "Serious offences" are defined in accordance with the report to the Foreign Affairs Committee "The abuse of diplomatic immunities and privileges (1985)" as offences falling into a category which could in certain circumstances attract a penalty of six months or more; we are advised that very few of the alleged offences would have been likely to attract a custodial sentence. The majority involved drinking and driving and shoplifting.

Fourteen diplomats were withdrawn from their posts in Britain in 1989 following alleged offences (the same number as in 1988).

Mr. Brazier: To ask the Secretary of State for Foreign and Commonwealth Affairs what progress has been made in the handling of diplomatic immunities and privileges since the publication of the Government's White Paper "Diplomatic Immunities and Privileges" Cmnd. 9497, in 1985.

Mr. Sainsbury: We have fully implemented the guidelines set out in the 1985 White Paper, with the objective of reducing the abuse of diplomatic immunity and privileges, while fulfilling our obligations under the Vienna conventions on diplomatic relations and on consular relations.

We have applied stricter standards to the size of diplomatic missions and the notification of staff. New legislation was introduced in 1988 to prevent the abuse of United Kingdom immigration laws by persons employed as locally engaged members of mission staff. The legislation ensures that locally engaged members of the staff of a mission who have no pre-existing legal or immigration entitlement to work in the United Kingdom are no longer exempt from the United Kingdom immigration laws. Such staff fall to be refused leave to remain for employment with a mission unless there has been prior notification to, and acceptance by, the Foreign and Commonwealth Office. The FCO continues to monitor closely all new appointments to diplomatic missions in London and elsewhere in the United Kingdom. Arrangements are being made to clarify the status of staff whose term of service in the United Kingdom exceeds 10 years. There has been little growth in the size of individual diplomatic missions.

We withdrew recognition of diplomatic status from 17 national tourist offices in 1985. In 1987 the Diplomatic and Consular Premises Act was introduced to enable the Foreign and Commonwealth Secretary to control the acquisition and disposal of diplomatic premises in London. This Act also provides for the acquisition by the Secretary of State of premises formerly used for the purposes of a diplomatic mission. The Secretary of State has so far used these powers once in relation to the premises of the former Cambodian embassy in London which were occupied by squatters.

We continue to play a full part in United Nations discussions on the regulation of the use of the diplomatic bag. Procedures for the scanning of diplomatic bags in certain circumstances have been notified to the diplomatic corps in London.

The guidelines set out in paragraphs 57 to 73 of the 1985 White Paper on the handling of alleged serious offences by diplomats have been followed fully. Statistics on such alleged offences are made available to Parliament annually. We have repeatedly made clear to members of the diplomatic corps the standards of behaviour we expect and the way in which any alleged offences committed by persons entitled to diplomatic immunity will be handled. The Foreign and Commonwealth Office takes action with the appropriate diplomatic mission in the case of every alleged offence by an entitled person notified to the Foreign and Commonwealth Office by the police. The Foreign and Commonwealth Office also continues to intervene on behalf of individuals who are precluded by diplomatic immunity from pursuing through normal legal channels valid claims against members of diplomatic missions in London.

The Foreign and Commonwealth Office has dealt firmly with the problem of unpaid parking fines by diplomatic missions in London. With the assistance of a computerised system, the Foreign and Commonwealth Office monitors all such fines left unpaid by members of diplomatic missions in London and by official cars owned by diplomatic missions. In 1984, there were 108,845 unpaid fines outstanding; in 1989 this figure had fallen to 7,831, representing a drop of 93 per cent. between 1984 and 1989. Detailed statistics on unpaid parking fines are published in Parliament every six months.

Ivory

Mr. Tony Banks: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) how much elephant ivory is currently held in Hong Kong by the Rand company; and how much of it has CITES documentation;

(2) how much ivory has been exported from Hong Kong by the Rand company since July 1989; and to which countries it was exported;

(3) how much of the ivory currently held in Hong Kong belongs to the Tat Hing company; and what proportion of it does not have CITES documentation;

(4) what are the countries of origin of ivory held by the Tat Hing company in Hong Kong; how much has been exported by the company since July 1989; and to which countries it was exported.

Mr. Waldegrave *[holding answer 29 March 1990]:* The information on individual firms was collected to enable the Hong Kong Government to implement their statutory controls. The Hong Kong Government treat this as commercial information in confidence and it would be wrong for us to disclose it.

NATIONAL FINANCE

Interest Rates

9. **Mr. Corbyn:** To ask the Chancellor of the Exchequer when he next expects to meet representatives from the Building Societies Association to discuss the present level of interest rates.

Mr. Major: Next month.

19. **Mr. Fraser:** To ask the Chancellor of the Exchequer what are the current short-term interest rates in *(a)* the United Kingdom and *(b)* West Germany.

Mr. Ryder: On 25 April three-month interbank rates were 15·3 per cent. in the United Kingdom and 8·4 per cent. in Germany.

35. **Mr. Matthew Taylor:** To ask the Chancellor of the Exchequer what is the average level of commercial interest rates in the European Community and in the United Kingdom.

Mr. Ryder: On 25 April, three-month nominal interest rates were 15·3 per cent. in the United Kingdom and 11·2 per cent. in the European Community as a whole.

Mr. Lewis: To ask the Chancellor of the Exchequer what proposals he has to review the Government's interest rate policy.

Mr. Major: Interest rates will continue to be kept as high as needed to reduce inflation.

Friends of the Earth

13. **Mr. Flannery:** To ask the Chancellor of the Exchequer when he last met representatives of Friends of the Earth to discuss fiscal policy and the environment.

Mr. Norman Lamont: My right hon. Friend has not met representatives of Friends of the Earth to discuss fiscal policy and the environment.

Mortgages

18. **Mr. Anderson:** To ask the Chancellor of the Exchequer what was the average mortgage repayment for someone on an average new mortgage in May 1988; and what it is now.

Mr. Lilley: The figures are £221·81 and £350·35 per month.

Third World Debt

20. **Mr. Worthington:** To ask the Chancellor of the Exchequer what amount of debt forgiveness to assist the Third world he anticipates will be generated by the provision on sovereign debt in his Budget.

Mr. Lilley: The proposals now in the Finance Bill are aimed at spreading the cost of tax relief to the Exchequer, and giving more certainty to the calculation of that relief. Any decision to forgive debt will be for the banks to make based on their commercial judgment.

Inflation

24. **Ms. Primarolo:** To ask the Chancellor of the Exchequer what are the current inflation rates in *(a)* the United Kingdom and *(b)* other Group of Seven countries.

Mr. Ryder: Excluding mortgage interest payments United Kingdom inflation was 6·3 per cent. in March 1990. The latest more comparable inflation rate for other G7 countries was 4·5 per cent. in January.

31. **Mr. Wallace:** To ask the Chancellor of the Exchequer what is the average inflation rate of countries in the exchange rate mechanism of the European monetary system.

Mr. Ryder: Excluding estimates of home owners' costs to put figures on a more comparable basis, the average inflation rate of members of the exchange rate mechanism of the EMS was 4·3 per cent. in January 1990.

Exchange Rate Mechanism

25. **Mr. Geraint Howells:** To ask the Chancellor of the Exchequer which of the Madrid conditions concerning United Kingdom entry into the exchange rate mechanism of the European monetary system have yet to be fulfilled.

33. **Mr. Beith:** To ask the Chancellor of the Exchequer if he will make a statement on progress towards fulfilling the Madrid conditions concerning United Kingdom entry into the exchange rate mechanism of the European monetary system.

Mr. Ryder: Progress has been made on capital liberalisation, on competition policy and on liberalisation of financial services. But further important decisions still need to be taken. For example, as yet only 60 per cent. of the measures contained in the original White Paper on the single market have been agreed at Community level. In the financial services field, the draft investment services directive is still under discussion and the associated capital adequacy directive has not yet been adopted by the Commission. Above all, we need to make more progress in reducing inflation here at home.

27. **Mr. Riddick:** To ask the Chancellor of the Exchequer by what percentage *(a)* the French franc, *(b)* the Italian lira and *(c)* the pound sterling have been devalued against the deutschmark since the franc and lira joined the exchange rate mechanism.

Mr. Ryder: Since 13 March 1979, the French franc has depreciated by about 31½ per cent., the Italian lira by about 38 per cent. and the pound sterling by about 28 per cent. against the deutschmark.

29. **Mr. Simon Hughes:** To ask the Chancellor of the Exchequer if he has reviewed his policy on United Kingdom membership of the exchange rate mechanism of the European monetary system; and if he will make a statement.

41. **Mr. Kirkwood:** To ask the Chancellor of the Exchequer whether he has reviewed the Madrid conditions for full United Kingdom membership of the exchange rate mechanism of the European monetary system.

Mr. Ryder: I refer the hon. Friends to the answer my right hon. Friend gave earlier today to the hon. Member for Birkenhead (Mr. Field).

36. **Mr. Dykes:** To ask the Chancellor of the Exchequer if he will give his assessment of any disadvantages arising from United Kingdom participation in the European exchange rate mechanism.

Mr. Ryder: I refer the hon. Member to the statement by my right hon. Friend the Chancellor of the Exchequer in the Budget debate, 26 March, *Official Report*, column 117.

Mr. Leighton: To ask the Chancellor of the Exchequer if he will explain the details and conditions of the Central bank swap arrangements in the exchange rate mechanism of the European monetary system.

Mr. Ryder: I refer the hon. Member to section 3.8 of the resolution of the European Council of 5 December 1978 on the establishment of the European monetary system and related matters.

Scotch Whisky

28. **Mr. Kennedy:** To ask the Chancellor of the Exchequer what assessment he has made of the implications of his Budget for the Scotch whisky industry; and if he will make a statement.

Mr. Ryder: Excise duties on Scotch whisky have not been raised since 1985. Since then the RPI has risen by over 28 per cent. Scotch whisky exports continue to grow strongly and account for some 85 per cent. of turnover. The industry remains successful and profitable and recently six distilleries reopened. The Budget increase in excise duty should have only a marginal effect on sales in the United Kingdom. Even after the Budget increase, the total tax on a bottle of scotch will have fallen by nearly 20 per cent. in real terms since May 1979.

Economic and Monetary Union

32. **Mr. Alex Carlile:** To ask the Chancellor of the Exchequer if he will make a statement on developments towards economic and monetary union within the Community.

Mr. Lilley: The Council of Economic and Finance Ministers discussed economic and monetary union at its informal meeting on 31 March, about which my right hon. Friend the Chancellor made a statement to the House on 3 April, *Official Report*, column *523*.

Gross Domestic Product

34. **Mr. Gareth Wardell:** To ask the Chancellor of the Exchequer what proportion of non-North sea money gross domestic product, non-North sea taxes, national insurance contributions and the poll tax represented in 1978-79; and what is the planned proportion in 1990-91.

Mr. Lilley: In 1978-79 non-North sea taxes and national insurance contributions amounted to 34·1 per cent. of non-North sea GDP. The Budget forecast for the comparable figure in 1990-91 is 37 per cent. of non-North sea GDP, adjusted to remove the distortion due to the abolition of domestic rates.

Mortgage Interest

37. **Mr. Cousins:** To ask the Chancellor of the Exchequer if he will estimate for the northern region *(a)* the increase in mortgage interest payable between 1988 and 1989 and *(b)* the share of this increase accounted for by (i) rising interest rates and (ii) rising size of mortgages.

Mr. Lilley: Projections of the information in the 1986 and 1987 family expenditure surveys indicate that between 1988 and 1989 mortage interest payable in the northern region increased by £0·4 billion. The amounts due to the rise in interest rates and to the growth in the stock of mortgages cannot be estimated reliably.

Bank of England

38. **Mr. Menzies Campbell:** To ask the Chancellor of the Exchequer when he last met the Governor of the Bank of England; and if he will make a statement.

Mr. Ryder: My right hon. Friend meets the Governor of the Bank of England from time to time to discuss a variety of matters.

Composite Rate Tax

39. **Sir Trevor Skeet:** To ask the Chancellor of the Exchequer how many people he anticipates to benefit as a result of his abolition of composite rate tax.

Mr. Lilley: About 14 million people will benefit as a result of abolition of composite rate tax.

Tobacco Taxation

40. **Mr. Amos:** To ask the Chancellor of the Exchequer how much extra revenue he expects to raise from the recent increase in taxation on tobacco; and if he will make a statement.

Mr. Ryder: The revenue yield resulting from the changes to tobacco duty rates in this year's Budget is estimated to be £330 million in 1990-91.

Small Businesses (VAT)

42. **Mr. Atkinson:** To ask the Chancellor of the Exchequer if he will make a further statement on the value added tax threshold for small business.

Mr. Ryder: The level of the VAT registration threshold is subject to regular review and has been increased in line with inflation since 1979. The increase to £25,400 announced by my right hon. Friend in his Budget statement represents the maximum possible within our obligations under the EC sixth VAT directive, which restricts increases in the threshold to those which maintain its value in real terms.

Prices

43. **Mr. Gow:** To ask the Chancellor of the Exchequer what is the policy of Her Majesty's Government towards the securing of stable prices; and when he expects that purpose to be achieved.

Mr. Ryder: The Government's objective is to defeat inflation.

Chelsea FC

44. **Mr. John Carlisle:** To ask the Chancellor of the Exchequer what representations he has received from Chelsea football club about his Budget.

Mr. Ryder: None.

Environmental Issues

45. **Mr. Michael:** To ask the Chancellor of the Exchequer if he will make a statement on his oversight of his Department's interest in environmental issues during the past financial year.

Mr. Norman Lamont: The Treasury has played a full part in the development of the Government's policy towards domestic and international environmental issues. In his Budget statement, my right hon. Friend announced an increase in the duty differential in favour of unleaded petrol which now stands at 3·4p per litre.

Child Benefit

46. **Mr. Robert Banks:** To ask the Chancellor of the Exchequer what is his estimate of the take from making child benefit liable to income tax.

Mr. Lilley: The estimated direct revenue yield in 1990-91 from making child benefit liable to tax would be about £450 million. This assumes that child benefit received by married couples would be taxed as the mother's income.

Pools Promoters

Mr. Harry Greenway: To ask the Chancellor of the Exchequer what discussions he has had with the pools promoters about his Budget.

Mr. Ryder: Following my right hon. Friend the Chancellor's Budget statement, officials have met the Pools Promoters Association and the Football Trust to discuss implementation of his proposal to reduce the rate of pools betting duty.

Negotiations are proceeding with the aim of ensuring that the entire benefit of the proposed duty reduction is devoted to the improvement of safety and comfort at football league grounds as recommended by the Taylor report.

Group of Seven

Dr. Thomas: To ask the Chancellor of the Exchequer what matters were discussed at the Group of Seven industrialised nations' meeting in April.

Mr. Ryder: I refer the hon. Member to the answer I gave earlier today to my hon. Friend the Member for Suffolk, South (Mr. Yeo).

Eastern Europe

Dr. Thomas: To ask the Chancellor of the Exchequer if his Department will initiate a programme to provide assistance to eastern European states on banking, taxation and pricing policies in the context of an international free market economy in Europe.

Mr Ryder: The United Kingdom's know-how fund, which has been extended to cover Poland, Hungary, Czechoslovakia and East Germany covers these areas of assistance. Training and consultancy programmes on banking, pricing policies and taxation are already in place in Poland and will be starting in Czechoslovakia.

Public Sector Debt Repayment

Mr. Campbell-Savours: To ask the Chancellor of the Exchequer what is his projection for the PSDR in the years 1990-91 and 1991-92.

Mr. Norman Lamont: The PSDR is forecast to be £6·9 billion in 1990-91. It is projected to fall to £3 billion in 1991-92 in line with the objective of a balanced budget in the medium term.

Taxation

Mr. Harry Ewing: To ask the Chancellor of the Exchequer what was the overall tax burden, including all direct and indirect taxes and treating child benefit as negative income tax, for a one-earner family on average earnings in 1989-90 with two children; and what he estimates it will be in 1990-91.

Mr. Lilley: About one third of gross earnings in direct and indirect taxes and employee national insurance contributions in 1989-90, and about the same in 1990-91.

AGRICULTURE, FISHERIES AND FOOD

Vaccines

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food what evidence he has concerning the damage to sheeps' livers by pasteurellosis vaccines; if he is conducting any relevant research; and if he will make a statement.

Mr. Maclean: Many millions of sheep are vaccinated annually against pasteurella and clostridia infections. During 1989, veterinary medicines department staff investigated over 80 reports of sheep reacting adversely following vaccination. A number of affected sheep showed liver damage, but in the majority of cases this was commensurate with concurrent disease such as fluke infestation or pregnancy toxaemia. The Veterinary Products Committee examined the results of these investigations and did not consider that the evidence available supported a link between vaccine use and liver damage. However, the committee advised that highly stressed animals should not be vaccinated, and vaccine labels have been altered to clarify this.

Aphids

Mr. Barry Field: To ask the Minister of Agriculture, Fisheries and Food what representations he has received about the infestation of aphids.

Mr. Curry: The Department has received several representations from individual farmers and farmer groups concerning the recent aphid infestation. These have been made to the Agricultural Development and Advisory Service (ADAS) and have mainly expressed concern at the number of aphids that have survived the mild winter to multiply on cereall crops. ADAS has also received many inquiries regarding the risk of aphid-transmitted virus diseases in cereals, sugar beet, potatoes and vegetable brassicas.

Mr. Barry Field: To ask the Minister of Agriculture, Fisheries and Food what his Department's response has been to recent representations about infestation by aphids; and what indications there are of regional variations in the infestation of aphids.

Mr. Curry: The Department has continued to provide farmers and growers with up-to-date information on the incidence and control of aphids and the risk of aphid-borne virus diseases. This information has been available from the Agricultural Development and Advisory Service (ADAS) in the form of articles in the farming press in MAFF divisional bulletins, distributed to all farmers with 20 hectares of crops, and in regional crop intelligence reports available to subscribers.

The most recent reports from ADAS entomologists indicate that the incidence of aphids is very variable within each region. Nevertheless, in cereals, levels of bird-cherry aphid are generally higher in south-east and south-west England and in parts of East Anglia than in the midlands, northern England and Wales. The same pattern is apparent for cabbage aphid on oilseed rape. At the present time, no clear regional variation is apparent in the incidence of other aphid species.

GATT

Mr. Redmond: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of how the general agreement on tariff and trade will affect aspects of United Kingdom farming by the end of the current year; and if he will make a statement.

Mr. Curry: The Uruguay round negotiations are due to be concluded in December this year. It is not yet possible to forecast the outcome of these negotiations, but any reforms agreed are likely to be phased in over a number of years.

Set-aside Land

Mr. Tom Arnold: To ask the Minister of Agriculture, Fisheries and Food what is his latest estimate of the acreage of set-aside agricultural land in England and Wales.

Mr. Curry: I estimate that the area set-aside in England and Wales in the 1989-90 crop year was 88,868 hectares, equivalent to about 219,000 acres.

Pesticides

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food what information he has received from the United States's Environmental Protection Agency concerning maneb, mancozeb and zineb; and if he will make a statement.

Mr. Maclean: All the data on these pesticides which the EPA had studied, together with its evaluations, were made available for assessment by this Department.

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food when he intends introducing new spraying regulations to reduce residue levels in food of maneb, mancozeb and zineb.

Mr. Maclean: Officials are taking action to make statutory the advice already given to growers. Details will be published.

Enzootic Bovine Leukosis

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food what information he has concerning the extent to which European Economic Community member states or regions are free of enzootic bovine leukosis; and if he will make a statement.

Mr. Maclean: We do not have comprehensive information on the incidence of enzootic bovine leukosis in the Community because the disease is not one of those which, when it occurs, is required to be reported to the European Commission by member states.

Cattle Exports

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food what steps he is taking to restore the export of live cattle and cattle products to the European Economic Community; and if he will make a statement.

Mr. Maclean: The majority of this trade is proceeding normally. I and my officials take every opportunity to ensure that other member states are fully aware of the kind of control measures that we believe to be appropriate.

Brucellosis

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food whether his Department included bulls in slaughter orders applied in the outbreak of brucellosis; and if he will make a statement.

Mr. Maclean: The legislation provides for the slaughter of bulls where appropriate.

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food what expenditure has been incurred during each of the last five years by his Department in blood testing for brucellosis.

Mr. Maclean: The cost of blood sampling and testing for brucellosis during the last five years is as follows:

	£
1985-86	4,534,275
1986-87	4,587,463
1987-88	4,590,025
1988-89	4,819,079
1989-90	4,648,359

Scrapie

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food whether he has conducted any research by means of histopathological examination of porcine brains, or by any other method, into the possibility of pigs developing a spongiform encephalopathy from the consumption of scrapie-infected sheep remains.

Mr. Maclean: Histopathology of porcine brains is conducted on submissions from veterinary practitioners by pathologists in the veterinary investigation service and at the central veterinary laboratory. No evidence of a spongiform encephalopathy in pigs has ever been found.

Rabies

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food, pursuant to the answer to the hon. Member for Caerphilly of 18 April, if he will outline how

he proposes to minimise casualties among other species in the event of action being taken in the United Kingdom to prevent the spread of rabies.

Mr. Maclean: The baits that would be used in any fox control operation have been selected so as to be more attractive to foxes than to other species and would be buried in such a manner that they would more likely to be taken by foxes, in locations frequented by foxes. A control exercise would be undertaken only under strict supervision and would last only one or two days. Owners, occupiers, and users of land on which fox control operations were to take place would be warned.

Salmonella

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food what steps he is taking to ensure that his salmonella testing programme is not evaded by producers resulting from testing swabs which have already been tested and found to be negative.

Mr. Maclean: Enforcement of the salmonella legislation is carried out by local authorities. My officials are also carrying out spot checks to ensure compliance with the requirements, including the testing of a random sample of birds.

Bovine Spongiform Encephalopathy

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food whether his Department's study has yet established the vertical transmissibility of bovine spongiform encephalopathy in cattle.

Mr. Maclean: No. BSE's protracted incubation period means that preliminary results from the study to determine whether vertical transmission takes place might not be expected for at least two years.

Mr. Matthew Taylor: To ask the Minister of Agriculture, Fisheries and Food what research has been carried out to establish whether the infective agent responsible for bovine spongiform encephalopathy is transmissible from carcase to environmental media after landfilling; and if he will make a statement.

Mr. Maclean: Carcases are buried under Ministry supervision and in accordance with sound veterinary practice to ensure that none can pose a risk of spreading BSE.

Mr. Matthew Taylor: To ask the Minister of Agriculture, Fisheries and Food what disposal techniques are employed in respect of carcases from cattle infected with bovine spongiform encephalopathy; and if he will make a statement.

Mr. Maclean: Carcases are disposed of by incineration or burial.

Mr. Matthew Taylor: To ask the Minister of Agriculture, Fisheries and Food what percentage of carcases from cattle positively identified as being infected with bovine spongiform encephalopathy in 1989 were *(a)* incinerated, *(b)* landfilled and *(c)* otherwise disposed of in (i) Cornwall, (ii) Devon, (iii) east sussex and (iv) West Sussex; and if he will make a statement.

Mr. Maclean: This information is not held centrally in the form requested. However, in the south-west region, which includes Cornwall and Devon, 83 per cent. of carcases were incinerated and 17 per cent. buried in 1989. In the south-east region, which includes east and west Sussex, 99 per cent. were incinerated and 1 per cent. buried in 1989.

Agro-Industry

Dr. Thomas: To ask the Minister of Agriculture, Fisheries and Food if his Department has placed any contract since January 1989 with the Overseas Development Natural Resources Institute for research on agro-industry.

Mr. Maclean: No. The work of the Natural Resources Institute is directed towards the developing countries which are the responsibility of the Overseas Development Administration.

Global Warming

Dr. Thomas: To ask the Minister of Agriculture, Fisheries and Food what plans he has to raise the issue of climate change and the global warming greenhouse effect at the meeting of the European Council of Agriculture Ministers on 25 to 26 April in Brussels.

Mr. Maclean: The Agriculture Council on 25-26 April will concentrate on the Commission's farm price proposals. I shall ensure that the issue of global warming is taken into account in the United Kingdom's position in so far as it relates to matters on the Council agenda.

Irradiated Food

Dr. Thomas: To ask the Minister of Agriculture, Fisheries and Food what recent discussions have been held with the European Commission concerning the introduction of irradiated foodstuffs into the United Kingdom.

Mr. Maclean: Recent discussions with the Commission have been concerned with the draft EC directive on this subject. In the course of these, the Government's proposals for the United Kingdom have been made clear to the Commission.

Aflatoxin

Mr. Beith: To ask the Minister of Agriculture, Fisheries and Food if he will amend the Feeding Stuffs Regulations 1982 to extend to wild birds the protection offered to captive birds in respect of aflatoxin levels in peanuts; and if he will make a statement.

Mr. Maclean: Responsibility for the general protection of wild birds rests with my right hon. Friend the Secretary of State for the Environment. The enabling powers under which the feedingstuffs regulations are made do not cover the regulation of feed for wild birds.

However, during its regular contacts with the feed industry, my Department has drawn attention to the potential risks to wild birds of peanuts containing aflatoxin and the main manufacturers have undertaken to buy their supplies from sources which are unlikely to exceed the safety limits established for pets and farm animals.

Animal Exports

Mr. Simon Hughes: To ask the Minister of Agriculture, Fisheries and Food if he has made an assessment of the animal welfare implications of the increase in export of live animals; and if he will make a statement.

Mr. Maclean: Statutory controls ensure that all animals exported for fattening or slaughter are rested, fed and watered and inspected for fitness to travel at approved export lairages. These and other welfare safeguards apply to each animal irrespective of the level of exports.

Mr. Simon Hughes: To ask the Minister of Agriculture, Fisheries and Food what percentage of live animals exported for slaughter could be handled with existing abattoir capacity within the United Kingdom; and if he will make a statement.

Mr. Maclean: The United Kingdom slaughtering industry is able to cope with the demands currently placed on it, while the numbers of animals exported is a very small proportion of the number slaughtered. We would not expect the industry to have any difficulty coping with the number of animals exported live if necessary. Subject to the requirements of relevant legislation, the decision on whether to export animals or carcases is a matter for commercial judgment.

Mr. Simon Hughes: To ask the Minister of Agriculture, Fisheries and Food to what factors he ascribes the increase in exports of live animals for slaughter in 1989; and if he will make a statement.

Mr. Maclean: Exports of sheep, which comprise almost all the animals exported from the United Kingdom for immediate slaughter, rose in 1989 as a result of the determination of our exporters to meet demand elsewhere in the European Community. The number of calves exported for veal production was also higher than in 1988, although not particularly high by historical standards. The level of these exports depends on the demand for veal, the availability of calves in the countries where that demand is high and the price of calves on the United Kingdom market.

Net Limitation Orders

Mr. Onslow: To ask the Minister of Agriculture, Fisheries and Food what net limitation orders in England and Wales are expected to come up for review within the next 12 months.

Mr. Curry: One net limitation order expires within the next 12 months, the South West Water Authority (Limitation of Salmon and Trout Netting Licences) Order 1980 applicable to the Rivers Taw and Torridge.

Drift Net Fishing

Mr. Onslow: To ask the Minister of Agriculture, Fisheries and Food when he now expects to publish the report of the inquiry into the north-east drift net fishery; and if he will make a statement.

Mr. Curry: Scientists from my Department and DAFS are now completing their analysis of the data which have been collected for this review. We shall present a report to Parliament as soon as we can.

Water Pollution

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food what steps he intends to take to ensure that dairy farmers comply with water pollution regulations; and if he will make a statement.

Mr. Maclean: The Water Act 1989 empowers the National Rivers Authority to prosecute any dairy farmer or other person who causes or knowingly permits the pollution of controlled waters. Similarly, it would be the NRA's responsibility to enforce proposed new regulations setting standards for the construction of silage, slurry and agricultural fuel oil containment facilities.

EMPLOYMENT

Training Expenditure

Mr. Worthington: To ask the Secretary of State for Employment which English regions overspent on youth training and employment training in 1989-90; and by how much.

Mr. Nicholls: Regional expenditure plans and variances from them are for internal management purposes only.

Mr. Worthington: To ask the Secretary of State for Employment what action he is taking in 1990-91 to counteract any overspending by English regions on youth training and employment training in 1989-90.

Mr. Nicholls: Operational directors of the Training Agency are required to agree plans for youth training and employment training which are consistent with the resources available and the volumes of training planned for 1990-91.

Ms. Short: To ask the Secretary of State for Employment what was the expenditure for each standard region, and for Great Britain as a whole, in both cash and real terms, by his Department, the employment service and the Training Agency, formerly the Manpower Services Commission, in each year since 1979-80 on *(a)* the youth training scheme, formerly the youth opportunities programme; *(b)* employment training, formerly community enterprise programme, community programme, training opportunities programmes and job training scheme; *(c)* the enterprise allowance scheme; *(d)* job clubs and *(e)* restart courses; and if he will make a statement.

Mr. Nicholls: The table shows expenditure on *(a)* youth training scheme, *(b)* employment training, *(c)* enterprise allowance scheme, *(d)* job clubs and *(e)* restart courses for Great Britain. A breakdown of expenditure by standard regions is not available.

Figures are shown at cash and constant, estimated, 1989-90 prices, calculated by use of the gross domestic product deflator index from the Chancellor's financial statement and Budget report published March 1990.

Figures include estimated administration costs for all years, except for job clubs and restart courses where administration costs are not separately available.

The Government remain committed to training and helping the unemployed find work.

£ million

	YTS		Employment Training		Enterprise Allowance Scheme		Jobclubs		Restart courses	
	Cash	Constant	Cash	Constant	Cash	Constant	Cash	Constant	Cash	Constant
1979-80	123·4	247·5	385·5	773·2	—	—	—	—	—	—
1980-81	213·7	361·8	394·3	667·6	—	—	—	—	—	—
1981-82	395·5	610·4	442·1	682·4	—	—	—	—	—	—
1982-83	542·9	781·3	500·2	719·9	2·4	3·5	—	—	—	—
1983-84	776·1	1,067·8	662·4	911·4	23·2	31·9	—	—	—	—
1984-85	836·2	1,095·4	779·3	1,047·1	80·1	104·9	—	—	—	—
1985-86	869·9	1,081·0	940·7	1,169·0	108·4	134·7	—	—	0·1	0·1
1986-87	939·1	1,130·1	1,368·8	1,647·2	149·7	180·1	3·0	3·6	11·0	13·2
1987-88	1,064·9	1,216·9	1,395·3	1,594·4	203·5	232·5	13·0	14·9	8·2	9·4
1988-89	1,073·3	1,143·1	1,374·2	1,463·5	204·1	217·4	14·6	15·5	7·0	7·5
1989-90	1,054·1	1,054·1	1,230·7	1,230·7	191·8	191·8	20·2	20·2	6·8	6·8

Training and Enterprise Councils

Ms. Short: To ask the Secretary of State for Employment in what circumstances training and enterprise councils can allow their providers to charge YT or ET trainees for the provision of protective clothing and equipment; and if he will make a statement.

Mr. Nicholls: The TEC operating agreement provides mandatory requirements for the health, safety and welfare of trainees. In particular, it requires TECs to ensure provision of necessary protective clothing and equipment, so far as possible without charge to the trainee.

Earnings (Greater London)

Mr. Soley: To ask the Secretary of State for Employment what were the figures for average earnings for Greater London for each year from 1987 to 1989.

Mr. Nicholls: The information for full-time employees on adult rates of pay is published in table X5, part A of the 1989 new earnings survey report and in table X5, part B of the 1987 and 1988 reports. Figures on the same basis for males and females separately are published in tables 110 and 113 respectively of part E of the report for each year. Copies of the reports are in the Library.

Farm Accidents

Mr. Strang: To ask the Secretary of State for Employment how many accidents there were on farms in each of the last 15 years to *(a)* employees, *(b)* self-employed, *(c)* children and *(d)* others according to each of the appropriate accident classification groups.

Mr. Nicholls: The information could be obtained only at disproportionate cost.

Training Contracts

Mr. McLeish: To ask the Secretary of State for Employment if he will make a statement about the Training Agency and training managers being invited to terminate all contractual agreements by 30 April.

Mr. Nicholls: The Training Agency offered new contracts to employment training (ET) training agents and training managers from 30 April to assist training and enterprise councils to take over responsibility for the delivery of ET more easily, to establish improved ET eligibility rules and associated requirements for the management of separate budgets, to make available to ET providers new freedoms and flexibilities in the design and funding of training programmes, and to secure the proper management of resources available in 1990-91.

Factory Inspections

Mr. Strang: To ask the Secretary of State for Employment how many fixed premises were registered with the Health and Safety Executive in each of the past 15 years; and how many of these were visited by a factory inspector in each year.

Mr. Nicholls: The following tables show the number of fixed premises registered with the Health and Safety Executive's factory, agricultural, mines and quarries inspectorates for the years for which information is available. Information about how many fixed premises were visited by a factory inspector is not available.

Year	Fixed premises registered[1]
[3]1978	280,716
1979	309,757
1980	318,936
1981	318,050
1982	[2]585,296
1983	[2]477,409
1984	668,037
[4]1985	724,227
1986	720,243
1987	719,738
1988	707,474
1989	692,078

[1]The total for 1978 is for fixed premises registered with the factory inspectorate only. Premises registered with the mines and quarries inspectorate are included from 1979, with those registered with the agricultural inspectorate being included from 1984.
[2]The 1982 figure was first produced from a computerised database on the Department of Employment census. The database initially included premises for which the HSE was not the enforcing authority: this accounts for the high figures for 1982 and 1983.
[3]1 January.
[4]1 April.

Factory and Agriculture Inspectors

Mr. Strang: To ask the Secretary of State for Employment how many *(a)* factory and *(b)* agriculture inspectors by grade there were (i) in the field and (ii) in total on 31 March for each of the last 15 years; and what were the targets for each of those dates.

Mr. Nicholls: Information available about inspectors in post in past years is shown in the tables. On targets, I refer to my reply to the hon. Member on 8 November 1989; comparable figures for years before 1988 cannot be provided without disproportionate cost.

Factory Inspectors in post in the field on 1 April in each year (within brackets: Total factory inspectors in HSE as a whole)

Grade[1]	CI		DCI		SAD		SI		DSI		1A		1B		CL2		Total	
1976	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	570·5	(624)
1977	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	602	(676·5)
1978	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	619	(695·5)
1979	—	(1)	—	(9)	3	(3)	18	(20)	21	(62)	137	(155·5)	477	(492)	—	(—)	656	(742·5)
1980	—	(1)	—	(10)	3	(3)	18	(21)	23	(62)	142	(163)	478·5	(499·5)	—	(—)	664·5	(759·5)
1981	—	(1)	—	(9)	3	(3)	18	(20)	23	(62)	139	(159)	317·5	(342·5)	139	(139)	639·5	(735·5)
1982	—	(1)	1	(9)	2	(2)	18	(20)	24	(57)	125	(148)	348	(364·5)	77	(77)	595	(678·5)
1983	—	(1)	1	(9)	2	(2)	18	(19)	25	(63)	126	(148)	381·5	(393·5)	19	(19)	572·5	(654·5)
1984	—	(1)	1	(7)	2	(2)	17	(18)	25	(59)	125	(151)	368	(378)	11	(11)	549	(627)
1985	—	(1)	1	(7)	2	(2)	18	(19)	26	(57)	126	(154)	336	(352)	60	(60)	569	(652)
1986	—	(1)	1	(7)	1	(2)	18	(20)	24	(44)	118	(152)	309	(328)	69	(69)	540	(623)
1987	—	(1)	1	(6)	1	(2)	20	(22)	21	(42)	122·5	(156)	276	(295·5)	97	(97)	538·5	(621·5)
1988	—	(1)	—	(4)	2	(3)	18	(21)	25	(43)	121·5	(158·5)	256	(270)	92	(92)	514·5	(592·5)
1989	—	(1)	—	(4)	2	(4)	16	(19)	25	(38)	121·5	(162·5)	263·5	(276·5)	99	(99)	527	(604)
1990	—	(1)	—	(4)	1	(4)	19	(22)	24	(34)	122·5	(161·5)	254	(269)	139	(139)	559·5	(634·5)

[1] CI—Chief Inspector; DCI—Deputy Chief Inspector; SAD—Senior Area Director; SI—Superintending Inspector; DSI—Deputy Superintending Inspector; 1A—Inspector 1A; 1B—Inspector 1B; CL2—Inspector Class 2.

Agricultural inspectors in the field on 1 April in each year (within brackets: total agricultural inspectors in HSE as a whole)

Grade[1]	CI		DCI		DSI		PAG 1		PAG		SAG		AG		AAG		Total	
1976	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	(5)[2]
1977	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	178	(187)
1978	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	175	(186)
1979	—	(1)	—	(3)	—	(—)	—	(—)	8	(10)	20	(25)	132	(132)	19	(19)	179	(190)
1980	—	(1)	—	(3)	—	(—)	—	(—)	8	(10)	26	(30)	127	(127)	16	(16)	177	(187)
1981	—	(1)	—	(2)	—	(—)	—	(—)	7	(10)	25	(29)	121	(121)	13	(13)	166	(176)
1982	1	(—)	—	(3)	—	(—)	—	(—)	8	(9)	26	(31)	110	(110)	12	(12)	156	(166)
1983	1	(—)	—	(2)	—	(—)	—	(—)	(8)	(10)	27	(31)	114	(115)	—	(—)	149	(159)
1984	1	(—)	—	(2)	—	(—)	—	(—)	6	(8)	26	(31)	112	(112)	—	(—)	144	(154)
1985	—	(—)	—	(2)	—	(—)	—	(—)	8	(10)	26	(31)	99	(101)	17	(17)	150	(162)
1986	—	(1)	—	(2)	—	(—)	—	(—)	8	(10)	26	(32)	90	(92)	26	(26)	150	(163)
1987	—	(1)	—	(2)	3	(3)	6	(7)	24	(29)	—	(—)	83	(89)	35	(35)	151	(166)
1988	—	(1)	—	(2)	3	(3)	6	(7)	24	(29)	—	(—)	81	(91)	25	(25)	139	(158)
1989	—	(1)	—	(2)	3	(3)	6	(7)	24	(29)	—	(—)	86	(100)	23	(23)	142	(165)
1990	—	(1)	—	(2)	3	(3)	6	(7)	23	(28)	—	(—)	90	(104)	26	(26)	148	(171)

[1] CI—Chief Inspector; DCI—Deputy Chief Inspector; DSI—Deputy Superintending Inspector; PAG 1—Principal Agricultural Inspector (1); PAG—Principal Agricultural Inspector; SAG—Senior Agricultural Inspector; AG—Agricultural Inspector; AAG—Assistant Agricultural Inspector.
[2] Agricultural Inspectors joined HSE from MAFF from March 1976, with the field force being in place by March 1977.

Mr. Strang: To ask the Secretary of State for Employment whether he will list each of the additional responsibilities taken on by *(a)* the agriculture and *(b)* the factory inspectorate in each of the past 15 years.

Mr. Nicholls: Over the past 15 years, the sphere of the Health and Safety Executive's agriculture and factory inspectors' responsibilities has extended in response to the developing nature of hazards arising out of work activity and the widening role of the Health and Safety Commission. Comprehensive information on these additional responsibilities as they occur year by year is not readily available and can be obtained only at disproportionate cost.

Agricultural Premises (Inspections)

Mr. Strang: To ask the Secretary of State for Employment how many agricultural premises there were in each of the past 15 years; and how many of these were visited by Her Majesty's agriculture inspectorate in each year.

Mr. Nicholls: The following table shows the number of workplaces registered with the Health and Safety Executive's agricultural inspectorate (AI) from 1984 to 1989 and the total number of visits made by AI inspectors between 1 April and 31 March for the years stated. Figures for earlier years are not readily available and could be obtained only at disproportionate cost.

Year	Number of workplaces registered	Number of visits
1983-84	266,000 (1 January 1984)	30,105
1984-85	319,567 (31 March 1985)	32,174
1985-86	311,558 (31 March 1986)	33,234
1986-87	309,223 (31 March 1987)	35,011
1987-88	297,051 (31 March 1988)	36,246
1988-89	282,374 (July 1989)	36,707

Radar Transmitters

Mr. Nicholas Bennett: To ask the Secretary of State for Employment when the standards set by the National Radiological Protection Board for safe levels of radioactive emissions by radar transmitters were established; at what level they are set; and whether he is satisfied that these standards are still safe in the light of experience gained since they were first established.

Mr. Nicholls: In May 1989, the National Radiological Protection Board published guidance on restricting exposures to non-ionising radiation. The reference level for exposure to radar frequencies advised by NRPB is 50W per sq m averaged over a period of six minutes. Since radar emissions are usually pulsed there is an additional advised restriction that exposures to pulses of duration less than 50 microseconds in which the total energy exceeds 0·4 joules per sq m should be neither prolonged nor frequent. There

has been no evidence since the publication of the guidance which would suggest that it is inadequate for the stated purpose.

Correspondence

Mr. Macdonald: To ask the Secretary of State for Employment when he expects to reply to the letter of 20 March from the hon. Member for Western Isles regarding redundancy payments to former Clansman Tweed Ltd. employees; and if he will make a statement.

Mr. Nicholls: I have today replied to the hon. Gentleman's letter.

Employment Training

Mr. McLeish: To ask the Secretary of State for Employment if he will list the training agents and training managers by standard region, who received the letter from the Training Agency "Employment Training: Termination of Agreement and New Contract Arrangements 1990-91".

Mr. Nicholls *[holding answer 23 April 1990]:* The information requested is not available.

Mr. McLeish: To ask the Secretary of State for Employment if he will give the number of employment training places in 1990-91 and 1991-92 *(a)* for each of the standard regions and *(b)* the planned number of employment trainees in 1990-91 and 1991-92 and for each of the standard regions.

Mr. Nicholls *[holding answer 23 April 1990]:* Plans for the number of ET places in each region are for management information purposes only.

Mr. McLeish: To ask the Secretary of State for Employment if he will list the representations received after the Training Agency sent out the letter, "Employment Training: Termination of Agreement and New Contract Arrangements 1990-91."

Mr. Nicholls *[holding answer 23 April 1990]:* No. My right hon. and learned Friend has received a small number of representations. Such representations are made in respect of particular ET contracts, and are therefore commercially confidential.

Mr. McLeish: To ask the Secretary of State for Employment if he will list the training agents and training managers who have been contacted by the Training Agency as part of the recontracting process outlined in the letter from the Training Agency, "Employment Training: Termination of Agreement and New Contract Arrangements 1990-91."

Mr. Nicholls *[holding answer 23 April 1990]:* The information requested is not available.

Mr. McLeish: To ask the Secretary of State for Employment if he will list the organisations consulted prior to the Training Agency issuing the letter "Employment Training: Termination of Agreement and New Contract Arrangements 1990-91."

Mr. Nicholls *[holding answer 23 April 1990]:* None.

Mr. McLeish: To ask the Secretary of State for Employment if he will list *(a)* the type of entrants to the employment training programme under mainstream and non-mainstream categories, *(b)* the total amount of expenditure for each of these categories for Great Britain and each of the standard regions in 1990-91 and 1991-92 and *(c)* the planned number of entrants for mainstream and non-mainstream categories in 1990-91 and 1991-92.

Mr. Nicholls *[holding answer 23 April 1990]:* The information requested is as follows:

(a) The main groups of people who will be in the mainstream of those eligible for Employment Training are:

—people aged 18-60 who have been unemployed for 6 months or more including periods spent in custody;

—people with disabilities or who need training in literacy or numeracy skills or in English for speakers of other languages, regardless of length of unemployment.

—lone parents in receipt of Income Support for 6 months or more and whose youngest child is at school.

People in non-mainstream eligibility groups all of whom do not need to have been unemployed for 6 months, include:

—returners to the labour market;

—people wishing to train in skill shortages or in enterprise;

—victims of large scale redundancies (by agreement in specific cases).

(b) The ET budget for Great Britain will be allocated on the basis of 85 per cent. for new entrants to the mainstream category and a maximum of 15 per cent. for non-mainstream. There will be a maximum of 20 per cent. of expenditure for non-mainstream eligible people for individual Regions. ET expenditure plans for Great Britain have not yet been finalised. ET Regional expenditure plans for 1990-91 and for 1991-92 are for internal management purposes only.

(c) No limits are being placed on the number of entrants into the mainstream and non-mainstream categories.

Mr. McLeish: To ask the Secretary of State for Employment if he will list all of the changes to employment training contained in the letter from the Training Agency entitled "Employment Training: Termination of Agreement and New Contract Arrangements 1990-91."

Mr. Nicholls *[holding answer 23 April 1990]:* The changes in the letter were those announced in the reply given by my right hon. and learned Friend to my hon. Friend the Member for Stevenage (Mr. Wood) on 5 March 1990 at column *507.*

Mr. McLeish: To ask the Secretary of State for Employment if there are any proposals to remove the £10 a week training allowance to employment training trainees.

Mr. Nicholls *[holding answer 23 April 1990]:* Trainees will continue to receive an allowance £10 greater than their previous benefit entitlement.

Mr. McLeish: To ask the Secretary of State for Employment if he will give details of the single unit price per trainee as contained in the letter sent by the Training Agency, "Employment Training: Termination of Agreement and New Contract Arrangements 1990-91."

Mr. Nicholls *[holding answer 23 April 1990]:* The letter "Employment Training: Termination of Agreement and New Contract Arrangements" gave no figures for, or details of, unit price per trainee.

Youth Training

Mr. McLeish: To ask the Secretary of State for Employment if he will give for Great Britain and the standard regions *(a)* the total numbers joining youth training/YTS in each of the years from 1987-88 to 1989-90 inclusive and the planned numbers for 1990-91, 1991-92 and 1992-93 and *(b)* the numbers progressing to a second year in each of the years 1987-88 to 1989-90 inclusive and those expected to progress to a second year in 1990-91, 1991-92 and 1992-93.

Mr. Nicholls *[holding answer 23 April 1990]:* The following tables show the number of young people starting youth training scheme training nationally and by region, the planned number of entrants nationally, and the number of trainees progressing to a second year nationally and by region to YTS/youth training in the years requested. Planning figures are not available at a regional level, and there are no national figures for trainees expected to progress to a second year.

1 Number of young people starting YTS training 1987 to 1990

	Financial year		
	1987-88	*1988-89*	*1989-90*
Great Britain	328,400	314,700	280,400
Scotland	37,700	40,500	35,500
Northern	23,200	23,500	20,500
North West	52,000	50,100	42,800
Yorkshire and Humberside	36,200	35,600	31,500
West Midlands	39,900	36,500	31,900
East Midlands and Eastern	39,200	36,500	32,600
Wales	19,200	18,900	17,800
South West	24,800	22,400	20,300
South East	35,600	31,900	29,700
London	20,500	18,900	17,900

Note:
Figures rounded to the nearest hundred.

2 Planned YT entrants for 1990 to 1993

Entrants	*Number*
1990-91	260,000
1991-92	240,000
1992-93	217,000

3. Number of young people progressing to a second year of YTS training 1987-90

	Financial year		
	1987-88	*1988-89*	*1989-90*
Great Britain	183,100	182,800	173,600
Scotland	19,800	20,100	20,600
Northern	13,800	14,100	14,300
North West	29,000	28,300	26,500
Yorkshire and Humberside	20,300	21,400	20,400
West Midlands	23,700	21,400	19,600
East Midlands and Eastern	22,500	22,400	21,000
Wales	10,500	10,800	10,400
South West	15,000	14,800	13,800
South East	20,300	19,400	18,100
London	8,200	10,100	8,900

Note: Figures rounded to the nearest hundred.

Government Expenditure

Mr. McLeish: To ask the Secretary of State for Employment what was the percentage distribution of total Government expenditure on employment and training in each of the years 1978-79 to 1989-90.

Mr. Eggar *[holding answer 23 April 1990]:* The information requested is contained in table 21.2.12 of chapter 21—"Supplementary Analyses and Index" of "The Government's Expenditure Plans, 1990-91 to 1992-93", Her Majesty's Treasury, January 1990, Cm. 1021, a copy of which is in the Library.

Mr. McLeish: To ask the Secretary of State for Employment if he will give the expenditure by planning total for each of the years 1984-85 to 1989-90 inclusive, and the estimated planning total for 1990-91, 1991-92 and 1992-93 in both cash and real terms.

Mr. Eggar *[holding answer 23 April 1990]:* The information requested is as follows:

(£ billion)

Year	*Cash terms*	*Real terms*
1984-85	2·9	3·6
1985-86	3·1	3·6
1986-87	3·5	4·0
1987-88	3·6	3·8
1988-89	3·6	3·6
1989-90	3·4	3·2
1990-91	3·8	3·4
1991-92	3·7	3·1
1992-93	3·7	3·1

Sources: Tables 21.2.10 (cash terms) and 21.2.11 (real terms) of chapter 21 of "The Government's Expenditure Plans, 1990-91 to 1992-93", Cm. 1021, for the years 1984-85 to 1989-90. Table 6.1 (Cash plans) of chapter 6, Cm. 1006, for the years 1990-91 to 1992-93, with the cost in real terms calculated using the GDP deflator shown in table 21.2.1.

Disabled People

Mr. Ashley: To ask the Secretary of State for Employment what percentage of disabled people upon leaving the sheltered placement scheme subsequently (i) take up open employment, (ii) have no paid employment and rely on state benefits, (iii) move to some other form of sheltered employment and (iv) join a training scheme or take up further education.

Mr. Eggar *[holding answer 25 April 1990]:* In the year ending 31 March 1989, 14 per cent. of the 720 people leaving the sheltered placement scheme took up open employment. A further 0·4 per cent. moved to some other form of sheltered employment.

We do not have information in the form requested on others who left for a variety of reasons.

DEFENCE

WINTEX 89

Mr. Redmond: To ask the Secretary of State for Defence if he will name the three logistic lead-in exercises which preceded Exercise WINTEX 89; and if he will make a statement.

Mr. Archie Hamilton: The logistic exercises preceding WINTEX 89 were Proud Amazon 89, Puff Adder 89 and Prompt Actor 89. These command post exercises provided a lead-in to WINTEX 89 and practised those national transition-to-war logistic plans and procedures which the setting of WINTEX 89 precluded.

Baron Herman von Richthofen

Mr. Redmond: To ask the Secretary of State for Defence who will be financing Baron Herman von Richthofen's visits to Royal Air Force bases in April; and if he will list by location the bases to be visited.

Mr. Archie Hamilton: Baron von Richthofen, the West German ambassador to the United Kingdom, paid a two-day visit to RAF Cottesmore and RAF Wittering earlier this month. The costs of the visit have been met by the Ministry of Defence and the West German embassy.

Stealth Aircraft

Mr. Redmond: To ask the Secretary of State for Defence at which Royal Air Force bases the F-117A stealth military jet aircraft has landed.

Mr. Archie Hamilton: None.

HILEX 88

Mr. Redmond: To ask the Secretary of State for Defence what was the number of United Kingdom *(a)* military and *(b)* civil participants in HILEX 88.

Mr. Archie Hamilton: HILEX 13 was cancelled due to the pressure of other activities at NATO headquarters in the lead-up to an alliance summit which was scheduled to take place during the period of the exercise—28 February to 4 March 1988.

Mr. Redmond: To ask the Secretary of State for Defence what plans there are to replace the NATO crisis management exercise HILEX.

Mr. Archie Hamilton: There are no plans to replace HILEX 14.

Exercise Cold Steel

Mr. Redmond: To ask the Secretary of State for Defence whether the proposed Exercise Cold Steel is part of a series of military based regional home defence exercises.

Mr. Archie Hamilton: Yes.

Bomb (Accidental Release)

Mr. Redmond: To ask the Secretary of State for Defence, pursuant to his answer to the hon. Member for Don Valley of 5 April, *Official Report*, column *832*, what was the approximate location of the accidentally released bomb; and what destructive power the spotting charge it contained had.

Mr. Neubert: The practice bomb was accidentally released north of RAF Bruggen in northern Germany. The spotting charge, which was designed to detonate on impact, had sufficient power only to initiate the release of a small smoke signal.

Radar Transmitters, Pembroke

Mr. Nicholas Bennett: To ask the Secretary of State for Defence what research he has undertaken to ensure that the proposed over-the-horizon radar transmitters on the site of the former St. David's airfield, Pembrokeshire will not interfere with the operation of RAF Brawdy and other adjacent military installations.

Mr. Alan Clark: Based on the known characteristics of the over-the-horizon radar transmitter to be sited at St. David's airfield, and its planned mode of operation during its two-year trial, the Ministry of Defence is satisfied that there will be no interference with the operation of RAF Brawdy and other establishments, or with existing navigation aids in the area.

Mr. Nicholas Bennett: To ask the Secretary of State for Defence what estimate he has of the extra vehicular traffic which will be generated during the construction and operation of the proposed over-the-horizon radar on the site of the former St. David's airfield, Pembrokeshire.

Mr. Alan Clark: Such estimates will be included in the independent environmental impact assessment to be undertaken later this year.

Mr. Nicholas Bennett: To ask the Secretary of State for Defence, pursuant to his answer to the hon. Member for Pembroke on 23 April, if he will give fuller details of the dangers at close quarters from high-frequency electromagnetic radiation which would be experienced within the boundaries of the proposed over-the-horizon radar on the site of the former St. David's airfield, Pembrokeshire, the nature of the danger, the distance at which it is effective and the measures taken to protect employees within the site.

Mr. Alan Clark: High-frequency electromagnetic radiation can cause warming within the body and can therefore cause damage to body tissues. An area within which high-frequency radiation levels would be too high for safe access will exist in front of the proposed over-the-horizon radar transmitter to be sited at St. David's airfield. This area, which will be contained well within the boundary of the airfield will be fenced to prevent access.

Mr. Nicholas Bennett: To ask the Secretary of State for Defence if, as part of the consultation process about his proposals for an over-the-horizon radar transmitter on the site of the former St. David's airfield, Pembrokeshire, he will arrange for scientific advice, independent of his Department, to be provided to local residents on the safety of the proposed installation.

Mr. Alan Clark: Yes; such advice will form part of the independent environmental impact assessment to be undertaken later this year.

Mr. Nicholas Bennett: To ask the Secretary of State for Defence what information he has as to the research undertaken by the United States armed forces into electromagnetic interference, otherwise referred to as hazards of electromagnetic radiation to ordnance or hazards of electromagnetic radiation to fuel; and whether this research will be taken into account in the operation of the proposed over-the-horizon radar on the site of the former St. David's airfield, Pembrokeshire.

Mr. Alan Clark: Considerable research has been undertaken both in the United Kingdom and in the United States into electromagnetic interference (EMI) with weapons systems or with flammable atmospheres. The United Kingdom's own stringent standards relating to EMI were taken into account in considering the siting of the proposed over-the-horizon radar transmitter at St. David's airfield. The terms "hazards of electromagnetic radiation to ordnance" and "hazards of electromagnetic radiation to fuel" are not used in the United Kingdom.

Mr. Nicholas Bennett: To ask the Secretary of State for Defence if he will give technical details of the high frequencies proposed for the operation of the over-the-horizon radar installation which he proposes for location on the site of the former St. David's airfield, Pembrokeshire.

Mr. Alan Clark: The over-the-horizon radar transmitter to be sited at St. David's airfield radiates energy in the high-frequency band between 5 and 28 MHz at a power of 200 kW.

Mr. Nicholas Bennett: To ask the Secretary of State for Defence, pursuant to his reply of 23 April, if he will detail the appropriate Welsh Office regulations he intends to follow in undertaking an environmental impact assessment of the proposed over-the-horizon radar transmitter on the site of the former St. David's airfield, Pembrokeshire.

Mr. Alan Clark: An environmental impact assessment relating to the proposed siting of an over-the-horizon radar at St. David's airfield, Pembrokeshire, will be carried out in accordance with the procedures laid down in Welsh Office circular 23/88.

Mr. Nicholas Bennett: To ask the Secretary of State for Defence if he will arrange for a static exhibition explaining the proposals for an over-the-horizon radar transmitter to be displayed in the city of St. David's, Pembrokeshire, as part of the consultation procedure he has announced to enable local residents to consider the proposals.

Mr. Alan Clark: An appropriate exhibition will form part of the public presentation of our detailed proposals planned for later this year.

Mr. Nicholas Bennett: To ask the Secretary of State for Defence whether the proposed installation of over-the-horizon radar transmitters on the site of the former St. David's airfield, Pembrokeshire, will be monitored by the National Radiological Protection Board.

Mr. Alan Clark: No; but the independent environmental impact assessment, to be undertaken later this year, will have regard to the National Radiological Protection Board's guidelines covering the safety of installations of this type.

Radar Base, Brawdy

Mr. Nicholas Bennett: To ask the Secretary of State for Defence, pursuant to his reply to the hon. Member for Gower (Mr. Wardell) on 30 March, *Official Report*, columns *328-29*, if he will make a further statement on that part of his answer concerning the obtaining of the necessary approvals.

Mr. Alan Clark: We shall be submitting a formal notice of proposed development to the appropriate planning authority, in this case the Pembrokeshire Coast national park, later this year in accordance with the procedure set out in Welsh Office circular 37/84. This will be supported by a full environmental impact assessment.

Radar Bases

Mr. Nicholas Bennett: To ask the Secretary of State for Defence what representations he has received from Mr. Roger Coghill concerning the alleged incidence of cancer near to Polish radar bases, the alleged higher incidence of Down's syndrome children in the vicinity of radar installations and allegations that clear proximity to radar bases in China led to a higher than average frequency of immune system deficiences.

Mr. Alan Clark: We have not received any representations from Mr. Coghill specifically on these subjects.

Military Installations

Mr. Nicholas Bennett: To ask the Secretary of State for Defence what powers his Department has to override the decision of a national park authority set to grant permission for military installations proposed for siting in a national park.

Mr. Alan Clark: Where objections to an application for development lead to it being rejected, including where those objections are by a national park authority, the developer has the right of appeal to my right hon. Friend the Secretary of State for the Environment or my right hon. Friend the Secretary of State for Wales, as appropriate.

Where such objections relate to a development by my Department, it would be for my right hon. Friend the Secretary of State for Defence to decide whether or not simply to refer that proposal to the Secretary of State for the Environment or the Secretary of State for Wales.

Over-the-horizon Radar

Mr. Nicholas Bennett: To ask the Secretary of State for Defence what information he has as to any experiments in over-the-horizon radar that have been conducted by the Union of Soviet Socialist Republics and China.

Mr. Alan Clark: The Soviet Union and the People's Republic of China are known to possess over-the-horizon radar technology, and a small number of equipments are believed to be in existence. We are, however, unaware of any detailed experiments that may have been conducted by such installations.

St. David's Airfield, Pembrokeshire

Mr. Nicholas Bennett: To ask the Secretary of State for Defence what representations he has received from the Church in Wales and others concerning the historic or religious significance of the site of the former St. David's airfield.

Mr. Alan Clark: I have received no such representations.

Radiation

Mr. Gordon Brown: To ask the Secretary of State for Defence what cash is set aside within his Department for *(a)* research into radiation and *(b)* health and safety work related to radiation; and what is the proportion of this expenditure to the total budget.

Mr. Neubert: Separate information is not maintained on the cost of health and safety work related to radiation or on the cost of research into radiation.

Mr. Gordon Brown: To ask the Secretary of State for Defence what is the maximum total radiation dose

recorded for any Rosyth dockyard workers registered in the defence radiological protection services record-keeping system; and over what period it was accrued; and what are the 20 highest doses recorded.

Mr. Neubert: The maximum lifetime total radiation dose for a worker currently registered in the DRPS's record-keeping system is 595·89 mSv. This total dose accrued over the period 14 December 1964 to 31 December 1989.

The 20 highest radiation doses recorded for workers so registered are as follows:

Highest Radiation Doses—Rosyth Dockyard

Cumulative Dose (mSv)
595·89
479·20
478·22
452·68
439·11
403·83
401·59
393·76
374·00
369·33
368·40
359·03
354·67
342·72
328·71
314·39
311·17
300·47
300·24
299·36

Mr. Gordon Brown: To ask the Secretary of State for Defence what procedure exists for individual workers after exceeding recommended radiation dosages in any one year.

Mr. Neubert: In the event of an overexposure of a dockyard worker to ionising radiation, action would be taken in accordance with regulations 29 and 30 of the Ionising Radiation Regulations 1985.

Mr. Gordon Brown: To ask the Secretary of State for Defence what is the distribution of total radiation exposure for Rosyth dockyard workers in the ranges *(a)* 0 to 5 mSv, *(b)* 5 to 10, *(c)* 10 to 15, *(d)* 15 to 20, *(e)* 20 to 25, *(f)* 25 to 30, *(g)* 30 to 35, *(h)* 35 to 40, *(i)* 40 to 45, *(j)* 45 to 50, *(k)* greater than 50, *(l)* greater than 100, *(m)* greater than 200, *(n)* greater than 300, *(o)* greater than 400, *(p)* greater than 500, *(q)* greater than 600, *(r)* greater than 700 and *(s)* greater than 750, in numbers and in terms of percentage of the overall work force.

Mr. Neubert: A breakdown of cumulative radiation exposure for workers currently registered in DRPS's record-keeping system as employed at Rosyth dockyards is as follows:

Cumulative radiation exposures
Rosyth dockyard

Dose range (mSv)	*Number of persons*	*Percentage of workforce*
0 to 5	63	1·25
5 to 10	46	0·91
10 to 15	48	0·95
15 to 20	31	0·61
20 to 25	27	0·53
25 to 30	20	0·40
30 to 35	13	0·26
35 to 40	14	0·27
40 to 45	13	0·26
45 to 50	16	0·32
Greater than 50 (50 to 100)	101	1·99
Greater than 100 (100 to 200)	93	1·84
Greater than 200 (200 to 300)	42	0·83
Greater than 300 (300 to 400)	12	0·23
Greater than 400 (400 to 500)	6	0·12
Greater than 500 (500 to 600)	1	0·02
Greater than 600 (600 to 700)	0	0·00
Greater than 700 (700 to 750)	0	0·00
Greater than 750	0	0·00

Mr. Gordon Brown: To ask the Secretary of State for Defence whether Ministry of Defence records for Rosyth dockyard are complete in itemising exposure levels for every worker for as long as he or she has worked in the dockyard.

Mr. Neubert: The records in question comply with the requirements of the Ionising Radiation Regulations 1985.

Iraq Contract

Mr. Gordon Brown: To ask the Secretary of State for Defence (1) when International Military Services was made aware of the Iraqi export order placed with Sheffield Forgemasters and Walter Somers;

(2) what was the day on which his Department was first aware of the military implications of the Iraqi contract;

(3) what was the day on which it became known that Dr. Gerald Bull had conceived plans involving piping for a gun or launcher;

(4) when the Defence Export Services Organisation secretariat was made aware of the Iraqi order with Sheffield Forgemasters and Walter Somers;

(5) what was the day on which his Department was first made aware that Iraq was acquiring export material for a major gun or launcher.

Mr. Alan Clark: In the light of the charges laid against an individual yesterday and in the light of the continuing investigations by Customs and Excise, it would be inappropriate to give any further information.

Iraq (Military Trade)

Mr. Gordon Brown: To ask the Secretary of State for Defence what special unit exists within his Department to examine aspects of military trade with Iraq.

Mr. Alan Clark: A group of military and civilian experts meets as required to assess the military significance of export licence applications for Iran and Iraq.

Defence Select Committee (Leak Allegations)

Mr. Graham: To ask the Secretary of State for Defence (1) how much it cost to send MOD police to investigate the alleged leak of documents supplied to the Select Committee on Defence in 1989; and if he will break this figure down into *(a)* overnight accommodation, *(b)* wages or salaries and *(c)* travel costs;

(2) whether he authorised two police inspectors to travel to London to investigate a report in the *Greenock Telegraph* about a report by the MOD Police Federation submitted to a House of Commons Select Committee.

Mr. Neubert: The responsibility for initiating police investigations is a constabulary matter, and not one in which Ministers have any role. In this instance, investigations were begun on the authority of a senior Ministry of Defence police officer, who, in good faith, believing that material contained in a press article could only have originated from a breach of security, sent two CID officers to London to make inquiries. Further checks, however, confirmed that no breach of security had been committed. The investigation was therefore immediately cancelled. The extra costs involved were confined to fares and normal allowances.

Bishopton Royal Ordnance Factory

Mr. Graham: To ask the Secretary of State for Defence whether the Strathclyde Police Federation was consulted over the withdrawal of MOD police from Bishopton royal ordnance factory and the armed coverage to be provided by Strathclyde police.

Mr. Neubert: Any consultation with the Strathclyde branch of the Scottish Police Federation over future arrangements at Bishopton concerning their force would be for the chief constable of Strathclyde.

Mr. Graham: To ask the Secretary of State for Defence how many times the MOD police has been called to investigate intruders at the Bishopton royal ordnance factory since 1985.

Mr. Neubert: Since 1 January 1986 there have been three such occasions.

"British Defence Policy 1990-91"

Mr. Madden: To ask the Secretary of State for Defence how many copies of "British Defence Policy 1990-91" were issued before a printing error on page 5 was discovered; how many second copies he expects to issue; and what is the total cost of printing and distributing both copies of this publication.

Mr. Archie Hamilton: We expect to distribute approximately 100,000 copies of "British Defence Policy 1990-91". Design and printing costs will be of the order of £90,000 ex VAT. The publication is distributed in a variety of ways, internally and externally, and it is not possible to put a figure on distribution costs. The printing error was contained in an initial batch of 2,000 about half of which were distributed. A total of 2,000 corrected replacement copies were produced at no extra cost to the Ministry of Defence.

Adjutant-General

Mr. Mans: To ask the Secretary of State for Defence what progress has been made in his review of functions and services in the Department of the Adjutant-General; and whether he will make a statement.

Mr. Archie Hamilton: This review has now advanced to the point where my right hon. Friend has decided in principle that an Adjutant-General's Corps should be formed. Further work will now proceed to give effect to this decision and, in particular, to establish which existing corps and functions should be included in this new corps.

The corps to be considered are the Royal Army Chaplains Department, the Corps of Royal Military Police, the Royal Army Pay Corps, the Military Provost Staff Corps, the Royal Army Educational Corps and the Army Legal Corps.

In addition, the staff clerk functions currently carried out by members of the Royal Army Ordnance Corps and the Women's Royal Army Corps will be considered for inclusion in the new corps.

Written Answers to Questions

Friday 27 April 1990

NORTHERN IRELAND

Bovine Tuberculosis

Mr. Ron Davies: To ask the Secretary of State for Northern Ireland if he will place in the Library a copy of the report of the Stormont research laboratory on the spread of bovine tuberculosis.

Mr. Peter Bottomley: Copies of relevant papers have been placed in the Library. The papers include articles published in veterinary journals, a departmental press release and the Department of Agriculture's annual report on research and development 1988-89 which contains relevant material.

Replacement Dwellings

Mr. Kilfedder: To ask the Secretary of State for Northern Ireland how many replacement dwellings have been approved by the planning authorities in each of the last 10 years; and in how many cases the new dwellings were more than 100 ft away from the site of the original house which was to have been replaced.

Mr. Needham: In the 10 years from 1980 to 1989 planning permission has been given for the following numbers of replacement dwellings:

	Number
1980	613
1981	548
1982	330
1983	419
1984	435
1985	441
1986	412
1987	529
1988	443
1989	[1]530

[1] Provisional.

The other information requested is not readily available and could be obtained only at disproportionate cost.

Multiple Births

Mr. Wigley: To ask the Secretary of State for Northern Ireland what information he has as to the number of *(a)* twins, *(b)* triplets, *(c)* quadruplets, and *(e)* sextuplets, born in Northern Ireland in 1989; and what was the total number of maternities in that year.

Mr. Needham: The information will not be available until the end of May 1990, when a copy will be sent to the hon. Member.

Police Authority

Mr. Kilfedder: To ask the Secretary of State for Northern Ireland which member of the Police Authority for Northern Ireland was appointed following inter-governmental consultation between Her Majesty's Government and the Government of the Republic of Eire under article 6 of the Anglo-Irish Agreement; and what was the period of the appointment.

Mr. Cope: It is not our policy to reveal the identity of members of the Police Authority for Northern Ireland. Nor is it our practice to disclose whether any views have been put forward under article 6 of the Anglo-Irish Agreement on the composition of individual public bodies such as the police authority.

Killyleagh Yacht Marinas Inquiry

Mr. McGrady: To ask the Secretary of State for Northern Ireland when the results will be published of the public inquiry held in June 1989 into three proposals for yacht marinas with associated development in Killyleagh.

Mr. Needham: I expect consideration by the Department of Environment for Northern Ireland of the Planning Appeals Commission's report on the public inquiry will be completed and decisions issued on the three planning applications within the next month.

Radioactivity

Dr. David Clark: To ask the Secretary of State for Northern Ireland if he will list the number of *(a)* farms, *(b)* sheep and *(c)* acres currently subject to post-Chernobyl restrictions; and if he will make a statement.

Mr. Peter Bottomley *[holding answer 24 April 1990]* The information requested is as follows:

Number of farms: 123.
Number of sheep and lambs: approximately 33,000.
Area of land: 21,612 acres.

Dr. David Clark: To ask the Secretary of State for Northern Ireland if he will list the number of sheep sampled for radioactivity in Northern Ireland for *(a)* 1986, *(b)* 1987, *(c)* 1988, *(d)* 1989 and *(e)* to date in 1990 including the number of sheep with levels of radioactivity (i) over 4,000 bq/kg, (ii) 3,000 to 3,999, (iii) 2,000 to 2,999, (iv) 1,000 to 1,999, (v) 500 to 999, and (iv) below 499; and if he will make a statement.

Mr. Peter Bottomley *[holding answer 24 April 1990]:* The information requested is as follows:

Year	*Over 4,000*	*3,000—3,999*	*2,000—2,999*	*1,000—1,999*	*500—999*	*Below 499*	*Total*
1986	—	—	—	6	37	152	195
1987	2	24	65	256	631	9,008	9,986
1988	—	—	6	504	1,380	19,551	21,441
1989	—	1	23	557	1,817	22,052	24,450
1990	—	—	—	1	37	1,249	1,287

Dr. David Clark: To ask the Secretary of State for Northern Ireland if he will list the number of sheep sampled for radioactivity in each county in Northern Ireland for *(a)* 1986, *(b)* 1987, *(c)* 1988, *(d)* 1989 and *(e)* to date in 1990; and if he will make a statement.

Mr. Peter Bottomley: *[holding answer 24 April 1990]:* The information requested is as follows:

Year	County					
	Antrim	Down	Londonderry	Armagh	Tyrone	Fermanagh
1986	65	33	36	13	35	13
1987	3,268	136	6,149	78	275	80
1988	7,403	—	14,038	—	—	—
1989	9,327	—	15,123	—	—	—
1990	503	—	784	—	—	—

Dr. David Clark: To ask the Secretary of State for Northern Ireland how many sheep have been monitored for radioactivity in slaughterhouses in each county in Northern Ireland in each year since 1986; how many were found to be above the 1,000 bq/kg limit; and if he will make a statement.

Mr. Peter Bottomley *[holding answer 24 April 1990]:* No sheep monitored at slaughterhouses were found to be above the 1,000 bq/kg limit.

The other information requested is as follows:

County	1986	1987	1988	1989	1990
Antrim	34	370	138	163	—
Down	27	19	3	9	—
Londonderry	55	424	816	563	160
Armagh	7	58	31	—	—
Tyrone	38	—	—	—	—
Fermanagh	—	—	—	—	—

UDR Soldiers

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland how many Ulster Defence Regiment soldiers were killed by terrorists on 9 April; if he will now embark upon a new security policy; and if he will make a statement.

Mr. Cope *[holding answer 20 April 1990]:* Four members of the Ulster Defence Regiment were murdered at the Ballydugan road near Downpatrick on 9 April 1990 by the Provisional IRA. The Government fully support the efforts of the Chief Constable of the RUC, assisted by the General Officer Commanding to bring to justice those responsible for this appalling crime. Security policy in Northern Ireland is under continuous review and the Government and their security advisers will take into account any facts emerging from the investigation of these murders.

EDUCATION AND SCIENCE

Polish Students

Mr. Pawsey: To ask the Secretary of State for Education and Science (1) what provision is made for Polish students to study in the United Kingdom;

(2) what funding exists to help Polish students study in the United Kingdom.

Mr. Jackson: In addition to the overseas research students awards scheme, which is competitive and administered on behalf of the Department of Education and Science by the Committee of Vice-Chancellors and Principals, Polish students are eligible for support under various schemes run by the Foreign and Commonwealth Office. I understand that for 1990-91 the FCO expect to make available some £150,000 under their scholarship and awards scheme, to enable some 37 Polish students to study in Britain—some in conjunction with the Soros Foundation. If approved by the Council of Ministers of the European Communities the TEMPUS programme will also be available to support Polish students wishing to study in this country.

Mr. Pawsey: To ask the Secretary of State for Education and Science how many Polish students are currently studying in advanced education in the United Kindom; and how many are likely to be studying over the next three years.

Mr. Jackson: In academic year 1988-89—the latest for whih data are available—53 full-time students domiciled in Poland were taking higher education courses in British universities, polytechnics and other publicly-funded colleges. No forecasts are available for the next three years but numbers are likely to grow, as a result of the Government's own programmes and of the introduction of the proposed TEMPUS programme currently before the Council of Ministers of the European Communities.

Teacher Training

Mr. Knapman: To ask the Secretary of State for Education and Science what recent intiatives have been taken by his Department to encourage more students to study shortage subjects during initial teacher training.

Mr. Alan Howarth: The Department has supported expenditure of over £56 million since July 1986 on a range of measures to combat teacher shortages. These measures include a bursary scheme to improve recruitment to initial teacher training in the shortage subjects; national advertising and publicity, spearheaded by the Teaching as a career unit; taster courses, to enable those seeking a career change to obtain some experience of teaching; new initial and in-service training courses; and support for local initiatives to attract mature new entrants and former serving teachers. The majority of these initiatives are focussed on the shortage subjects.

My right hon. Friend announced on 12 March his intention to increase funding for the bursary scheme. He proposes to extend it to include modern foreign languages alongside the existing subjects of craft, design and technology, chemistry, mathematics, technology and

physics, and to raise the level of the bursary from £1,300 to £1,500 for all subjects except physics where the bursary will be increased to £2,000.

United Nations Youth Forum on the Environment

Dr. Thomas: To ask the Secretary of State for Education and Science if his Department has made available any grant in aid to assist students in schools and institutions of higher and further education to attend the special United Nations youth forum on the environment to be held in New York on 11 May.

Mr. Jackson: The Department has received no applications for assistance to attend the forum.

Teacher Appraisal

Mrs. Maureen Hicks: To ask the Secretary of State for Education and Science what progress is being made on the introduction of the appraisal of teachers.

Mrs. Rumbold: The consultation period on the recommendations of the national steering group on appraisal ended very recently. My right hon. Friend is now considering the comments submitted, including those on the appropriate timetable for bringing in regulations requiring the introduction of appraisal for all teachers in England and Wales. In the meantime, we plan to issue guidance, taking into account the response to the consultation, on which LEAs and schools can draw.

Assisted Places

Mr. Nicholas Bennett: To ask the Secretary of State for Education and Science if he will give the number of assisted place pupils at each school in the scheme and the number of assisted place pupils from each local education authority.

Mr. Alan Howarth: I refer my hon. Friend to the reply that I gave to the hon. Member for Newham, North-West (Mr. Banks) on 15 February, *Official Report*, columns *319-22*. No statistics are available for the number of assisted place pupils from each local education authority area.

Head Teachers

Mr. Cartwright: To ask the Secretary of State for Education and Science what provision he is making when determining the pay and conditions of head teachers for 1990-91 for those head teachers of small rural schools who teach a full timetable, but who also need time to assimilate new Government initiatives, particularly those associated with the implementation of the national curriculum.

Mrs. Rumbold: The pay of head teachers will increase by between 9·9 per cent. and 10·9 per cent. as a result of the implementation of the recommendations contained in the third report of the interim advisory committee on school teachers' pay and conditions.

OVERSEAS DEVELOPMENT

Natural Resources Institute

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on progress made since 1988 by the Overseas Development Natural Resources Institute of the Overseas Development Administration.

Mrs. Chalker: Progress has been made in three main areas:

(a) Relocation of the institute on to a single site at Chatham began in 1988 and will be completed shortly. The institute was formerly housed on eight widely scattered sites across southern England. Relocation has enabled the institute to move from ill-adapted buildings into facilities which will serve its needs well into the next century.

(b) Within the Overseas Development Administration, the institute became an executive agency on 1 April 1990. Its principal objectives are to maintain its international record and comparative advantage as a source of multi-disciplinary, problem-solving expertise; to reflect in its programme the particular needs of the British aid programme; to undertake work for other donors; and to strengthen links with scientific institutions and universities in the United Kingdom and overseas.

(c) The institute's first corporate plan has been published, covering the three years 1989-90 to 1991-92. Copies are available in the Library of the House. The plan has been prepared as a response to the wider mandate of the unified institute, to the opportunities which arise from the move to Chatham and to the priorities of the ODA's renewable natural resources research strategy. The institute has reorganised its entire operational programme into three strategy areas which broadly correspond to stages of the agricultural production cycle—resource assessment and farming systems, integrated pest management and food science and crop utilisation.

The purpose of this restructuring is to improve coherence and effectiveness by planning and managing related activities together.

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list in the *Official Report* all papers published and conferences attended in 1990 by staff of the Overseas Development Natural Resources Institute.

Mrs. Chalker: The Natural Resources Institute publishes about 200 hundred papers a year of which about 150 are in international journals. They cover work which promotes and sustains natural resource productivity through land use planning for agriculture, forestry and conservation, applied research into pest and disease control and developing the storage, processing and marketing of agricultural and forest products.

All publications are listed in the institute's annual report, a copy of which is in the Library of the House.

Institute staff have attended 93 conferences overseas and 127 in the United Kingdom during the past year.

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs what training courses are undertaken by the Overseas Development Natural Resources Institute.

Mrs. Chalker: The institute runs formal specialist courses in the United Kingdom for overseas professionals on mycotoxins, the storage of durable agricultural products in the tropics, post-harvest technology of fruits, vegetables and root crops, food microbiology, analysis of soil and plant materials and analysis of pesticide residues. Also during 1989-90, 19 courses were held in developing countries. In addition, about 50 scientists from developing countries come to the institute each year for individual training attachments. Most of the institute's projects contain informal, on-the-job training components.

Burma

Mr. Battle: To ask the Secretary of State for Foreign and Commonwealth Affairs what aid and trade provisions relate to British companies doing business with Burma; and if he will make a statement.

Mrs. Chalker: None, Sir. Disbursements were completed on the last case involving the aid and trade provision in Burma in 1989, and no further ATP support is presently contemplated.

TRANSPORT

Vehicle Taxes, Germany

Mr. Speller: To ask the Secretary of State for Transport what steps he will take to ensure that the Federal Republic of Germany conforms with articles 76 and 95 of the European Community treaty by not imposing additional taxes on heavy goods vehicles.

Mr. Atkins: The EC Commission announced on 10 April that it would serve on the German Government a letter under the procedure laid down in article 169 of the EC treaty. It is understood it will state that the Commission considers the Federal Republic of Germany has failed to fulfil its obligations under articles 5, 76 and 95, and is the first step in a process leading to the European Court of Justice. The United Kingdom strongly supports this action.

Kent-Hampshire Motorway

Mr. Fearn: To ask the Secretary of State for Transport (1) if he has made an assessment of the impact on traffic levels on the A27 Folkestone to Honiton trunk road as a result of the construction of a new Kent-Hampshire motorway; and if he will make a statement;

(2) if he has any plans to construct a new motorway from Kent to Hampshire; and if he will make a statement;

(3) whether a provisional route for a new Kent-Hampshire motorway has been decided upon; and if he will make a statement.

Mr. Atkins: I have no plans for a new motorway from Kent to Hampshire. The possible need for a new east-west route has not been established.

Crash Barriers

Mr. Fearn: To ask the Secretary of State for Transport on what criteria the decision was taken to fit crash barriers along the central reservation of the A27 between Kingston and Falmer; what is the cost; and if he will make a statement.

Mr. Atkins: For reasons of road user safety, it is our policy to provide central reserve safety fences on all dual carriageway trunk roads where justified by the volume of traffic using the road. They are being provided on all new trunk roads and those existing roads which are subject to major maintenance and renewal works. For other existing roads, priority is given to those with traffic flows in the range of 18,000 to 36,000 vehicles per day. The A27 between Kingston and Falmer meets the criterion, with traffic flows of about 32,000 vehicles per day. The cost of the work is £158,277.

Drink-Drive Offenders

Mr. Jack: To ask the Secretary of State for Transport how he proposes to pursue the major experiment in the use of retraining for drink-drive offenders proposed in the White Paper "The Road User and The Law"; and if he will make a statement.

Mr. Atkins: We have today issued a consultation paper inviting comments on the details of how such a scheme might work. As indicated in our White Paper "The Road User and The Law"—Cm. 576—we want the courts to have forms of disposal available that will improve offenders' driving behaviour. This will cut the risks not only to themselves but to all other road users. Experience here and overseas suggests that retraining courses can help offenders change their attitudes to drinking and driving. The three-year experiment we propose will provide a basis for assessing this.

We are inviting organisations who might be interested in running such courses to contact us now.

Wave-piercing Catamaran

Mr. David Martin: To ask the Secretary of State for Transport what assessment he has made of the safety of the wave-piercing catamaran to be introduced on the Portsmouth/Cherbourg service; and if he will make a statement.

Mr. McLoughlin: I understand that the vessel in question will be registered in the Bahamas and it is primarily for that Administration to consider whether the standards of safety for passengers and crew are adequate. However, because the design of these craft is novel and they require exemption from internationally agreed standards, the Department has called for technical and operational details to make its own assessment. The craft will not be permitted to carry passengers from a United Kingdom port until I am satisfied that it is safe to do so.

Exeter-Plymouth Link

Mr. Robert Hicks: To ask the Secretary of State for Transport when he intends announcing details of the proposed study of the future Exeter-Plymouth road link and second road crossing of the Tamar estuary as outlined in his May 1989 roads for prosperity strategy; and what will be the terms of reference for these studies and their projected timetable.

Mr. Atkins *[holding answer 24 April 1990]:* I hope to be able to announce details of the proposed study by the middle of the year. The terms of reference are still under consideration and the projected timetable will be a matter to be agreed with the consultant when appointed.

ENVIRONMENT

Local Authority Spending

Mr. Robert Banks: To ask the Secretary of State for the Environment if he will list those authorities which are neither contributors to nor receivers from the safety net, with their community charges and percentages over or under their standard spending assessments.

Mr. Chope: The information can be derived from the information placed in the Library of the House on 25 April.

Pollution Control

Mr. David Porter: To ask the Secretary of State for the Environment what are his plans for introducing integrated pollution control under part I of the Environmental Bill.

Mr. Trippier: On the assumption that the Environmental Protection Bill is given Royal Assent later this year, my right hon. Friend intends to introduce the new system of integrated pollution control (IPC) in England and Wales on 2 January 1991. All new processes prescribed for IPC, and all existing processes which are to be substantially altered, will be required to apply for an authorisation under part I of the Bill from that date. Existing processes other than those which are substantially altered will be brought sector by sector into the IPC system by means of a phased programme. The first sector, combustion processes, which will include the most significant plant covered by the large combustion plants directive, will be required to seek an authorisation from 2 January 1991.

I am today placing in the Library copies of the proposed programme for introducing IPC, which also gives details of our proposed timetable for the various preparatory stages of introducing the system, including the issue of the necessary regulations for public consultation and the drafting of the guidance for industry and others.

The guidance will include a general description of the new system. I am also today placing in the Library the draft of the section of that guidance setting out the Government's general interpretation of the concept of 'best available techniques not entailing excessive cost' (BATNEEC) that is applied under part I of the Bill so that the release of certain substances into the environment is prevented or minimised and that substances released from prescribed processes are rendered harmless.

International Waste Disposal Fair

Ms. Walley: To ask the Secretary of State for the Environment whether he, or a member of his Department, will be attending the international waste disposal fair in Munich on 22 to 26 May.

Mr. Heathcoat-Amory: Yes, I hope to do so, since the fair will be an important showcase for British manufacturers of waste disposal and recycling equipment.

Land (Dereliction)

Ms. Walley: To ask the Secretary of State for the Environment what action his Department is currently taking to prevent land becoming derelict.

Mr. Moynihan: The derelict land policy review published by my Department in September 1989 indicated that the Government are considering a number of new measures which would reduce the amount of land becoming derelict. The Department will publish in due course a further consultation paper setting out these proposals in more detail. I also refer the hon. Member to the answer I gave on 4 April 1989 to my hon. Friend the Member for Nottingham, South (Mr. Brandon-Bravo) about an agreement with British Coal under which it would accept responsibility for restoration of collieries and tips closing in the next four years.

Rivers (Pollution)

Dr. Thomas: To ask the Secretary of State for the Environment if he has any plans to increase the grant to the National Rivers Authority to assist in pollution monitoring.

Mr. Heathcoat-Amory: I refer the hon. Member to the answer I gave on 24 April to my hon. Friend the Member for Pembroke (Mr. Bennett), at column *121*.

Genetically Modified Organisms

Mr. Moss: To ask the Secretary of State for the Environment what arrangements have been made for advice to be obtained on proposals to release genetically modified organisms to the environment.

Mr. Trippier: At present, advice is obtained from a sub-committee of the Health and Safety Commission's advisory committee on genetic manipulation and from my Department's interim advisory committee on introductions.

I have agreed, in conjunction with the Health and Safety Commission, that these two committees will be replaced by a single committee to give advice on all aspects of the safety of proposed releases to the environment of genetically modified, and other novel, organisms. I announced during Second Reading of the Environmental Protection Bill on 15 January, *Official Report*, column 42 that Professor John Beringer of Bristol university has agreed to be chairman of a new committee to advise on release in relation to the new legislation. I anticipate that the new committee, whose establishment I am announcing today, will evolve in due course into the committee to advise on the new legislation.

The full terms of reference of the committee will be to advise the Health and Safety Commission and Executive, Secretaries of State, the Minister of Agriculture, Fisheries and Food, and other bodies as appropriate, on all aspects of the human and environmental health and safety of the introduction into the United Kingdom environment of genetically modified and other novel organisms; and in particular to advise on proposals for specific introductions, on research needs, and on proposed regulations and written guidance.

I am pleased to announce that members of the committee will include people from a wide range of

backgrounds, including different scientific disciplines, both sides of industry, local authorities, farmers and environmental experts.

The members will be:

Name	*Expertise*	*Organisation*
Prof. J. E. Beringer *(Chairman)*	Microbial ecologist and geneticist	University of Bristol
Sir Kenneth Blaxter, FRS	Applied biologist and agronomist	Former Director, Rowett Research Institute
Prof. M. P. Hassel, FRS	Population biologist	Imperial College
Prof. D. Onions	Veterinary biologist	University of Glasgow
Prof. M. Williamson	Biologist and ecologist	University of York
Prof. A. Atkinson	Microbiologist	Centre for Applied Microbiology and Research, Porton Down
Prof. D. Jeffries	Human virologist/medic	St. Bartholomew's Hospital
Dr. D. R. Langslow	Biologist and ecologist	Chief Scientist, Nature Conservancy Council
Dr. D. Robinson	Plant virologist	Scottish Crops Research Institute
Dr. C. Gliddon	Plant population geneticist	University of Bangor, North Wales
Dr. A. Watkinson	Plant ecologist	University of East Anglia
Dr. M. Elliott	Freshwater biologist	Institute of Freshwater Ecology
Mr. J. E. Moffitt	Cattle breeding and arable farmer	Stockswell, Northumberland
Prof. N. J. Poole	Microbiologist	ICI Seeds
Dr. P. G. Boseley	Molecular biologist	Director of Research and Development, Agriculture Genetics Co. Ltd., Cambridge
Dr. G. M. Schofield	Microbiologist	Project Leader, Expert Systems, Unilever
Dr. J. Kinderlerer	Biochemist	University of Sheffield
Ms. J. Hill	Environmentalist	Green Alliance
Ms. D. Haber	Health and safety	Manufacturing Science and Finance Union
Mr. P. Hurst	Health and safety	Transport and General Workers Union
Mr. C. F. Franks	Borough Environmental Health Officer	Brighton

One other member, an agricultural scientist, is still to be appointed.

Structure Plans

Mr. Onslow: To ask the Secretary of State for the Environment if he is satisfied that the availability of adequate water resources is fully taken into account in the preparation of structure plans.

Mr. Michael Spicer *[holding answer 26 April 1990]:* The memorandum accompanying Department of the Environment circular 22/84 explains that local authorities are required to have regard to the likely availability of resources when preparing structure plan proposals. This includes water resources, and local authorities will wish to consult the National Rivers Authority and water and sewerage undertakers during plan preparation. The explanatory memorandum accompanying structure plan proposals should include an indication of the assumptions made about the resources likely to be available for carrying out the plan's policies and proposals.

Fish Farms

Mr. Onslow: To ask the Secretary of State for the Environment what plans he has to amend the General Development Order for England and Wales along the lines of that now applying to Scotland in so far as fish farms are concerned; and if he will make a statement.

Mr. Michael Spicer *[holding answer 26 April 1990]:* The Government are awaiting the report of the Select Committee on Agriculture before deciding whether there is any need to change the extent of planning control over fish farming in England and Wales.

Local Government Finance

Mr. Malcolm Bruce: To ask the Secretary of State for the Environment if he will publish in the *Official Report* in relation to each local authority in England and the average for all local authorities in England for the financial year 1990-91 *(a)* the level of net expenditure per head of population, *(b)* the level of net expenditure per head of population as set out in the Government's assessment of expenditure need, *(c)* the level of income per head of population from personal standard and collective community charges, *(d)* the income from revenue support grant per head of population, *(e)* the income from non-domestic rates per head of population and *(f)* the income from other sources per head of population.

Mr. Chope *[holding answer 23 April 1990]:* The available figures for all local authorities in England are as follows:

	£
Average community charge	363
Demands and precepts	[1]918
Standard spending assessment	[1]836
Revenue support grant	[1]266
Non domestic rate income	[1]293

[1] £ per head of relevant population.

The amount of non-domestic rate income per head of relevant population is the same for every authority. Corresponding information for individual authorities is given or can be derived from the information placed in the Library of the House on 25 April 1990.

Mr. Beith: To ask the Secretary of State for the Environment whether residents of sheltered housing schemes are eligible for either transitional relief or special transitional relief under the poll tax provisions; and whether he will make a statement.

Mr. Chope *[holding answer 23 April 1990]:* In general, transitional relief is automatically paid at 100 per cent. of the difference between the assumed rates bill for 1989-90 on the property in which the chargepayer lives and either one or two units, according to household size, of the assumed community charge in 1990-91 plus a threshold of £156. Certain chargepayers who at 1 April 1990 were of pensionable age or were disabled and who, among other special conditions, paid neither rates nor rent during 1989-90 may apply for a special form of transitional relief which reduces their liability to £156 plus any difference between the actual and assumed charge. Whether the occupiers of any sheltered housing scheme are entitled to one of these forms of relief would depend on how these rules apply in their particular circumstances. Any individual or couple living in sheltered accommodation may, of course, be entitled to community charge benefit if they have a low income.

ENERGY

British Coal

Mr. Barron: To ask the Secretary of State for Energy when he expects the British Coal Corporation to complete its review of its business prospects; and if he will make a statement.

Mr. Baldry: I understand that work is in progress on the corporation's consideration of its future business strategy, and that it will be completed as soon as practicable.

Offshore Wave Power

Mr. Home Robertson: To ask the Secretary of State for Energy pursuant to his reply to the hon. Member for East Lothian of 23 April, *Official Report,* column *97,* what specific changes to the assessment of offshore wave power costs have been notified to the public by the energy technology support unit recently; and what is the revised official assessment of the cost of large scale duck wave power devices in pounds per kilowatt hour.

Mr. Peter Morrison: No such assessment has yet been concluded. A preliminary report from a contractor on methodology for costings of renewable energy has recently been made available to interested parties in a revised version taking into account comments received on an earlier version. Until the full study on prospects for wave energy referred to in my earlier answer has been completed, revised official assessments of the costs of wave power will not be available.

SOCIAL SECURITY

Income Support

Mr. Terry Fields: To ask the Secretary of State for Social Security if he will consider paying income support directly into claimants' bank accounts or building society.

Mr. Scott: The facility to have benefit paid directly into a bank account is restricted to beneficiaries paid by computer because a transfer of magnetic tapes is required to effect the payment to a bank. As income support is paid clerically in most local social security offices, an automated payment facility cannot be made available at present.

However, we anticipate that when the computerisation of income support is completed next year, we will be able to offer this facility as part of our scheduled programme of improvements.

Retired and Redundant Mineworkers

Mr. O'Brien: To ask the Secretary of State for Social Security (1) what representations he has received over the error in British Coal information in assessing current earnings for claims by retired and redundant mineworkers for the reduced earnings allowance; and if he will make a statement.

(2) how many redundant and retired mineworkers have been refused benefit under the reduced earnings allowance scheme because of the error in the current earnings assessment provided by British Coal; and if he will make a statement.

Mr. Scott: We are aware of one representation involving one case which was revised on appeal.

Mr. O'Brien: To ask the Secretary of State for Social Security what advice he has given to local offices where claims have been made by retired and redundant mineworkers and have been refused on inaccurate evidence given by British Coal on current earnings; and if he will make a statement.

Mr. Scott: It would be inappropriate to issue advice because decisions on claims for reduced earnings allowance are a matter for the independent statutory authorities and not the Secretary of State.

Mr. O'Brien: To ask the Secretary of State for Social Security what action he is intending to take to alert redundant and retired mineworkers who have lost benefit under the reduced earnings allowance scheme because of incorrect figures provided by British Coal when assessing current earnings; and if he will make a statement.

Mr. Scott: None. We are aware of neither national nor local problems arising out of the arrangements with British Coal.

DEFENCE

HILEX

Mr. Redmond: To ask the Secretary of State for Defence whether previous NATO exercises in the HILEX series have included the exercising of national home and civil defence crisis procedures.

Mr. Archie Hamilton: The series of HILEX exercises have been designed to test the alliance's consultation and collective decision-making machinery in a crisis.

Exercise Bright Fire

Mr. Redmond: To ask the Secretary of State for Defence if he will indicate the date, purpose and scope of Exercise Bright Fire 1989.

Mr. Archie Hamilton: Exercise Bright Fire was a two-phase exercise held in September and October of last year and was designed to test home defence communications across the United Kingdom.

Heat Injuries

Mr. Ashley: To ask the Secretary of State for Defence what action has been taken by his Department's chief of public relations concerning the BBC television programme entitled "Taking Liberties" about heat injuries in the services.

Mr. Archie Hamilton: The chief of public relations has raised with the BBC the Ministry of Defence's concerns about the balance of this programme.

Iran and Iraq (Commercial Links)

Mr. David Marshall: To ask the Secretary of State for Defence what special initiatives were taken within his Department and particularly within the DESO to promote or examine the prospects of commercial links with both Iran and Iraq following the end of the war between those two nations.

Mr. Alan Clark: My Department and the defence export services organisation within it have continued to work in accordance with the guidelines for exports to Iran and Iraq as announced by my right hon. and learned Friend the then Foreign Secretary on 29 October 1985, at column *450*.

ATTORNEY-GENERAL

Mr. Paul Malone

Mr. Terry Fields: To ask the Attorney-General if he will inquire into the disappearance from Chester Crown court, of handwritten interview records, in the case of the trial of Paul Malone in March 1987; and if he will make a statement.

The Attorney-General: Three handwritten interview records were produced as exhibits during the trial of Paul Malone. Two remain in the possession of the crown court at Chester and the third, which was released to the discipline and complaints department of the West Yorkshire police on 25 August 1988, remains in the custody of the West Yorkshire metropolitan police.

HEALTH

Leukaemia

Mr. Redmond: To ask the Secretary of State for Health what was the number of cases of children developing *(a)* leukaemia and *(b)* non-Hodgkins lymphoma, where a parent worked in (i) farming, (ii) chemicals, (iii) iron and steel, (iv) the nuclear industry, (v) coal mining and (vi) other occupations in each of the last four years; and if he will make a statement.

Mr. Freeman: This information is not collected centrally.

EC Food Hygiene Directive

Mr. McFall: To ask the Secretary of State for Health if he will make a statement on the progress of his discussions with the European Commission on the draft food hygiene directive.

Mr. Freeman: The draft "Food Hygiene" directive has not yet been submitted by the Commission to the Council and there is currently no timetable for discussions. However, an early draft of a proposal for a Council directive on the protection of human health by monitoring the wholesomeness of foodstuffs and observing basic principles of hygiene during their production handling and sale (the "Food Hygiene" directive) has recently been circulated to interested parties for comments on its scope, principles and approach.

Natural Medicines

Mr. Tredinnick: To ask the Secretary of State for Health whether he has any plans to request the medicines advisory research committee of the Natural Medicines Society to assess natural medicines; what proportion of those persons serving on the Medicines Control Agency practise alternative or complementary medical techniques; and if he will make a statement.

Mr. Freeman: We have no plans to request such outside bodies to undertake assessment functions which, under the Medicines Act 1968, are a matter for the licensing authority. It is however open to companies to support their applications with opinion from such advisers as they consider appropriate.

Professional staff of the Medicines Control Agency (MCA) are qualified in medicine, pharmacy and related sciences.

I understand the Natural Medicines Society to be supportive of herbal, homeopathic and anthroposophic medicines. Different factors apply in each case. Herbal medicines are, in European Community (EC) law, subject to the main pharmaceutical directives. Herbalism holds in common with conventional medicine that efficacy is proportional to dose. Guidelines for the assessment of herbal medicine were discussed with industry and published in 1985.

Homeopathic products are not at present subject to EC directives, but a Commission proposal has very recently been put to the Council of Ministers. It would be premature to anticipate the adoption of the directive with arrangements peculiar to homeopathic medicines. Officials have already had informal preparatory communication with those interested in the United Kingdom in homeopathic medicines. This communication will be developed during negotiations in Brussels.

Anthroposophic medicine has some characteristics in common with homoepathy, but there are distinctions. It will have to be clarified whether it is the intention that the directive is to apply to such medicines and, if so, what modifications should be considered.

NHS Trusts

Mr. Canavan: To ask the Secretary of State for Health how many expressions of interest have been made for hospitals to opt out of existing arrangements within the National Health Service.

Mrs. Virginia Bottomley: A total of 191 units have expressed an interest in NHS trust status, including a number with more than one hospital.

Cot Deaths

Mr. Nigel Griffiths: To ask the Secretary of State for Health when he expects to receive the report of the chief medical officer from the expert group examining the work of Mr. Barry Richardson on chemical emissions and cot deaths.

Mr. Freeman: The chief medical officer has asked the group of independent experts to report as soon as possible. However, Mr. Richardson's theory—that emission of toxic gases from fungal growth on cot mattresses could be responsible for some cases of sudden infant death syndrome—is a complex one and requires careful and responsible examination involving a range of scientific disciplines. It is difficult to forecast precisely when this ongoing work will be completed.

Geriatric Wards (Staffing)

Mr. Andrew F. Bennett: To ask the Secretary of State for Health what assessment has been made of the staffing levels on the geriatric wards at Stepping Hill, Stockport; and whether he has discussed the matter with either the regional or district health authorities.

Mr. Freeman *[holding answer 23 April 1990]:* We have been assured by the chairman of the Stockport district health authority that local managers, with the agreement of senior nursing and medical colleagues, have assessed and will continue to keep under review the nurse staffing levels on the geriatric wards at Stepping Hill hospital. We do not intend to erode local responsibility for managing the hospital services by intervening in this matter.

Mr. Andrew F. Bennett: To ask the Secretary of State for Health if he will review staffing levels in geriatric wards in the light of correspondence from Mr. Pink, a charge nurse at Stepping Hill hospital, Stockport.

Mr. Freeman *[holding answer 23 April 1990]:* The Department of Health does not and could not prescribe the staffing requirements on geriatric wards across the country because, for example, nursing requirements depend upon the number and individual needs of patients, the design of wards, and the skills and experience of nurses. That is why general managers working with medical and nursing colleagues decide such matters at the local level.

Mr. Andrew F. Bennett: To ask the Secretary of State for Health if he will publish in the *Official Report* or place copies in the Library, the replies sent by Ministers to correspondence from Mr. Pink, a charge nurse at Stepping Hill hospital, Stockport.

Mr. Freeman *[holding answer 23 April 1990]:* Replies on behalf of Ministers and the chief executive of the management board of the National Health Service were sent to Mr. Pink on 28 November 1989 and 5 April 1990. I am arranging for copies of these replies to be placed in the Library.

TRADE AND INDUSTRY

Iraq (Arms Component Exports)

Mr. Gordon Brown: To ask the Secretary of State for Trade and Industry (1) when his Department saw the contract involving Sheffield Forgemasters for the Iraqi order;

(2) what special checks were made of the 44 items of piping now sent to Iraq;

(3) how many approaches were made to his Department by Walter Somers querying the Iraqi order for equipment;

(4) what action was taken after the report of Walter Somers that they had been approached about aiming equipment in the Iraqi supergun order;

(5) what specifications of the Iraqi export order were given to his Department.

Mr. Ridley: In the light of charges laid against an individual on 25 April, and in the light of the continuing investigation by Customs and Excise, it would be inappropriate to give any further information.

Mr. Gordon Brown: To ask the Secretary of State for Trade and Industry (1) what was the day on which his Department was first made aware that Iraq was acquiring export material for a major gun or launcher;

(2) what information he has on non-military research done by the Space Research Corporation;

(3) when he was made aware of changes in the specifications of the steel for the Iraq order placed with Walter Somers;

(4) if he will make a statement on the involvement of the Advanced Technology Institute in the Iraqi gun order.

Mr. Ridley *[holding answer 26 April 1990]:* In the light of charges laid against an individual on 25 April, and in the light of the continuing investigation by Customs and Excise, it would be inappropriate to give any further information.

Mr. Winnick: To ask the Secretary of State for Trade and Industry what steps are now being taken by his Department to check on the items being manufactured in the United Kingdom for export to Iraq; and if he will make a statement.

Mr. Flynn: To ask the Secretary of State for Trade and Industry if he will publish the technical specifications of the steel ordered for the pipes intended for Iraq that were the subject of correspondence between his Department and Sheffield Forgemasters in July 1988.

Mr. Ridley *[holding answers 24 April 1990]:* In the light of charges laid against an individual on 25 April, and in the light of the continuing investigation by Customs and Excise, it would be inappropriate to give any further information.

Mr. Cryer: To ask the Secretary of State for Trade and Industry what information he has as to which overall contracts the gun components for Iraq were part of; and whether any such contracts were promoted by his Department through the British Overseas Trade Board export intelligence service.

Mr. Ridley *[holding answers 23 April 1990]:* In the light of charges laid against an individual on 25 April, and in the light of the continuing investigation by Customs and Excise, it would be inappropriate to give any further information.

Product Development, Sheffield

Dr. Thomas: To ask the Secretary of State for Trade and Industry when he last met the director of the Centre for Product Development Services in Sheffield; what matters were discussed; and what plans he has to hold another meeting.

Mr. Ridley: I have not met the chairman of the Centre for Product Development Services in Sheffield: nor have I met the directors. I have no immediate plans to do so.

Pollution Regulations

Dr. Thomas: To ask the Secretary of State for Trade and Industry what recent representations he has received from the national council of the Confederation of British Industry in regard to the effects on the competitive position of British industry of proposals to tighten environmental pollution regulations.

Mr. Forth: The CBI has recently sent the department a copy of its submission to Government on the forthcoming White Paper on the environment. Among other things the submission addresses the important question of the competitive implications for British business of action to secure environmental improvements.

NATIONAL FINANCE

Taxation

Mr. Ralph Howell: To ask the Chancellor of the Exchequer what percentage of taxation, including national insurance contributions, was derived from *(a)* direct taxation and *(b)* indirect taxation, in each year since 1979.

Mr. Lilley: Internationally, there is no general agreement on the criteria for distinguishing between direct and indirect taxes. However, broadly speaking, taxes on income and capital can be regarded as direct taxes, and taxes on expenditure as indirect taxes. On this basis, and including relevant non-tax items (such as national insurance, community charge and royalties), the figures requested are as follows:

	(1)	(2)
1978	49·0	51·0
1979	46·2	53·8
1980	46·5	53·5
1981	47·4	52·6
1982	48·3	51·7
1983	48·7	51·3
1984	49·2	50·8
1985	49·7	50·3
1986	47·3	52·7
1987	46·8	53·2
1988	47·0	53·0
1989	48·1	51·9

(1) Taxes on income plus taxes on capital plus employees' social security contributions plus community charge plus royalties as percentage of (3).

(2) Taxes on expenditure (including rates) plus employers' social security contributions as percentage of (3).

(3) Total taxes (including rates) plus social security contributions plus community charge plus royalties.

Roads

Mr. Barry Field: To ask the Chancellor of the Exchequer whether the Ryrie rules have been modified or disposed of to take account of the announcement of privately funded roads.

Mr. Norman Lamont: The Ryrie rules were formally retired by the then chief secretary in his speech to the Institute of Directors in Glasgow on 5 May 1989. He also clarified the Government's general position on private finance which remains as set out in the Treasury paper of February 1988 entitled "Private Finance in Public Expenditure". In the particular case of privately financed roads, he gave an explicit assurance that reductions would not be sought in the roads programme on a scheme basis to offset privately financed projects. A copy of the Treasury paper and the speech have been placed in the Library of the House.

Lending Limits

Mr. Allen: To ask the Chancellor of the Exchequer if he will list the information he has on those European countries which have limits on the amount their building societies or equivalents can lend as a percentage of the purchase price of a house.

Mr. Ryder: Housing finance systems in other European countries are quite different from the United Kingdom. No comprehensive information is held centrally. However, a book published by the European Community Mortgage Federation entitled "Mortgage credit in the European Community" lists the conditions applying in most EC member states. A copy is in the House Library.

Schedule D Debts

Mr. Tim Smith: To ask the Chancellor of the Exchequer if he will publish a table showing, for schedule D debts, what proportion and how much of the total debt outstanding at 1 January 1989, 1 July 1989 and 1 January 1990 was accounted for by debt attributable to taxpayers in *(a)* band 1, *(b)* band 2, *(c)* band 3, and *(d)* others; and what proportion of and how many taxpayers were accounted for by each band.

Mr. Lilley: The information is not available in the form requested.

The categorisation of accumulated debts referred to the local collector applies to all assessed taxes. Assessed taxes comprise corporation tax, capital gains tax and income tax. Assessed income tax comprises schedule D, schedule E and taxed income.

The Department analyses debts referred for local action into those for company cases (corporation tax) and those for individual taxpayers (capital gains tax) and income tax).

For individual taxpayers, the figures of debts outstanding at mid-month counts in January 1989, July 1989 and January 1990 are set out in the table.

Income tax and capital gains tax
Taxpayer debts referred for local action

January 1989	*Number of debts*	*Proportion of debts in band percentage*	*Amount of debts £ million*	*Proportion of amounts in band percentage*
Band 1	976	0·09	265	19
Band 2	4,027	0·37	152	11
Band 3	27,139	2·48	215	15
Others	1,060,873	97·06	774	55
Total	1,093,015	100	1,406	100

July 1989	*Number of debts*	*Proportion of debts in band percentage*	*Amount of debts £ million*	*Proportion of amounts in band percentage*
Band 1	439	0·04	97	8
Band 2	3,512	0·33	132	11
Band 3	26,382	2·45	209	17
Others	1,047,008	97·18	776	64
Total	1,077,341	100	1,214	100

January 1990	*Number of debts*	*Proportion of debts in band percentage*	*Amount of debts £ million*	*Proportion of amounts in band percentage*
Band 1	852	0·08	216	16
Band 2	3,770	0·33	144	10
Band 3	26,751	2·36	213	15
Others	1,103,884	97·23	806	59
Total	1,135,257	100	1,379	100

Notes:
Band 1 = over £100,000.
Band 2 = between £20,000 and £100,000.
Band 3 = between £4,500 and £20,000.
Others = below £4,500.

The table shows the numbers of tax debts. No figures are available for the numbers of taxpayers involved.

Mr. Tim Smith: To ask the Chancellor of the Exchequer if he will publish a graph similar to figures 3 and 4 in the National Audit Office report on the collection and enforcement of debts by the Inland Revenue, showing the effect of Inland Revenue actions on schedule D debt clearance in relation to the first instalment due on 1 January 1990.

Mr. Lilley: Accurate and processed statistical data showing the effect of Inland Revenue actions on schedule D clearance in relation to the first instalment due on 1 January 1990 is currently only available for up to 13 weeks after this date. A graph showing the requested details for the first 13 weeks has been placed in the Library.

Education, Police and Fire Services

Sir Trevor Skeet: To ask the Chancellor of the Exchequer (1) what would be the level of value added tax required if education, the police and the fire service, currently in part funded by local authorities, were funded from this source;

(2) what would be the basic rate of income tax if it had to cover expenditure at present met by local authorities on education, the police and the fire service.

Mr. Norman Lamont *[holding answer 23 April 1990]:* If local authorities spent in line with total standard spending in England and Wales, and total current expenditure in Scotland, the total cost of education, the police and fire service (including civil defence) in 1990-91 would be around £24 billion. If this expenditure were transferred to central government with no change to revenue support grant and specific grants for the police and fire service eliminated, this would imply additional expenditure of around £21·5 billion. This is equivalent to an increase of around 14p in the basic rate of income tax.

The estimated revenue from VAT in 1990-91 is £32·1 billion. For each one percentage point increase in the VAT rate, the extra revenue yield is around £2 billion in a full year.

PRIME MINISTER

Iraq (Arms Sales)

Mr. Gordon Brown: To ask the Prime Minister which Departments have been involved in considering the export order for the Iraqi gun.

The Prime Minister: Export controls are administered by the Department of Trade and Industry who seek advice from the Ministry of Defence and other Departments as necessary.

Gallipoli

Mr. Dalyell: To ask the Prime Minister if she will make a statement on parliamentary representation at official ceremonies to mark the anniversary of Gallipoli.

The Prime Minister: The Defence Secretary and I represented Her Majesty's Government at the ceremonies in Gallipoli on 25 April.

As my right hon. Friend the Foreign Secretary said in a letter to the right hon. Member for Manchester, Wythenshawe (Mr. Morris) on 5 March, he hoped that a cross party ANZAC group of Members of Parliament and Peers would be represented.

The ceremonies at the Cenotaph and Westminster abbey were attended by my right hon. Friend the Foreign Secretary as well as by other Members of Parliament from a number of parties.

National Curriculum

Mr. Latham: To ask the Prime Minister whether she will make a statement on the introduction of the arrangements for the national curriculum under the Education Reform Act 1988; and what action is being taken to reduce the burden of form filling by teachers.

The Prime Minister: We need the national curriculum to raise standards in our schools. There is welcome evidence from Her Majesty's inspectorate that many schools are making satisfactory progress with implementing the national curriculum. My right hon. Friend the Secretary of State for Education and Science is taking great care that the new requirements are introduced in a way that does not overburden teachers. He has been particularly concerned to limit the paperwork required of teachers and has taken a number of steps to this effect, including, for example, changes to the proposed requirements for statutory curriculum information.

Privatisation

Mr. Nicholas Bennett: To ask the Prime Minister if she will make a statement on the Government's privatisation programme since 1979, and what were *(a)* the net receipts from each sale, *(b)* the number of shareholders now registered for each privatised company, *(c)* the number of employee shareholders in each privatised company and *(d)* the profit or loss for each company in their final year in state ownership.

The Prime Minister: Privatisation is recognised worldwide as one of this Government's bold and far-reaching achievements. Twenty-nine major businesses have been privatised and almost 50 per cent. of the 1979 state sector and around 800,000 jobs have been transferred to the private sector. Receipts so far amount to some £27·5 billion, with future sales projected at a rate of about £5 billion a year.

The information my hon. Friend requests is as follows. Figures for the number of shareholders are taken from the latest published reports and accounts of the companies, which do not provide the figures for employee shareholders.

Company	*Date of privatisation*	*Net proceeds to HMG* £ *million*	*Number of shareholders*	*Profit/(loss) before privatisation* £ *million*
British Petroleum (residue sale)	1979	276		
	1981	8		
	1983	543		
	1987	5,322	592,602	n/a
British Aerospace	1981	43	97,600	52·8
	1985	347		
Cable and Wireless	1981	181	170,146	64·1
	1983	263		
	1985	580		
Amersham International	1982	60	5,854	4·8
National Freight Consortium	1982	53	[1]45,000	4·3
Britoil[2]	1982	626	165,200	423·1
	1985	426		
Associated British Ports	1983	46	[1]12,000	5·5
	1984	51		
Enterprise Oil	1984	382	10,207	83·2
Sealink (trade sale)	1984	[3]—	n/a	12·8
Jaguar	1984	[3]—	[4]41,789	50
British Telecom	1984	3,681	1,203,243	990
British Shipbuilders Warship Yards (trade sale)	1984-85	[3]—	n/a	18
British Gas	1986	[5]7,731	2,695,450	782
British Airways	1987	850	38,350	195

Company	Date of privatisation	Net proceeds to HMG £ million	Number of shareholders	Profit/(loss) before privatisation £ million
Royal Ordnance (trade sale)	1987	185	n/a	26
Rolls Royce	1987	1,028	738,659	120
BAA	1987	1,183	889,067	84
Rover (trade sale)	1988	150	n/a	28
British Steel	1988	2,437	419,726	207
10 Water Companies	1989	[6]3,480		
Anglian Water	1989		[7]274,167	72·7
Northumbrian Water	1989		255,476	6·4
North West Water	1989		244,491	44·3
Severn Trent	1989		317,673	97·5
Southern Water	1989		261,704	65·1
South West Water	1989		129,064	38·1
Thames Water	1989		680,816	207·2
Welsh Water	1989		143,099	24·9
Wessex Water	1989		188,541	24·1
Yorkshire Water	1989		210,091	55·7

Notes:

n/a—Not available.

[1] Approximate.

[2] Part of BP since 1988. Shareholder figure given for 1987.

[3] Proceeds went to the nationalised industry as vendor as follows:
Sealink: £66 million to British Rail;
Jaguar: £297 million to British Leyland;
Warship Yards: £54 million to British Shipbuilders.

[4] Jaguar shares no longer listed—part of Ford. Figure as October 1989.

[5] Includes £2,500 million debenture repayable to the Consolidated Fund.

[6] Includes £73 million debenture repayable to the Consolidated Fund.

[7] Shareholder figures for the water companies represent the number of original allocatees recorded on the interim register for each company. This information was originally given by the Minister with responsibility for Water in a Written Answer on 24 January 1989 (Vol. 165, col. *747*.)

Upper Bann

Mr. John D. Taylor: To ask the Prime Minister whether she proposes to visit the constituency of Upper Bann before 17 May.

The Prime Minister: I have at present no plans to do so.

Council of Europe

Mr. Hill: To ask the Prime Minister if she will announce the composition of the United Kingdom delegation for the 42nd session of the parliamentary assembly of the Council of Europe.

The Prime Minister: The 42nd session parliamentary assembly of the Council of Europe will be opened in Strasbourg on 7 May 1990. The delegation from the United Kingdom for the session will consist of 11 members of the Conservative party, six members of the Labour party and one member of the Liberal Democrats. I have also appointed a number of substitute delegates.

The appointments of representatives and substitutes have been made on the basis of nominations by the leaders of those parties concerned.

The same delegation will be representing the United Kingdom Parliament at the assembly of the Western European Union, which next meets in Paris on 5 June.

Representatives from the Conservative Benches will be my hon. Friend the Member for Hampstead and Highgate (Sir. G. Finsberg), who will act as leader of both delegations, and the hon. Members for Warwick and Leamington (Sir D. Smith), for Southampton, Test (Mr. Hill), for Twickenham (Mr. Jessel), for Northampton, South (Mr. Morris), for Halesowen and Stourbridge (Sir J. Stokes), for Ruislip-Northwood (Mr. Wilkinson), for Ashford (Mr. Speed), for Streatham (Sir W. Shelton), for Medway (Dame P. Fenner) and the Earl of Kinnoull.

Representatives from the Labour party will be the hon. Members for Neath (Mr. Coleman), for Wallsend (Mr. Garrett), for Wentworth (Mr. Hardy), for Tooting (Mr. Cox), for Liverpool, Riverside (Mr. Parry), and for Falkirk, East (Mr. Ewing).

Representatives from the Liberal Democrats will be the hon. Member for Inverness, Nairn and Lochaber (Sir R. Johnston).

The following substitutes have been appointed to act as necessary on behalf of the delegates. From the Conservative Benches, the hon. Members for Bournemouth, East (Mr. Atkinson), for Broxbourne (Mrs. Roe), for Norfolk, North (Mr. Howell), for Poole (Mr. Ward, for Lewes (Mr. Rathbone), for Brighton, Kempton (Mr. Bowden), for Suffolk, Central (Mr. Lord), for Ravensbourne (Sir J. Hunt), Lord Newall and Lord Rodney.

From the Labour Party, the hon. Members for Wansbeck (Mr. Thompson), for Manchester, Central (Mr. Litherland), for Don Valley (Mr. Redmond), for Warley, East (Mr. Faulds), for Newham, North-West (Mr. Banks), for Cunninghame, South (Mr. Lambie) and Lord Kirkhill.

From the Liberal Democrats, Lord Mackie of Benshie.

EMPLOYMENT

Nuclear Installations Inspectorate

Dr. Thomas: To ask the Secretary of State for Employment if he will make a statement on the recent publications by the Health and Safety Executive on the work of the nuclear installations inspectorate.

Mr. Nicholls: I welcome the publication by the Health and Safety Executive of the booklet and leaflet entitled "The Work of HM Nuclear Installations Inspectorate" and "Nuclear Energy and the NII" respectively. These should assist public understanding of the important work carried out by the inspectorate to ensure a safe operating regime for civil nuclear installations.

Dr. Thomas: To ask the Secretary of State for Employment how many copies of the publication, "The work of HM Nuclear Installations Inspectorate" have been printed since publication; to which outlets the brochure has been distributed; and if he will make a statement on the reasons for the production and distribution of the publication.

Mr. Nicholls: Some 3,400 copies of the booklet entitled "The Work of HM Nuclear Installations Inspectorate" have been printed for sale by Her Majesty's Stationery Office and its accredited agents. The booklet brings up to date the booklet of the same name published in 1982. Copies have been placed in the House of Commons Library.

Skills Training Agency

Mr. Murphy: To ask the Secretary of State for Employment if he has obtained the agreement of the appropriate trade unions over safeguards with regard to the sale of the skills training agency; and if he will make a statement.

Mr. Eggar: There are requirements to inform and consult trade unions under the Transfer of Undertakings (Protection of Employment) Regulations 1981. These have been and will continue to be met in full. There have been extensive consultations with union representatives throughout the sale process and I have met them on two occasions.

Hazardous Substances

Dr. Thomas: To ask the Secretary of State for Employment how many organisations have been given authorisation to conduct full health and safety surveys under the Control of Substances Hazardous to Health Regulations 1988; and what information he has concerning the availability of computer databases to facilitate the standardisation of information collected in Control of Substances Hazardous to Health Regulations audits.

Mr. Nicholls: There is no requirement under the Control of Substances Hazardous to Health Regulations 1988 for an organisation to be authorised by the Health and Safety Executive or any other body to undertake health and safety assessment on behalf of an employer.

Commercially produced computer database packages to assist employers in recording information relating to the Control of Substances Hazardous to Health Regulations 1988 are widely available and extensively publicised in the health and safety press.

Dr. Thomas: To ask the Secretary of State for Employment when he received a copy of the European Commission proposal for a Council directive on the laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances (COM [89] 575 final-SYN 277, dated 9 January 1990); and what response he has made to the Council or Commission on the proposal.

Mr. Nicholls: The proposed directive was brought to my right hon. and learned Friend's notice on 9 March 1990. Since formal discussion of this proposal in EC Council has yet to start, no response has been made.

Radiation

Dr. Thomas: To ask the Secretary of State for Employment what new guidance has been issued in regard to the implementation by industries using radioactive materials of the provisions of the Ionising Radiations Regulations 1985.

Mr. Nicholls: On 7 February 1990, the Health and Safety Executive published a guidance note, "Respiratory protective equipment for use against airborne radioactivity".

Environmental Protection Training

Ms. Walley: To ask the Secretary of State for Employment how many people were employed in training schemes leading to qualifications in environmental protection or environmental improvement techniques for each of the last five years.

Mr. Nicholls: The information requested is not available, and could be obtained only at disproportionate cost.

HOME DEPARTMENT

NATO Civil Wartime Agencies

Mr. Redmond: To ask the Secretary of State for the Home Department whether agreements have been drawn up to cover the legal aspects of the proposed employment of United Kingdom civil servants as staff of NATO civil wartime agencies; and whether agreement has been reached on the status under international law of United Kingdom civil servants and representatives of private industry when they take up their proposed roles as NATO civil wartime agencies staff.

Mr. John Patten: No.

Unlawful Parking, Newham

Mr. Leighton: To ask the Secretary of State for the Home Department if he will seek a report from the Commissioner of Police of the Metropolis on how many police and traffic warden hours have been devoted in the current year to keeping Green street and Katherine road in the London borough of Newham clear of unlawful parking; how many fixed penalty notices have been issued in those roads in the current year; and what priority is given to keeping these streets clear of unlawful parking.

Mr. Peter Lloyd: No specific records are kept of the number of hours worked by police officers and traffic wardens undertaking enforcement duties in Green street and Katherine road. Similarly, no specific records are kept of the number of fixed penalty notices issued at these locations.

Both roads received substantial enforcement attention from traffic wardens, with Green street being patrolled on a daily basis. In addition, police traffic patrols also target the area on a rota basis to supplement the traffic warden effort.

Fire Stations (South Yorkshire)

Mr. Redmond: To ask the Secretary of State for the Home Department if he will list the fire stations that cover the Don Valley constituency area.

Mr. John Patten: I understand that the Don Valley constituency area is covered by three fire stations—Edlington, Mexborough and Rossington.

Mr. Redmond: To ask the Secretary of State for the Home Department if he will list the fire stations in south Yorkshire that are under threat of closure.

Mr. John Patten: I understand that the chief fire officer of South Yorkshire fire and civil defence authority has completed a review of fire risk categorisation and that he is now reviewing the standards of fire cover throughout his area.

I understand that the chief fire officer has not yet submitted a report or recommendations to South Yorkshire fire and civil service defence authority concerning the provision of fire cover. It would, therefore, be inappropriate for my right hon. and learned Friend to comment on speculative statements about fire station closures.

A fire authority which proposes to reduce the operational establishment of its brigade is required to seek the approval of my right hon. and learned Friend to the reductions under the terms of section 19 of the Fire Services Act 1947. My right hon. and learned Friend is committed to maintaining nationally recommended minimum standards of fire cover and to the maintenance of an effective fire service.

Crime Rates

Mr. Sheerman: To ask the Secretary of State for the Home Department (1) what are the rates of burglary *(a)* in the United Kingdom and *(b)* in other European Economic Community member states;

(2) what are the most recent figures for *(a)* violent crime and *(b)* rape; and what are the comparable rates of these crimes in other European Economic Community member states.

Mr. John Patten: The most recent comparative information on crime rates in different countries relates to 1988 and is published in "Experiences of Crime across the World" (Key findings of the 1989 International Crime Survey), for example in table E1. A copy of this publication is available in the Library.

Special Branch

Mr. Meale: To ask the Secretary of State for the Home Department when he received the special branch document ref. no. 10368/74; and what action he has taken.

Mr. Waddington: I refer the hon. Member to the reply given to a question from my hon. Friend the Member for Newark (Mr. Alexander) on 30 March 1990 at columns *375-77.*

Young Prisoners

Mr. Speller: To ask the Secretary of State for the Home Department if he will take steps to provide for the incarceration of younger healthy prisoners in an outdoor working environment with the minimum possible time spent in cellular confinement.

Mr. Mellor: Inmates need to be kept in conditions of security appropriate to the nature of the individual prisoner and his offence. Establishments already seek, within available resources, to provide balanced and integrated regimes which keep inmates as fully occupied as possible. Programmes of activities include physical education, exercise and, where practicable, opportunities for outside work.

Overseas Voters

Mr. Skinner: To ask the Secretary of State for the Home Department what recent discussions he has had with Ministers from those countries that have residents applying for votes in future British elections; and if he will make a statement.

Mr. Peter Lloyd: None.

Armley Gaol

Mr. Battle: To ask the Secretary of State for the Home Department how many fine defaulters are currently imprisoned at Armley gaol, Leeds; how many of these are serving sentences of six months or less; and in each case, what percentage of the total current prisoner population of Armley these prisoners represent.

Mr. Mellor: According to records held centrally, which are approximate, 28 fine defaulters were held in Leeds prison on 28 February, 1990. They formed between 2 and 3 per cent. of the population of Leeds prison. All had been committed for periods of six months or less.

Somalian Refugees

Mr. Blunkett: To ask the Secretary of State for the Home Department what funds have been received from the United Nations or any other agency for the settlement of Somalian refugees; and on what projects such funds have been spent.

Mr. Peter Lloyd: None. The United Nations does not make any formal contribution towards the resettlement of Somalian refugees in the United Kingdom. The United Kingdom does, of course, contribute to the costs of the United Nations High Commissioner for Refugees. In 1989 we gave £19,366,000 to UNHCR. Arrangements for the reception and resettlement of refugees in the United Kingdom assume that their basic needs are adequately met by existing services provided by both central and local government but, in addition, grant aid is made available to encourage community development through national and regional voluntary bodies.

Risley Remand Centre

Mr. Hoyle: To ask the Secretary of State for the Home Department if he will place a copy of the Dunbar report into the 1989 riot at Risley remand centre in the House of Commons Library.

Mr. Mellor: I refer the hon. Member to the reply given to a question from the hon. Member for Liverpool, Riverside (Mr. Parry) on 25 January at column *890*.

Wakefield Prison

Mr. Hinchliffe: To ask the Secretary of State for the Home Department what assessment has been made by his Department of the security implications for Her Majesty's prison, Wakefield, of the recent temporary transfer of staff to Her Majesty's prison, Manchester.

Mr. Mellor: The operation of contingency arrangements for the deployment of staff on detached duty to assist at another establishment has full regard to the need not to compromise the security of the sending establishment.

Rural Violence

Mr. Kirkwood: To ask the Secretary of State for the Home Department what plans he has to discuss with chief officers of police measures to deal with violent incidents involving groups of young people in or outside licensed premises in rural areas.

Mr. Peter Lloyd: In February 1989, an interdepartmental circular provided advice on how local organisations in England and Wales might work together to tackle the problems associated with alcohol misuse. Local organisations including the police are encouraged to identify local needs and decide how best these might be met. In addition, in seven selected areas in England, the Home Office is monitoring experimental byelaws which provide the police with additional powers to control drinking in public places. I understand that a similar experimental byelaw is in operation in one area in Scotland and it is planned to extend the scheme to two further areas. The results of these experiments will be discussed with chief officers of police. I have no further plans, at present, for discussions with chief officers on this subject.

Neighbourhood Watch

Mr. Tredinnick: To ask the Secretary of State for the Home Department how many neighbourhood watch schemes are operating in Leicestershire; how many were operating in 1988; and if he will make a statement.

Mr. John Patten: I understand from the Leicestershire police that at the end of March 1990 there were 1,136 neighbourhood watch schemes in Leicestershire, covering approximately 70,000 households. This compares to 990 schemes at the end of 1988, an increase of 146 schemes over the last 15 months.

WALES

Local Government Finance

Mr. Wigley: To ask the Secretary of State for Wales approximately how many letters have been received by his Department during the past four weeks relating to the community charge system of local taxation *(a)* from hon. Members and *(b)* from others; and if he will make a statement.

Mr. Peter Walker: Between 26 March and 20 April inclusive, my Department received 82 letters from hon. Members and 130 letters from members of the public and other organisations about the community charge.

Planning Applications

Mr. Wigley: To ask the Secretary of State for Wales what guidelines are issued by his Department to local planning authorities in Wales as to the appositeness or otherwise of considering the financial viability of large scale development projects requiring planning permission prior to undertaking expensive consultation procedures in relation to the planning application.

Mr. Grist: None.

Radioactive Substances Act

Dr. Thomas: To ask the Secretary of State for Wales how many firms or organisations have been successfully prosecuted in each year since 1979 under the Radioactive Substances Act 1960; and what penalty was incurred in each case.

Mr. Grist: None.

Health Authorities (Voluntary Contributions)

Mr. Michael: To ask the Secretary of State for Wales what guidance he has given to health authorities in Wales on the extent to which voluntary and charitable contributions should be sought and to what classes of project they should be applied; and if he will publish any letters or guidance documents on these issues issued by his Department.

Mr. Grist: I refer the hon. Gentleman to the reply I gave him on Monday 23 April, at columns *38-39*.

Waste Recycling

Mr. Morgan: To ask the Secretary of State for Wales (1) if he will set a target for Welsh local authorities responsible for waste disposal, in respect of the recycling of paper, glass and cans in household refuse;

(2) whether he will encourage all waste disposal authorities in Wales to provide a comprehensive service for collection from households of paper, glass and cans for recycling.

Mr. Grist: The Government have set a target of 50 per cent. of recyclable household waste to be recycled by the year 2000. Proposals in the Environmental Protection Bill will give district councils in Wales duties to prepare plans and to report on recycling, and powers to arrange for the provision of recycling facilities.

Mr. Morgan: To ask the Secretary of State for Wales what consultation he has had with Welsh district councils on the resources required for providing an effective waste disposal service, including the provision of a collection service for recycling of paper, glass and cans.

Mr. Grist: The resources required by local government are discussed with local authorities at meetings of the

Welsh consultative council on local government finance and its various sub-groups. Representatives of the Welsh Office and Her Majesty's inspectorate of pollution also attend meetings of the regional waste management groups where all waste management matters, including recycling, are discussed.

Dumping at Sea

Mr. Nicholas Bennett: To ask the Secretary of State for Wales what action is being taken to assist coastal local authorities with the removal of debris on beaches dumped by ships at sea.

Mr. Grist *[holding answer 24 April 1990]:* I refer my hon. Friend to the reply given to him by my right hon. Friend the Under-Secretary of State for the Environment on 25 April 1990 at columns *261-62*.

HOUSE OF COMMONS

Security

Mr. David Marshall: To ask the Lord President of the Council who is responsible for maintaining and updating security provisions in the Palace of Westminster.

Sir Geoffrey Howe: Final responsibility for security policy in the House of Commons rests with Mr. Speaker and, in the House of Lords, with the Lord Chairman of Committees, acting on behalf of the House of Lords' Administration Committee. Day-to-day executive responsibility for security policy is delegated to the Serjeant at Arms and Black Rod in their respective areas of the building. Operational responsibility for security throughout the Palace of Westminster rests with the head of security, who works in support of these authorities and is answerable to them.

Mr. David Marshall: To ask the Lord President of the Council what matters relating to the security of the Palace of Westminster he makes it his practice to answer questions on.

Sir Geoffrey Howe: Within the limitations of my own role as Leader of the House, I endeavour to be as helpful as possible in answering parliamentary questions on security matters, but for reasons which the hon. Member will appreciate, it has not been the practice of my predecessors, nor is my practice, to answer questions relating to security policy or to cases affecting individual Members or staff.

SCOTLAND

Crofter Housing

Mr. Bill Walker: To ask the Secretary of State for Scotland if he will make a statement on assistance to crofter housing.

Mr. Rifkind: With effect from 16 May 1990 the maximum rates of assistance available under the crofters building grants and loans scheme (CBGLS) will be increased as indicated in the table.

	Present levels			*Revised levels*		
	Grant £	*Loan* £	*Total* £	*Grant* £	*Loan* £	*Total* £
New House	8,700	13,500	22,200	11,500	17,500	29,000
House Improvement	1,500	8,000	9,500	2,000	10,500	12,500

Grant is at 50 per cent. Loans are at 7 per cent. rate of interest.

The new levels of assistance will be available to new applicants and applicants whose applications are currently under consideration. They will also be available to those that have had applications approved but who have not yet started work, provided that they re-apply and accept the revised conditions set out in the Crofters etc. Building Grants (Scotland) Regulations 1990.

These regulations and the related guidelines have been modified to emphasise that assistance under the crofters building grants and loans scheme is provided for those who live on and cultivate their crofts and is designed to benefit the crofting community at least as much as the individual crofter.

The period to which grant conditions apply to new houses has been extended from 10 to 20 years. Disposal of an assisted croft house to someone other than a member of the family or a crofter working a croft in the area and in certain circumstances the disposal of the croft land other than the house, to someone other than a member of the family, may result in recovery of a proportion of grant. These changes should provide a disincentive to disposal of croft houses to those who do not work a local croft.

I have reviewed the circumstances in which housing assistance might be made available where a house or house site has been detached from the croft and assistance for a house on the bareland croft is sought.

Each case will be taken on its merits; but applications will be considered in two sets of circumstances. These are:

(a) where a crofter has acquired a house or house site pertaining to the croft and the tenancy of the remainder of the croft has passed by assignation or otherwise to a member of the crofter's family, or, where the former crofter was aged or infirm, to any named individual who requires a house to enable him to cultivate the croft;

(b) where the croft could not be satisfactorily cultivated without the provision of a new house and it would benefit the township if a new house were provided to enable the crofter to reside on the croft.

Assistance will not generally be provided where the detached house might reasonably have been made available to the incoming crofter, where the crofter is already adequately housed within reasonable working distance of the croft, and where the price paid for an assignation and any associated permanent improvements or other circumstances suggest that the main object of an assignation is to make an incoming crofter eligible for assistance under the scheme. Where a house has been provided with grant assistance, assistance for a new house pertaining to the same croft will not be made available for 20 years unless the Secretary of State considers that there are special circumstances which would justify it.

Employment Training

Mr. Worthington: To ask the Secretary of State for Scotland how many employment training scheme trainees are placed with *(a)* Grampian Holdings, *(b)* John Wood Group plc, *(c)* W. & J. Barners, *(d)* IBM United Kingdom Ltd., *(e)* The Royal Bank of Scotland, *(f)* Guinness, *(g)* GEC Plessey (Kirkcaldy), *(h)* Roche Products (Dalry), *(i)* Polaroid (UK), *(j)* McQueen Ltd. (Galashiels) and *(k)* Rolls Royce and Associates Ltd. (Thurso).

Mr. Lang *[holding answer 24 April 1990]:* In employment training placements are negotiated between training managers and placement providers and embodied in a contract between those parties: the content of such contracts is deemed to be commercial in confidence. The information sought is therefore not available.

FOREIGN AND COMMONWEALTH AFFAIRS

Gibraltar (Incident)

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on his decision to issue certificates under the Crown Proceedings Act in respect of legal action relating to the deaths of three persons in Gibraltar.

Mr. Waldegrave: Proceedings have been brought against the Ministry of Defence in the High Court in Northern Ireland by relatives of the three members of the Provisional IRA who were shot dead in Gibraltar. My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs has signed certificates under section 40(3)(a) of the Crown Proceedings Act 1947, as extended to Northern Ireland, to the effect that any liability of the Crown alleged in the actions arises neither in respect of Her Majesty's Government in the United Kingdom, nor in respect of Her Majesty's Government in Northern Ireland. Copies of the certificates were served on lawyers acting for the relatives on 26 March.

East-West Co-operation

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the outcome of the meeting of the conference on security and co-operation in Europe held in April on the lifting of restrictions on west-east co-operation.

Mr. Waldegrave: The concluding document of the Bonn CSCE meeting on economic co-operation in Europe represents a valuable contribution towards stimulating market-oriented economic principles throughout Europe and to the general development of economic co-operation. The document contains an invitation to the OECD to consider hosting meetings of experts drawn from CSCE and OECD states to continue the dialogue in specific fields, including trade. This proposal was originally put forward by the United Kingdom.

Iraq

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs when Her Majesty's Government first learnt of attempts by Iraq to obtain krytrons in the United States for potential use in nuclear warhead triggers.

Mr. Waldegrave: The interception of a consignment of capacitors bound for Iraq on 28 March at Heathrow was the result of co-operation between the United States and United Kingdom customs authorities over a period of several months. We are not aware of any attempt by Iraq to obtain krytrons in the United States.

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the status of the Iraqi nuclear programme.

Mr. Waldegrave: Iraq is a party to the nuclear non-proliferation treaty and, as such, has undertaken not to develop nuclear weapons or other nuclear explosive devices. We expect Iraq to abide by her international legal obligations.

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs if the United Kingdom will raise the violation by Iraq of its commitment not to obtain nuclear weapons capability as a party to the nuclear non-proliferation treaty at the next meeting of parties to the treaty.

Mr. Waldegrave: Parties to the non-proliferation treaty are currently meeting in Geneva for the third preparatory committee to the NPT review conference. Since the committee is largely devoted to administrative matters, we do not consider it an appropriate forum in which to raise this matter. We would, however, expect the interception at Heathrow of a consignment of capacitors bound for Iraq on 28 March to be discussed at the review conference on 20 August-14 September.

Argentina

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs what matters were raised by Ministers or officials of this Department during the visit to the United Kingdom by the Foreign Minister of Argentina, Senor Cavallo, in April, with his counterpart, or members of the Foreign Minister's visiting party.

Mr. Maude: I refer the hon. Member to the reply given by my hon. Friend the Under-Secretary of State to my hon. Friend the Member for Uxbridge (Mr. Shersby) on 18 April, at column *845*.

Hong Kong

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs what matters concerning civil or military aspects of nuclear energy the hon. Member for Warwickshire, North (Mr. Maude) discussed during his visit to the Crown Territories of Hong Kong in April.

Mr. Maude: During my visit to Hong Kong in April, I held no specific discussions about civil or military aspects of nuclear energy. I did, however, pay a visit to the Castle Peak power station, where I held discussions with the China Light and Power Company, whose interests in the nuclear power station under construction at Daya bay in southern China was mentioned in passing.

Indian President

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs what was discussed during his meeting with President Venkataraman of India during his recent visit to London.

Mr. Maude: During his meeting with President Venkataraman, my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs discussed international and regional issues. The meeting confirmed the excellent state of Indo-British relations.

USSR

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs what matters he or his officials raised with his Soviet counterpart, other Soviet Foreign Ministers or Foreign Ministry officials during his visit to Moscow on 9 to 11 April.

Mr. Waldegrave: During his recent visit to the Soviet Union, my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs discussed the full range of bilateral and international issues.

Biotechnology

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on steps Her Majesty's Government have taken and plan to take to ensure the detection of any diversion by any other state of biotechnology for offensive military purposes.

Mr. Waldergrave: The 1972 biological and toxin weapons convention, to which over 110 states are party, prohibits the development, production, stockpiling, or other acquisition of microbial or other biological agents of toxins, except for peaceful purposes. Any evidence that a party was in breach of the convention would be a serious matter. We have alerted our Australia group partners to the possibility of diversion or biotechnology equipment, material and know-how for use in biological warfare, and are taking parallel action with potential United Kingdom suppliers. The Export of Goods (Control) Order has also for many years prohibited the export of biological materials and related equipment adapted for use in war unless specifically licensed.

Poland

Mr. Pawsey: To ask the Secretary of State for Foreign and Commonwealth Affairs what action he will take to help the Polish economy by converting loans to grants.

Mr. Waldegrave: Poland has benefitted from successive rescheduling within the Paris club of debts to Governments. Under the most recent, in February, Poland need make no payments this year. The Paris club has also agreed, without commitment, to set up a working group on long-term debt issues once the first review of Poland's IMF standby programme has been successfully completed.

Mr. Pawsey: To ask the Secretary of State for Foreign and Commonwealth Affairs what specific technological help has been given to Poland over the past two years; and what plans exist for it to be increased.

Mr. Waldegrave: Subject to security considerations, western technology has been available through commercial channels. We believe Poland most needs the managerial skills and technical expertise to run free-market and democratic systems and we have created the know-how fund to supply this.

Mr. Pawsey: To ask the Secretary of State for Foreign and Commonwealth Affairs what action is being taken by the European Community to help Poland.

Mr. Maude: The European Community has responded quickly and generously to the economic and political reforms in Poland by measures which include, 158 mecu —£117 million, approximately—free food, removal or suspension of all quantitative restrictions on Polish exports to the Community, generalised system of preferences status for exports into the EC, including the reduction of certain tariffs or levels, 1 billion ecu—£750 million, approximately—lending by the European investment bank, and 300mecu in 1991—£225 million, approximately—project aid for environmental, agricultural and training projects in Poland and Hungary.

Poland will also benefit from the establishment of the European training foundation, the TEMPUS student mobility scheme and the European bank for reconstruction and development.

Mr. Pawsey: To ask the Secretary of State for Foreign and Commonwealth Affairs what restructuring of loans to Poland has so far taken place.

Mr. Waldegrave: Poland's Government creditors agreed in the Paris club in February to reschedule 100 per cent. of principal and interest in arrears at the end of 1989 and payments due up to March 1991. Bank creditors agreed a rescheduling of almost all commercial debt in July 1988 over a 15-year period. Further talks are currently being held.

Mr. Pawsey: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations Her Majesty's Government have made to the European Community to assist Poland.

Mr. Maude: We have taken every opportunity to encourage Community support for Poland. My right hon. Friend the Prime Minister has taken a leading role in promoting close relations between the EC and Poland. We have encouraged and supported the numerous specific measures which have been put in place by the Community.

Mr. Pawsey: To ask the Secretary of State for Foreign and Commonwealth Affairs what food has been sent to Poland from European Community stocks.

Mr. Maude: The European Community has so far supplied 158 mecu—£117 million, approximately—of free food to Poland from Community stocks. The free food comprised deliveries of breadmaking wheat, maize, barley, beef, olive oil and citrus fruits.

Beirut Hostages

Mr. Dunnachie: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent steps Her Majesty's Government have taken to secure the release of John McCarthy, Brian Keenan, Terry Waite and Jack Mann who are currently being held hostage in Beirut; and if he will make a statement.

Mr. Waldegrave: I refer the hon. Member to my answer of 18 April to the hon. Member for St. Helens, North (Mr. Evans), at column *843*.

Western European Union

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs what issues were discussed during the meeting of the Western European Union in Brussels on 27 April.

Mr. Waldegrave: My right hon. Friends, the Secretary of State for Foreign and Commonwealth Affairs and the Secretary of State for Defence, attended the ministerial council of Western European Union in Brussels on 23 April. They had a useful exchange of views with Foreign and Defence Ministers from other WEU member states covering progress towards Germany unification, the prospects for a coventional forces in Europe agreement and a conference on security and co-operation in Europe summit, co-operation on arms control verification, and future defence co-operation. They reaffirmed the need for United States and Canadian troops to continue to be stationed in Europe, and the importance of Western European Union and the north Atlantic alliance in which a united Germany would take its place alongside its fellow members.

Expatriates

Mr. Meacher: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will estimate the number of persons who were previously resident in Britain who are now resident in each country abroad, above a level of 500 British expatriates in each country; and if he will estimate in each case how many are of pensionable age and how many of working age, respectively.

Mr. Maude: We have no means of estimating the number of British residents living in each country abroad who were previously resident in Britain, nor can we estimate their ages.

AGRICULTURE, FISHERIES AND FOOD

Harvest

Mr. Ralph Howell: To ask the Minister of Agriculture, Fisheries and Food what was the size of the United Kingdom harvest in *(a)* tonnes and *(b)* value, at actual and at 1989 prices in each year since 1979.

Mr. Maclean: The size of the cereals harvest and the value of cereal sales off farms are shown below.

Year	*Cereal harvest* ('000 tonnes)	*Value of output* (£ million)	*Value of output at 1989 prices* (£ million)
1979	17,416	1,184	1,357
1980	19,472	1,463	1,616
1981	19,621	1,693	1,725
1982	21,913	2,062	1,971
1983	21,307	1,996	1,738
1984	26,602	2,420	2,260
1985	22,466	2,281	2,210
1986	24,489	2,174	2,117
1987	21,675	2,043	1,993
1988	21,118	1,898	1,929
[1]1989	22,403	1,926	1,926

[1] Forecast.

It will be noted that the size of the harvest does not correspond exactly to the value of output—sales off farms—even when this is measured at constant prices. This is partly because some of the harvest is used on farms for animal feed and because some of each year's harvest is sold off farms in the next calendar year.

Farm Diversification (Lincolnshire)

Sir Richard Body: To ask the Minister of Agriculture Fisheries and Food how many farm diversification schemes in Lincolnshire have so far been approved and grants given.

Mr. Maclean: Thirty applications for farm diversification capital grant covering a total investment of £733,354 have so far been approved in Lincolnshire. Grant payments totalling £33,819 have been made to date. Feasibility study grants have also been approved in four cases.

Pesticides

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food what information he has concerning the comparative rates of use by British and American farmers of maneb, mancozeb and zineb; and if he will make a statement.

Mr. Maclean: The Government regularly survey British farmers for their usage of pesticides, including maneb, mancozeb and zineb. They do not hold comparable information for American farmers.

Deer Herds (TB)

Mr. Matthew Taylor: To ask the Minister of Agriculture, Fisheries and Food what action he proposes to take to eliminate tuberculosis within deer herds; and if he will make a statement.

Mr. Maclean: Tuberculosis in deer was made a notifiable disease in June 1989 and a compulsory slaughter with compensation scheme was introduced in September 1989, when marking and movement record requirements also came into force.

Salmon

Mr. Onslow: To ask the Minister of Agriculture, Fisheries and Food if he will seek advice from the advisory committee on salmon stocks on the desirability of a United Kingdom contribution to the proposed Greenland and Foroese salmon quota buy-out.

Mr. Curry: We are aware of the proposals put forward by private interests to buy-out the salmon quotas for Faroes and west Greenland, which have been agreed in the North Atlantic Salmon Conservation Organisation. Any such proposals in relation to these quotas would need to be handled through NASCO as the international organisation with powers to arrange for the protection and conservation of salmon stocks in relation to high seas fisheries in the north Atlantic. A formal proposal has not yet been put to NASCO, although the issue is expected to be raised at least in principle at the meeting in Helsinki in June this year.

The salmon advisory committee is currently fully occupied in discharging its initial remit to examine and report on influences on stocks within Great Britain. We do not consider it appropriate to seek advice of the salmon advisory committee on the buy-out proposal.

Sewage Sludge

Mr. Graham: To ask the Minister of Agriculture, Fisheries and Food how many tonnes of sewage sludge were dumped at sea by each of the water authorities in England and Wales in each year since 1979.

Mr. Curry [*pursuant to his reply, 2 April 1990* c. *363*]: The amounts of sewage sludge dumped at sea by each of the water authorities in England and Wales in each year since 1979 are as follows:

Thousand Tonnes (wet weight)

Water Authority	*1979*	*1980*	*1981*	*1982*	*1983*	*1984*	*1985*	*1986*	*1987*	*1988*	[2,4]*1989*
Anglian	[1]5,202	211	175	156	138	85	215	162	267	299	262
Northumbrian	16	46	262	280	372	482	464	500	457	510	[3]—
North West	1,654	1,730	1,693	1,642	1,299	1,283	1,499	1,541	1,624	1,629	1,646
Severn Trent	—	—	—	—	—	—	1	2	2	3	1
Southern	323	301	267	290	202	232	292	289	243	236	296
South West	120	135	126	145	131	147	135	124	130	125	107
Thames	[1]5,202	5,030	4,920	4,620	4,150	4,200	4,240	4,543	3,638	4,083	2,610
Welsh	71	81	62	65	54	47	53	60	54	55	62
Wessex	287	312	266	255	176	260	206	197	184	218	244
Yorkshire	243	130	92	83	91	78	88	112	95	109	101

[1] Combined total (separate figures are not available).
[2] Provisional figures.
[3] Figure not yet available.
[4] Includes successor companies to the water authorities.

Wild Fish

Mr. Onslow: To ask the Minister of Agriculture, Fisheries and Food what discussions he has had on the proposed European Community Council Regulation on the sale of wild caught fish; what effect he considers this might have on the sale of wild salmon and sea trout; and if he will make a statement.

Mr. Curry: We are in the early stages of considering these draft proposals, consulting upon them with interested parties, and will be seeking clarification from the Commission on a number of aspects. As presently drafted, the focus of the proposals is upon the premises in which fishery products are handled and processed. The proposed labelling requirements are intended to link products with the approved premises in which fish were processed for the purposes of inspection. An indication of the origin of the fish before being presented to the approved establishment would not be required.

Written Answers to Questions

Monday 30 April 1990

ENVIRONMENT

Civil Servants (Accommodation)

65. **Mr. Beith:** To ask the Secretary of State for the Environment what recent discussions he has had about standards of accommodation for civil servants working in central London.

Mr. Chope: Guidance on standards of accommodation for civil servants in London and elsewhere is contained in the office accommodation standards code which is maintained by my Department. I have not been involved in any recent discussions on this issue.

Beaches

Mr. Gareth Wardell: To ask the Secretary of State for the Environment (1) if he will arrange for the monitoring results of all designated beaches in the European Community sampled in the summer of 1989 to be placed in the Library;

(2) which designated bathing waters beaches in Europe under the 1976 EC directive, had a higher level of total coliforms and faecal coliforms for the 1989 season than Seaton Carew centre.

Mr. Heathcoat-Amory: This information is collated and published by the Commission of the European Communities, in accordance with article 13 of directive 76/160/EEC. Information in respect of United Kingdom bathing waters for the 1989 bathing season was sent to the Commission on 8 February 1990. The information is held in the House of Commons Library. The latest report published by the Commission relates to the 1987 bathing season.

Local Government Finance

Ms. Short: To ask the Secretary of State for the Environment whether community charge regulations enable poll tax arrears and payments to be deducted at source from the payments made to *(a)* non-employed trainees and *(b)* employed trainees; and if he will make a statement.

Mr. Chope: Where a charging authority has obtained a liability order—that is, an order under regulation 29 of the Community Charges (Administration and Enforcement) Regulations 1989—in respect of arrears of community charge, it may make an attachment of earnings order under regulation 32 of those regulations. Such an order requires the employer to make deductions from the debtor's earnings. For these purposes "earnings" has the meaning given in section 24 of the Attachment of Earnings Act 1971. Since an attachment of earnings order can operate only where there is an employer-employee relationship, payments made to non-employed trainees cannot be the subject of such an order. To the extent that the pay of employed trainees falls within the definition of "earnings" in the 1971 Act, it is attachable.

Mr. Harry Barnes: To ask the Secretary of State for the Environment what information he holds on current local authority charges in England and Wales concerning the collective community charge; and what was the equivalent level of rates for 1989-90.

Mr. Chope: Contributors to the collective community charge are liable to pay the same amount (on a daily basis) as the amount set for the personal community charge in that area. The amounts reported to the Department for each authority's average charge for 1990-91 were placed in the Library of the House on 18 April 1990, together with a comparison with the average rate bill in 1989-90. Local authorities estimated that as at 1 December 1989 the number of people liable to contribute to the collective community charge over a full year reduced by 5 per cent. to cover the cost of collection to which the landlords are entitled was 30,000.

Mr. David Porter: To ask the Secretary of State for the Environment if he will make it his policy to review the community charge in the light of experience and representation in respect of *(a)* joint and several liability and *(b)* second home charge where it is a second home only because it is for sale.

Mr. David Hunt: We continue to keep all aspects of local government finance policy under review. On second homes, I refer my hon. Friend to the answer I gave to my hon. Friend the Member for Gillingham (Mr. Couchman) on 21 March, *Official Report*, column *658*. In particular, we have prescribed that local authorities may not levy a standard charge for at least three months where a property is unoccupied and substantially unfurnished. This is similar to the arrangements under domestic rates.

Mr. Morgan: To ask the Secretary of State for the Environment what is his most up-to-date assessment of the numbers of local authorities in England which are charging standard community charge on empty properties at *(a)* the single rate, *(b)* the double rate, *(c)* zero rate, *(d)* 0·5 rate and *(e)* 1·5 rate.

Mr. Chope: I refer the hon. Member to the answer I gave to my hon. Friend the Member for Gloucester (Mr. French) on 20 April, *Official Report*, column *1033*.

Mr. Morgan: To ask the Secretary of State for the Environment what assessment he has made of the effect of the current levels of standard community charge levied on empty properties on *(a)* inter-regional labour mobility, *(b)* regional economic development and *(c)* the housing market.

Mr. Chope: We have given charging authorities the discretion to set standard charge multipliers for properties in their area at 0, 0·5, 1, 1·5 or 2 times the personal community charge. We have prescribed nine categories of property in respect of which no standard charge is payable and two where the multiplier may not exceed unity. As with domestic rates, we have prescribed that no standard charge is payable in respect of unoccupied, unfurnished properties until three months after they become unoccupied. Authorities have wide discretion to specify

additional classes of property which enables them to respond to local factors. This discretion contrasts with the lack of such discretion that existed under domestic rates.

Mr. Hardy: To ask the Secretary of State for the Environment if he will give such information as he has available on *(a)* the sums which will be received from standard community charge in each local authority in England during 1990-91 and *(b)* which authorities are not charging at the level of twice the personal community charge.

Mr. Chope: This information is not available.

Bulb Trade

Ms. Walley: To ask the Secretary of State for the Environment whether his Department has obtained a copy for its library of the article, "The Bulb Trade—A Threat to Wild Plant Populations", in volume 23 of the FFPS journal, "Oryx"; and if he will make a statement.

Mr. Trippier: Yes. Endangered species of bulbs are already afforded strict protection under the convention on international trade in endangered species of wild fauna and flora (CITES). The United Kingdom plays a full and active part in the CITES plants committee and in discussions with our EC partners concerning the trade controls on bulbs. At the seventh CITES conference in 1989, we supported the addition to the appendices of the genus Galanthus (snowdrop) and were successful in proposing the addition of the genus Sternbergia (autumn daffodil), thereby ensuring the regulation of trade in these species.

Peat

Ms. Walley: To ask the Secretary of State for the Environment if he will ban all use of peat by his Department; whether he will formulate a national peatlands conservation policy; and if he will make a statement.

Mr. Trippier: We already use alternatives to peat whenever appropriate. We will carefully consider extending their use, but it is considered premature at this stage to ban the use of peat completely.

The Government recognise the nature conservation importance of the peatlands and are aware of the concerns expressed about the effects of peat extraction on them. We believe the best way of resolving these complex issues is within the established planning and conservation framework. We shall of course take account of forthcoming advice from the Nature Conservancy Council, together with the views expressed by the voluntary conservation bodies in their "Peat Report", the horticultural industry and many others. In England and Wales, mineral planning authorities are undertaking reviews of mineral working sites and permissions under the Town and Country Planning (Minerals) Act 1981 and will be considering peat working in this context.

Pollution Inspectors

Ms. Walley: To ask the Secretary of State for the Environment how many of Her Majesty's inspectorate of pollution inspectors he expects to retire in the next year and in each of the next five years, by divisions.

Mr. Trippier: The number of inspectors reaching retirement age over the period is as follows:

Divisions	*1990-91*	*1991-92*	*1992-93*	*1993-94*	*1994-95*	*1995-96*
Director	—	—	1	—	—	—
Regulatory standards	—	—	1	—	2	—
East	1	—	—	1	1	1
West	—	2	—	—	1	1
North	—	—	2	—	—	1
TOTAL	1	2	4	1	4	3

Sellafield

Dr. Thomas: To ask the Secretary of State for the Environment if his Department was represented at the seminar on the environmental impact of Sellafield, held at Chilton, sponsored by the National Radiological Protection Board, on 23 March.

Mr. Trippier: My Department was represented at the seminar by the director of Her Majesty's inspectorate of pollution.

Radiation

Dr. Thomas: To ask the Secretary of State for the Environment if he, or officials of his Department, have been invited to participate in, or been observers at, the sixth international standing conference on low level radiation and health, to be held at the University college of North Wales, Bangor, on 7 to 8 July.

Mr. Trippier: No.

Mineral and Peat Extraction

Ms. Walley: To ask the Secretary of State for the Environment on how many occasions since 1981 mineral planning authorities have made orders modifying the planning permission for mineral and peat extraction or requiring the use of land to be discontinued or continued subject to conditions.

Mr. Moynihan: According to our records, since 1981 no orders have been made which relate to peat extraction. Six orders have been made relating to other minerals.

Nature Conservation

Ms. Walley: To ask the Secretary of State for the Environment if he will list those nature conservation orders which have been made since the Wildlife and Countryside Act 1981 came into force; and if he will list those applications which have been submitted by the Nature Conservancy Council to himself and been rejected.

Mr. Trippier: The number of orders made or rejected in England is as follows:

	Made	Rejected
1981	—	—
1982	2	—
1983	3	1
1984	4	1
1985	5	2
1986	1	—
1987	2	—
1988	—	—
1989	6	—
1990	1	—

In addition, it has been unnecessary for the Secretary of State to make an order on about 10 occasions because agreement was reached with the owner-occupier of the land concerned or the threat to the land did not materialise. Furthermore, agreement has been reached on seven occasions after the making of an order and the orders have been subsequently revoked. The responsibility for making orders in Wales and Scotland rests with the respective Secretaries of State.

Airborne Emissions

Mr. Redmond: To ask the Secretary of State for the Environment if he will list by year for the last five years the number of buildings that have suffered damage problems from airborne emissions of *(a)* lead, *(b)* carbon monoxide and *(c)* particulates.

Mr. Trippier: No case of damage to buildings from airborne emissions of lead or carbon monoxide have been reported. These substances would not be expected to damage buildings. Particulates from diesel-engined vehicles and some industrial processes can give rise to soiling of buildings especially in urban areas, but are not known to cause structural damage.

Ordnance Survey

Mr. Wood: To ask the Secretary of State for the Environment what progress has been made in establishing Ordnance Survey as a next steps agency.

Mr. Trippier: Ordnance Survey becomes an executive agency on 1 May and Mr. Peter McMaster, a barrister and professional surveyor who is the present director general, will be its first chief executive.

Ordnance Survey will continue to be a separate Government department, but as an agency it will be able to develop and expand its business on increasingly commercial lines. It will be expected to achieve progressively more demanding targets and for 1990-91 we have brought forward by one year the agency's key financial target to recover not less than 55 per cent. of the total annual cost of core activities; this will rise to 65 per cent. by 1992-93. Other financial objectives are:

to recover at least 100 per cent. of the total cost of public sector repayment at home and overseas;
to maximise the return on small scales and special products and recover not less than 110 per cent. of the total cost in that category.

These targets are subsumed in the principal financial target shown at paragraph (a).

For 1990-91 the performance of Ordnance Survey will be monitored by the following financial, productivity and quality of service targets which are linked to the strategic objectives set out in the framework document:

(a) to recover at least 65 per cent. of the total cost incurred by the agency;
(b) to survey 0·93 million house units (based on construction forecasts for major developments) so as to keep the national mapping of Great Britain up-to-date;
(c) to increase from 81,000 to 97,000 the number of basic scale maps available in digital form;
(d) to publish on microfilm within four months, each large-scale map reaching the criteria and specification for reproduction;
(e) to dispatch within seven working days (including the day the order is received), 90 per cent. of orders for 1:50,000 folded maps.

The levels of delegation to the director general for capital expenditure and new information technology projects have been increased to £1 million and £2 million respectively.

Copies of the framework document have been placed in the Libraries of both Houses.

Housing Action Trust, Sunderland

Mr. Clay: To ask the Secretary of State for the Environment what was the actual expenditure by his Department on the ballot arranged by the Electoral Reform Society in connection with the proposed housing action trust in Sunderland.

Mr. Chope: We expect the cost for conducting the ballot to be around £12,300.

Mr. Clay: To ask the Secretary of State for the Environment what was the total cost of the consultation and consultants' reports to his Department in connection with the proposed housing action trust in Sunderland.

Mr. Chope: The initial consultants' report and subsequent tenant consultation exercise cost around £620,000 including VAT.

House Building Land

Mr. David Porter: To ask the Secretary of State for the Environment what plans he has to permit the release of more house building land outside the restraints of existing plans; and if he will make a statement.

Mr. Moynihan: We announced last year that, in order to meet needs for low-cost housing in rural areas, planning authorities may exceptionally grant planning permission for the development of small unallocated sites which would not ordinarily be released for general housing development. We emphasised that such sites must be sensibly related to existing settlements, and that arrangements must be in place to reserve the housing in question for local needs. The full policy is set out in the draft revision of "Planning Policy Guidance Note 3 (Housing)" issued last October.

Energy Consumption

Mr. Dobson: To ask the Secretary of State for the Environment if he will give the target reductions for energy consumption in the buildings occupied by his Department.

Mr. Chope: The target reduction for energy consumption in my Department's buildings is 15 per cent. over the five-year period ending in April 1995.

Mr. Dobson: To ask the Secretary of State for the Environment if he will give the energy consumption, broken down by fuel, of the buildings occupied by his Department, for the latest year available.

Mr. Chope: The latest estimate of energy consumption for buildings occupied by my Department for 1989-90 is:

	Consumption
Electricity	34,000,000 Kwh
Gas	2,600,000 therms
Liquid Fuel	3,300,000 litres
Solid Fuel	70 tonnes

Empty Farm Cottages

Mr. Colvin: To ask the Secretary of State for the Environment if he will fix the standard community charge on empty farm cottages in England and Wales on the same basis as that in Scotland.

Mr. David Hunt: The Government have provided that local authorities may not levy a standard charge for at least three months where properties, including farm cottages, are empty and substantially unfurnished. Local authorities have discretion to increase this period if they wish; and to levy a standard charge of less than the maximum if they want to. This discretion has been given to authorities precisely so that they can reflect local circumstances. We will be monitoring the position closely over the next few months to see if changes are necessary for 1991-92.

Industrial Development Grants

Mr. Colin Shepherd: To ask the Secretary of State for the Environment if he will list in the *Official Report* the grants made by his Department under section 13 of the Industrial Development Act 1982 showing the value of the grant as a percentage of the whole project cost.

Mr. Heathcoat-Amory: I shall write to my hon. Friend.

Owls

Mr. Simon Hughes: To ask the Secretary of State for the Environment what is the approximate number of *(a)* barn owls and *(b)* tawny owls reported found dead whose death is ascribed to collisions with traffic in 1989.

Mr. Trippier: The approximate numbers of barn owls and tawny owls reported as found dead from collisions with traffic in 1989 are 480 and 450 respectively.

Water Supply

Mr. Simon Hughes: To ask the Secretary of State for the Environment if he will make a statement about the operation of section 7 of the Water Supply and Sewerage Services (Customer Service Standards) Regulations 1989 (S.I., 1989, No. 1159).

Mr. Heathcoat-Amory: Under regulation 7 of the Customer Service Standards Regulations domestic customers may in some circumstances be eligible to claim payments or credits against water charges of £5 per day, if their water supplies have been interrupted or cut off and not restored within specified time limits. Such payments or credits are initially a matter for the water companies. Disputes as to eligibility may be referred by either party to the Director General of Water Services.

Water Pollution

Mr. Simon Hughes: To ask the Secretary of State for the Environment if he will make a further statement on the presence of carbon tetrachloride in public water supplies near the Harwell Atomic Energy Authority site.

Mr. Heathcoat-Amory: Thames Water Utilities has kept the Department informed of the results of monitoring for carbon tetrachloride in the water taken from its Blewbury borehole and put into public supply. Since the beginning of April the water has contained between 0·7 and 1·6 micrograms per litre which is well below the prescribed concentration of 3 micrograms per litre in the Water Quality Regulations.

Environment White Paper

Mr. Simon Hughes: To ask the Secretary of State for the Environment if he will make a further statement on the proposed White Paper on the environment; and when he expects to introduce legislation on this subject.

Mr. Trippier: The White Paper on the environment will be published in the autumn and will include any proposals for further legislation.

GEC-Marconi (Toxic Gas Leak)

Dr. Thomas: To ask the Secretary of State for the Environment what information he has concerning the leak of toxic chemical gases from the GEC-Marconi research centre at Great Baddow, Essex, on 13 April; and if he will instruct Her Majesty's inspectorate of pollution to conduct an investigation into the incident.

Mr. Nicholls: I have been asked to reply.

Inspectors from the Health and Safety Executive have investigated the circumstances of the fire which occurred on 13 April 1990 at the GEC-Marconi research centre at Great Baddow, Essex. The exact composition of the fumes released during the fire is unknown, but I can assure the hon. Gentleman that despite media reports to the contrary no cyanide was involved.

Waste Disposal

Mr. Rost: To ask the Secretary of State for the Environment if he will list those bodies responsible for each of the research projects currently undertaken by his Department into waste management, pursuant to his answer to the hon. Member for Devizes (Sir C. Morrison), 23 April, *Official Report*, column *2*.

Mr. Trippier *[holding answer 27 April 1990]:* I regret that for reasons of commercial confidence I cannot associate the names of contractors with the costs for each project already given.

PRIME MINISTER

Pensioners

Mr. Kirkwood: To ask the Prime Minister what further steps she proposes to make additional financial provision for pensioners whose sole income is provided by their state pension.

The Prime Minister: Most such pensioners are already entitled to additional help through income support,

housing benefit and community charge benefit. Pensioners have a higher entitlement to these benefits through the pensioner premiums, which were increased earlier this month and will continue to be reviewed annually. In addition, a special increase in the premiums made in October 1989 has given extra help totalling £200 million a year to over 2·5 million less well-off disabled and older pensioners.

Birmingham Pub Bombings

Mr. Mullin: To ask the Prime Minister if the case of the Birmingham pub bombings was raised by either side during her recent meeting with the Irish Prime Minister.

The Prime Minister: The subject was not discussed.

Energy Consumption

Mr. Dobson: To ask the Prime Minister if she will give the energy consumption, broken down by fuel, of the buildings occupied by the Cabinet Office, for the latest year available.

The Prime Minister: The latest available breakdown (1988-89) of energy for accommodation occupied by the Cabinet Office is as follows:

	£
Electricity	294,485·22
Gas	53,904·17
Liquid fuel	39,905·96

Mr. Dobson: To ask the Prime Minister if she will give the target reductions for energy consumption in the buildings occupied by the Cabinet Office.

The Prime Minister: The Cabinet Office target will be to achieve savings rising over five years to 15 per cent. of the current annual costs.

ANZAC Day

Mr. Dalyell: To ask the Prime Minister what factors she took into account when selecting the official party to represent Britain on ANZAC Day in Turkey.

The Prime Minister: As Prime Minister of a nation which lost so many lives in the campaign, I decided that I should attend the Gallipoli ceremonies. My right hon. Friend the Defence Secretary also attended. No official invitations were issued.

Mr. Martin Galvin

Mr. Teddy Taylor: To ask the Prime Minister if she will raise at the next meeting of the European Council the decision of the Irish Government to offer Irish citizenship to Martin Galvin, who has been banned from entering the United Kingdom on security grounds, and the consequent decision of the Home Office to raise the ban on Mr. Galvin's admission because of EEC rules; if she will invite the Council to consider the implications for the security of member states of decisions similar to that of the Irish Government; and if she will make a statement.

The Prime Minister: I understand that Mr. Galvin was registered as a citizen of the Republic of Ireland in 1986 in accordance with that country's law. This fact was one factor among others in the reconsideration of the 1984 decision to exclude him from the United Kingdom. Should circumstances change materially, it will remain open to my right hon. and learned Friend to reimpose a ban as necessary. It follows that there are no grounds for raising the matter in the European Council.

TRADE AND INDUSTRY

Film Production

Mr. Cryer: To ask the Secretary of State for Trade and Industry what assistance he proposes to give to feature film production in the United Kingdom.

Mr. Forth: The Government provide support of £1·5 million a year through British Screen Finance Ltd. for feature film production, together with a further £500,000 a year for short films and script development. Our present five-year commitment to British Screen is due to expire at the end of this year, but we announced in July 1989 that funding will continue at the present level of £2 million a year for a further three years, until the end of 1993.

Baldrige National Quality Award

Mr. Sayeed: To ask the Secretary of State for Trade and Industry if he has any plans to institute an award for quality similar to the Baldrige national quality award in the United States of America.

Mr. Douglas Hogg: We have no such plans.

Measurement Accreditation

Ms. Quin: To ask the Secretary of State for Trade and Industry if his Department has any proposals to increase the numbers of national measurement accreditation service centres between now and the planned establishment of the large European market at the end of 1992.

Mr. Douglas Hogg: Growth in the number of laboratories accredited by NAMAS, the national measurement accreditation service, is continuing. However, NAMAS is a voluntary accrediation service and growth between now and the end of 1992 will be determined by the rate at which laboratories apply for accreditation.

Ms. Quin: To ask the Secretary of State for Trade and Industry if he will supply the numbers, by standard planning region, of national measurement accreditation centres.

Mr. Douglas Hogg: The regional distribution of accreditations granted to laboratories by NAMAS is as follows:

	Number
East	125
South-East	303
South-West	66
East Midlands	60
West Midlands	123
North-East	56
North-West	81
Yorkshire and Humberside	77
Wales	32
Scotland	66
Northern Ireland	19

European Community Standards

Ms. Quin: To ask the Secretary of State for Trade and Industry if he will supply figures, by standard planning region, for the average waiting time between the application by companies for certification of products in accordance with European Community standards and the receipt of certificates.

Mr. Douglas Hogg: I regret that this information is not available.

Energy Consumption

Mr. Dobson: To ask the Secretary of State for Trade and Industry if he will give the target reductions for energy consumption in the buildings occupied by his Department.

Mr. Forth: My Department aims to achieve a 15 per cent. reduction in energy usage over the next five years.

Mr. Dobson: To ask the Secretary of State for Trade and Industry if he will give the energy consumption, broken down by fuel, of the buildings occupied by his Department for the latest year available.

Mr. Forth: Energy consumption in buildings occupied by the Department of Trade and Industry in 1988-89, the latest full year for which figures are available, was as follows:

	million
Electricity	37·8 kilowatt hours
Gas	14 therms
Oil	2·8 litres

Export Restrictions

Mr. Flynn: To ask the Secretary of State for Trade and Industry what exports have been refused a licence under the Export of Goods Control Order 1989, since it came into force; for what countries were the prohibited goods destined; and what goods and materials were involved in each case.

Mr. Ridley *[holding answer 23 April 1990]:* It is not the practice to publish such information.

Iraq (Arms Component Exports)

Mr. Beith: To ask the Secretary of State for Trade and Industry (1) whether officials of his Department made any statement or communication to the press prior to 18 April indicating that his Department did not think it likely that the pipes impounded on Teesside by Her Majesty's Customs were for military purposes;

(2) what response his Department gave to the hon. Member for Bromsgrove (Sir H. Miller) when he approached them about the Iraqi contract.

Mr. Ridley *[holding answer 23 April 1990]:* In the light of charges laid against an individual on 25 April, and in the light of the continuing investigation by Customs and Excise, it would be inappropriate to give any further information.

Mr. Gordon Brown: To ask the Secretary of State for Trade and Industry when the specifications of the Iraqi export order were first available to his Department.

Mr. Ridley: In the light of charges laid against an individual on 25 April, and in the light of the continuing investigation by Customs and Excise, it would be inappropriate to give any further information.

Mr. Gordon Brown: To ask the Secretary of State for Trade and Industry (1) what was the day on which his Department was first made aware of the military implications of the Iraqi contract with Sheffield Forgemasters and Walter Somers;

(2) what was the day on which it was made known to his Department that Dr. Gerald Bull had conceived plans involving piping for a gun or launcher;

(3) what letters there are on the Iraqi contract now known to be for a gun between his Department and Sheffield Forgemasters; and if he will list the dates of them.

Mr. Ridley *[holding answer 26 April 1990]* In the light of charges laid against an individual on 25 April, and in the light of the continuing investigation by Customs and Excise, it would be inappropriate to give any further information.

EDUCATION AND SCIENCE

Friedreich's Ataxia

Mr. Kirkwood: To ask the Secretary of State for Education and Science what financial support is given to research into Friedreich's Ataxia.

Mr. Jackson: The Medical Research Council, which receives grant in aid from the Department of Education and Science, spent £197,000 in 1988-89, the last financial year for which figures are available, on research projects which were relevant to Friedreich's Ataxia. The council is always willing to consider soundly based proposals for research funding in competition with other publications. In addition to this, university departments and medical schools, with support from University Funding Council block grants and heath authorities, may be undertaking research into Friedreich's Ataxia, but information on this is not collected centrally.

Medical Research Council

Mr. Strang: To ask the Secretary of State for Education and Science what is his latest estimate of the amount spent by the Medical Research Council in 1989-90.

Mr. Jackson: I understand that the Medical Research Council's actual gross expenditure in the 1989-90 financial year was £191,143,000.

Environmental Enterprise Award Scheme

Ms. Walley: To ask the Secretary of State for Education and Science what percentage of schools and colleges have participated in the environmental enterprise award scheme for schools and colleges.

Mrs. Rumbold: The environmental enterprise award scheme is operated on behalf of the Department by the World Wide Fund for Nature with financial support from the Laura Ashley Foundation. It offers prizes to pupils and students in the age range seven to 19 who submit environment-related practical projects.

Following the launch of the scheme in September last year, 134 groups of pupils or students registered projects in 1989-90. Of the 18 registrations by pupils or students in the 16 to 19 age category, five were by students in colleges. The scheme is to continue in 1990-91 and 1991-92.

Ms. Walley: To ask the Secretary of State for Education and Science how many people were undertaking courses leading to qualifications in environmental protection for each of the last five years.

Mr Jackson: Readily available information is as follows for students in England.

November 1988
Students on courses at establishments in England

	Higher education courses[1] *(thousands)*	*Further education courses*[2] *(thousands)*
Students identified as studying subject:		
A[3]	0·6	1·2
B[4]	0·2	0·1
C[5]	3·5	0·1
Total: A, B and C	4·4	1·4

[1] Establishments other than universities.
[2] Excluding adult education courses.
[3] Environmental health; cleaning science; solid waste.
[4] Pollution control; conservation policy.
[5] Human ecology; earth science; environmental studies and other environmental sciences; environmental engineering.

Brighton CTC

Mr. Andrew Smith: To ask the Secretary of State for Education and Science (1) if he will list the company or companies intending to invest in Brighton's city technology college at Woodingdean;

(2) what sums of money the private sponsors investing in the new city technology college at Woodingdean, Brighton, will be putting into that project in the financial years 1990-91 and 1991-92;

(3) when it is estimated that the Brighton city technology college will be open to receive pupils; and how many pupils will be received in the first year of operation;

(4) what guarantees he has had from the Faraday Trust that adequate sponsorship for the Brighton city technology college project will be forthcoming; and what percentage of the total cost of the project will be provided by the private sector;

(5) what references have been provided for the private sector supporters of the Brighton city technology college; and what measures have been taken to check on those references;

(6) what discussions have recently taken place between Ministers and officials from his Department, local education authority representatives and representatives from the Faraday Trust; and what the contents of those discussions were;

(7) what information he has on the curriculum and admissions policy to be followed by the Brighton city technology college.

Mrs. Rumbold: I refer the hon. Member to the pursuant reply that my right hon. Friend gave to the hon. Member for Blackburn (Mr. Straw) on Thursday 26 April 1990, *Official Report*, column *270*.

Mr. Straw: To ask the Secretary of State for Education and Science (1) in respect of the Brighton city technology college what sums of public money have directly and indirectly been paid over to, or repaid by, Mr. Ivor Revere or to or by any company with which he has been associated; and if, in every case, he will give details of each transaction including date, amount, payee and drawer;

(2) if he will list for each payment forming any part of the sums of £2·3 million and £2·5 million specified in those answers to the hon. Member for The Wrekin (Mr. Grocott) of 20 October 1989, *Official Report*, column *264* and the hon. Member for Blackburn of 24 April in respect of the Brighton city technology college, the amount and date of each payment, the payee and the drawer.

Mr. MacGregor: In June 1989 a sum of £250,000 was paid from public funds as a deposit for the purchase of the site of the former Fitzherbert school in Brighton. The balance of the price, £2,250,000, was paid from public funds in September 1989. Those sums were paid to the CTC trust and thence to solicitors acting for the trust and by them to solicitors acting for the initial purchaser, Mr. Ivor Revere. In December 1989 the CTC trust discovered that the purchase price of £2·5 million included a commission of £200,000 charged by Mr. Revere. This was immediately recovered and returned to public funds.

Mr. Straw: To ask the Secretary of State for Education and Science what factors account for the difference between the figure given in his answer to the hon. Member for Blackburn, *Official Report*, 24 April for the sum paid from public funds for the acquisition of the proposed city technology college site in Brighton, and that given in his answer to the hon. Member for The Wrekin (Mr. Grocott) of 20 October 1989, *Official Report*, column *264*.

Mr. MacGregor: The figure of £2·5 million quoted in my hon. Friend's reply to the hon. Member for The Wrekin (Mr. Grocott) on 20 October 1989, *Official Report*, column *264*, included a commission charged by the then principal sponsor of the proposed Brighton CTC who purchased the site initially before its transfer to the CTC trust. The commission was repaid immediately once the CTC trust discovered that it had been charged. The net cost of the site to public funds is £2·3 million, excluding legal expenses, as I told the hon. Member on 24 April, *Official Report*, column *145*.

Mr. Straw: To ask the Secretary of State for Education and Science, pursuant to his answer of 24 April, *Official Report*, column *146*, what consultations he is undertaking as part of his review of the proposed Brighton city technology college, following the withdrawal of the principal sponsor; and what deadline he has set for the conclusion of these discussions.

Mr. MacGregor: I refer the hon. Member to the pursuant reply that I gave to him on Thursday 26 April 1990, *Official Report* column *270*. Consultations were undertaken with the Michael Faraday Trust.

Putney CTC

Mr. Straw: To ask the Secretary of State for Education and Science (1) if he will make a statement on progress towards establishing a city technology college on the site of the former Mayfield school, Putney;

(2) how much ADT securities or companies and individuals associated with them have offered by way of financial support for the proposed city technology college on the site of the former Mayfield school, Putney; and how much has been paid over by them;

(3) what is his latest estimate of the total cost of the proposed city technology college on the site of the former Mayfield school, Putney; and how much of this is due to be met by *(a)* private donors *(b)* public funds.

Mr. MacGregor: The Department is considering proposals to establish a city technical college on the site of the former Mayfield school. ADT plc has pledged £1 million sponsorship towards this project. No payments by the sponsor are required at this stage. Architectural feasibility studies are being undertaken in order to determine the capital costs of establishing the CTC. Until these are completed, no firm figure for capital costs can be given. If a decision is taken in favour of going ahead, I will contribute 80 per cent. of total capital expenditure on this project and the sponsors will contribute the remaining 20 per cent.

Bronchitis and Emphysema

Mr. Strang: To ask the Secretary of State for Education and Science what response has been made by the Medical Research Council to the letter from the Industrial Injuries Advisory Council recommending further research into bronchitis and emphysema following the council's 1988 report, Cm. 379.

Mr. Jackson: The secretary of the Medical Research Council wrote to the Industrial Injuries Council (IIAC) on 3 June 1988 explaining that the council would review the possibilities for further research in this field. When it completes this review it will inform the IIAC of its conclusions. The Medical Research Council is always willing to consider soundly based research proposals in competition with other applications.

Bovine Spongiform Encephalopathy

Dr. David Clark: To ask the Secretary of State for Education and Science how much he has spent or allocated for research into bovine spongiform encephalopathy from 1985 to 1992; and if he will make a statement.

Mr. Jackson: Bovine spongiform encephalopathy (BSE) was first diagnosed in November 1986. No funds were allocated specifically for research on it prior to that date. Bovine spongiform encephalopathy belongs to a family of diseases called the transmissible spongiform encephalopathies which include scrapie in sheep. The main United Kingdom centre of research on scrapie and related diseases is the neuropathogenesis unit in Edinburgh which is jointly run by the Agricultural and Food Research Council's institute for animal health and the Medical Research Council. The following table gives the science budget funding allocated by the Agricultural and Food Research Council to the institute for animal health for work on scrapie and related diseases since 1985.

	£'000s (cash)
1985-86	584
1986-87	805
1987-88	742
1988-89	702
1989-90	950
1990-91	1,500
1991-92	[1]2,950

[1] The figure for 1991-92 is an estimate based on planning figures.

University departments, with support from University Funding Council block grants, may be undertaking research on bovine spongiform encephalopathy, but information on this is not collected centrally.

University of Wales

Mr. Morgan: To ask the Secretary of State for Education and Science when he expects to review the extent of surplus land and buildings available to University of Wales college of Cardiff.

Mr. Jackson: That is a matter for the institution itself in consultation as necessary with the Universities Funding Council.

Mr. Morgan: To ask the Secretary of State for Education and Science whether he has any plans to review or clarify the terms of the repayable grant of £4·4 million made to University of Wales college of Cardiff to assist the merger of University college, Cardiff and the University of Wales Institute of Science and Technology.

Mr. Jackson: I refer the hon. Member to the reply that I gave to him on 20 March 1990, *Official Report*, column *520*.

Energy Consumption

Mr. Dobson: To ask the Secretary of State for Education and Science if he will give the target reductions for energy consumption in the buildings occupied by his Department.

Mrs. Rumbold: The Department aims to reduce energy use by 15 per cent. (temperature corrected at constant prices) over the period 1990-91 to 1994-95.

Mr. Dobson: To ask the Secretary of State for Education and Science if he will give the energy consumption, broken down by fuel, of the buildings occupied by his Department, for the latest year available.

Mrs. Rumbold: The information requested by the hon. Member is as follows:

Fuel consumption for calendar year 1989

	Quantity
Electricity Kilowatt hours	4,751,507
Gas therms	102,168
Liquid Fuel litres	313,686

This information relates to the Department's headquarters premises and all Her Majesty's inspectorate's local offices.

Parental Choice

Mr. Alex Carlile: To ask the Secretary of State for Education and Science if he will make it his policy to *(a)* require parents wishing to change their child's school to state what the reason is for their request and *(b)* deny any request based on racial grounds; and if he will make a statement.

Mr. Alan Howarth: Local authorities are required by the Education Act 1980 to enable parents to express a preference as to the school their child should attend, and

to give reasons for their choice. Such reasons are, quite properly, only of relevance if the school in question is oversubscribed. They will then be tested against the published admission criteria, which cannot be racial ones. In other circumstances, parents' choices should be accepted without further ado.

My right hon. Friend has said, in commending the code of practice recently produced by the Commission for Racial Equality, that racial discrimination has no place in the education service. The Department has also taken a variety of initiatives to improve the response of the education service to ethnic diversity, while the remits to the National Curriculum Council and the School Examinations and Assessment Council require them, in exercising their functions, to take account of the ethnic and cultural diversity of British society, and of the importance of promoting equal opportunities for all pupils, regardless of ethnic origin and gender.

Medway CTC

Mr. Straw: To ask the Secretary of State for Education and Science (1) if he will name all individuals and bodies which have offered themselves as sponsors of the proposed Medway city technology college;

(2) if he will place in the Library copies of letters from him to officers of the Skinners Company covering the proposed Medway city technology college;

(3) if he will make a statement on the sponsorship of the proposed Medway city technology college by *(a)* the Skinners Company, *(b)* Cable and Wireless and *(c)* McAlpine.

Mr. MacGregor: A consortium consisting of Cable and Wireless plc, the Skinners Livery Company, Robert McAlpine and Sons, and Evelyn Rothschild has expressed interest in supporting a city technology college in the Medway area. To date, no project for a city technology college in this area has been agreed, and the court of the Skinners Company has now decided that it will no longer sponsor a city technology college. It is not appropriate to make public details of private correspondence between me and sponsors, or potential sponsors, of city technology colleges.

Welsh Students

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Education and Science what percentage of applications for places in each university college in Wales were made by prospective students from Wales in each of the past 10 years.

Mr. Jackson *[holding answer 25 April 1990]:* Applications to United Kingdom universities for admissions to full-time undergraduate courses are dealt with by the Universities Central Council on Admissions.

Information about the candidature at individual universities, or constituent colleges of individual universities, is not released by the Universities Central Council on Admissions without prior authorisation of the institution (or its constituent colleges).

The table, prepared from data provided by the Universities Central Council on Admissions, shows the percentage of applications from United Kingdom candidates to the University of Wales as a whole made by individuals recorded as being of Welsh domicile.

Applications received for entry to the University of Wales

	per cent.
Academic year beginning:	
1979	23·7
1984	20·4
1985	20·0
1986	20·2
1987	19·9
1988	20·4
1989	20·2

Note: Each applicant is permitted to make up to 5 applications for courses falling within the Universities Central Council on Admissions scheme.

HOME DEPARTMENT

Prison Population

Mr. Cryer: To ask the Secretary of State for the Home Department if he will make a statement on the current prison population.

Mr. Mellor: On Friday 27 April the total prison population was 45,948. This represents a reduction of some 3,513 since the same time last year. The initiatives taken by the Government to reduce the number of people held in custody are bearing fruit. The intention of our proposals in the White Paper "Crime, Justice and Protecting the Public" (Cmd. 965) is to reduce the prison population still further.

Pentonville Prison

Sir Charles Irving: To ask the Secretary of State for the Home Department (1) what he is doing to speed up the completion of the Pentonville extension;

(2) when the extension at Pentonville was originally expected to be completed; and what the completion date now is.

Mr. Mellor: No plans exist for extending accommodation at Her Majesty's prison Pentonville but a phased programme of improvement work is under way. This includes the refurbishment of the four living blocks, including installation of integral sanitation, and improvements to ancillary facilities.

Refurbishment of the first living block is virtually complete and, on current plans, the remaining blocks should be finished by 1994. Work is due to start in the coming year on a new reception area and improvements to the gate. Other work planned in the next few years includes a new kitchen which should be ready by 1993-94.

Prisons, North-West

Mr. Jack: To ask the Secretary of State for the Home Department from which prisons in the north-west he has received reports from boards of prison visitors since January.

Mr. Mellor: As at 23 April 1990, annual reports for 1989 had been received from boards of visitors for Her Majesty's prisons Haverigg, Kirkham, Liverpool, Manchester, Risley and Wymott.

Prison Disturbances

Mr. Stern: To ask the Secretary of State for the Home Department if he will make a statement on the recent prison disturbances.

Mr. Mellor: My hon. Friend will understand that following the statement made by my right hon. and learned Friend in the House on 26 April at the conclusion of the disturbances at Manchester prison, it would now be appropriate to await the outcome of Lord Justice Woolf's inquiry into the disturbances before seeking to draw conclusions.

In the meantime, however, as was explained to the House last week, my right hon. and learned Friend is taking urgent action in a number of areas to reduce the possibility of a repeat of the appalling events of the last few weeks.

Prison Building

Mr. Ian Bruce: To ask the Secretary of State for the Home Department if he will make a statement on progress on the Government's prison building programme.

Mr. Mellor: The Government are engaged in the largest prison building programme this century. Eight new prisons, providing 3,500 places, are already open. A further 14 are at various stages of construction and design, and are planned to provide over 8,000 new places by 1994. In 1991, we shall be spending nearly £300 million on new prisons.

Much is also being done to improve conditions at existing establishments. In 1990-91, we shall be spending over £120 million in all in improving the prison estate, and over £20 million on major maintenance. Similar sums will be spent in the following two years.

Local Authority Grants

Dr. Thomas: To ask the Secretary of State for the Home Department what plans he has to increase grants for use by local authorities' civil defence and emergency planning departments to respond to peacetime natural disasters or industrial accidents.

Mr. John Patten: Provision for civil defence grant payable to local authorities has increased from £21·867 million in 1989-90 to £23·372 million in 1990-91. Under the Civil Protection in Peacetime Act 1986, local authorities may use civil defence resources in connection with emergencies and disasters occurring in peacetime.

Japanese War Criminals

Mr. Amos: To ask the Secretary of State for the Home Department if he will initiate an investigation into the possibility of Japanese war criminals who should face criminal proceedings living in the United Kingdom; and if he will make a statement.

Mr. John Patten: Any allegations that alleged Japanese war criminals may now be resident in the United Kingdom would of course be seriously considered. We are not aware that any such allegations have been made, however, and therefore see no reason to initiate any investigation.

Metropolitan Police Force

Mr. Dykes: To ask the Secretary of State for the Home Department what representations he has received on the level of morale in the Metropolitan police force.

Mr. Waddington: The Commissioner of Police of the Metropolis tells me that the morale of his force is excellent.

Prisons

Mr. Kirkwood: To ask the Secretary of State for the Home Department what percentage of prisons are more than 100 years old.

Mr. Mellor: Thirty-four per cent. of prison establishments (42) in England and Wales were in use as prisons before 1890. Many of these have, of course, been substantially altered or reconstructed since they first opened as prisons. In addition, 4 per cent. of establishments (five) are in premises which are partly or wholly over 100 years old but which have been converted to prison service use more recently.

Remand

Mr. Sheerman: To ask the Secretary of State for the Home Department how many objections were received by his Department to the building of a new remand facility at Everthorpe.

Mr. Mellor: Apart from representations made by my hon. Friend the Member for Boothferry (Mr. Davis), four letters and a petition signed by 65 residents were received objecting, in principle, to the building of the remand centre on the Home Office land at Everthorpe. Additionally, 19 representations were received in respect of the loss of woodland on the site chosen.

Mr. Sheerman: To ask the Secretary of State for the Home Department what has been the cost to his Department of keeping Lorrain Osman in prison on remand; and how long that period of remand has been.

Mr. Mellor: Mr. Osman was remanded in custody on 7 December 1985 pending consideration of a request for his extradition.

On 1 June 1987 he was committed to custody to await the Secretary of State's order for his surrender to the Hong Kong authorities. Mr. Osman has not yet been returned to Hong Kong because of the series of appeals initiated by him against extradition.

On the basis of average operating costs for Pentonville prison, the total cost to date of detaining Mr. Osman is estimated at about £56,000.

Overseas Voters

Mr. Darling: To ask the Secretary of State for the Home Department (1) if he will list the proposed expenditure in 1990-91 on advertising the rights of overseas voters under the Representation of the People Act 1989, for each overseas country;

(2) what is the total sum to be spent in 1990-91 advertising the rights available under the Representation of the People Act 1990 to overseas voters.

Mr. Waddington: The information requested is set out in the table.

Electoral registration overseas: breakdown by country of Home Office/Foreign and Commonwealth Office expenditure on publicity/advertising in 1990-91

Country	*Allocated provision (£)*
Algeria	1,850
Angola	30
Antigua	325

Country	Allocated provision (£)
Argentina	3,100
Ascension	50
Australia	32,486
Austria	6,000
Bahamas	750
Bahrain	987
Bangladesh	1,500
Barbados	950
Belgium	1,365
Belize	750
Benin	175
Bermuda	3,000
Botswana	565
Brazil	10,840
Brunei	470
Bulgaria	30
Burma	20
Cameroon	25
Canada	45,805
Canary Islands	3,285
Cayman Islands	30
Chile	2,000
China	1,270
Colombia	1,500
Costa Rica	250
Cuba	25
Cyprus	3,768
Czechoslovakia	150
Denmark	2,093
East Germany	30
Ecuador	1,000
Egypt	375
El Salvador	750
Ethiopia	100
Falkland Islands	370
Fiji	330
Finland	2,200
France	37,117
Gabon	350
Gambia	250
Ghana	20
Gibraltar	3,000
Greece	3,399
Grenada	100
Guatemala	100
Guinea	230
Guinea-Bissau	10
Guyana	185
Honduras	400
Hong Kong	3,815
Hungary	50
Iceland	950
India	3,520
Indonesia	2,578
Israel	4,778
Italy	30,557
Ivory Coast	175
Jamaica	1,550
Japan	3,283
Jordan	200
Kenya	2,943
Kiribati	200
Korea	750
Kuwait	2,018
Lebanon	70
Leeward Islands	20
Lesotho	150
Liberia	550
Luxembourg	1,200
Madagascar	90
Malawi	300
Malaysia	1,005
Malta	1,600
Mauritius	150
Mexico	1,500
Montserrat	20
Morocco	1,350
Mozambique	145
Nepal	100
Netherlands	7,824
New Zealand	24,049
Nicaragua	150
Nigeria	2,077
North Yemen	100
Norway	3,272
Oman	1,761
Pakistan	630
Panama	50
Papua New Guinea	2,089
Paraguay	300
Peru	2,650
Phillipines	2,030
Poland	20
Portugal	3,976
Qatar	1,000
Republic of Ireland	100
Rumania	10
Saudi Arabia	3,801
Senegal	530
Seychelles	200
Singapore	3,841
Solomon Islands	150
Somalia	10
South Africa	10,947
Spain	22,967
Sir Lanka	100
St. Lucia	320
St. Vincent	30
St. Helena	10
St. Kitts	25
Sudan	50
Swaziland	350
Sweden	2,900
Switzerland	9,301
Syria	690
Tanzania	250
Thailand	1,650
Tonga	10
Trinidad	615
Tristan da Cunha	50
Tunisia	1,225
Turkey	1,550
Turks and Caicos Islands	20
Uganda	550
United Arab Emerates	3,448
Uraguay	60
USA	42,036
USSR	600
Vanuatu	150
Venezuala	650
Vietnam	150
Virgin Islands	475
West Germany	18,070
Yugoslavia	950
Zaire	300
Zambia	1,435
Zimbabwe	1,100
Total	425,031
Provision not allocated to any particular country	334,969
Grand Total	760,000

Settlement

Mr. Ieuan Wyn Jones: To ask the Secretary of State for the Home Department what was the total number of people allowed to settle in the United Kingdom from other countries in each year from 1979 to 1989.

Mr. Peter Lloyd: The total number of persons accepted for settlement in the United Kingdom in each of the years 1979 to 1989 is published in table 18 of the Home Office Command Paper "Control of Immigration: Statistics United Kingdom 1988" (Cm 726) and in table 3 of Home Office Statistical bulletin issue 8/90 "Control of Immigration: Statistics—Fourth Quarter and Year 1989", copies of both of which are in the Library.

Falmouth Police Station

Mr. Mudd: To ask the Secretary of State for the Home Department if he is yet able to announce the commencement date for Falmouth's new police station; and if he will make a statement.

Mr. Peter Lloyd: Approval has now been given for the building of the new police station to start in 1992-93.

Magistracy

Mr. John Evans: To ask the Secretary of State for the Home Department (1) if he will make a statement on *(a)* the duties and *(b)* the separation of responsibilities of the magistracy and of the justices' clerks and managers' administrative roles;

(2) if he will make a statement on the judicial independence of magistrates, with reference to the proposals of the Le Vay report;

(3) what is Her Majesty's Government's policy on joint funding between central and local government of the magistracy; what implications have been assessed for other funding arrangements; and if he will make a statement;

(4) what alternative is being considered to the agency proposed in the Le Vay report on magistrates courts;

(5) if he will make a statement on progress towards the implementation of the Le Vay report on the magistracy.

Mr. John Patten: As my right hon. and learned Friend stated in his reply to a question from my hon. Friend the Member for Portsmouth, South (Mr. Martin) on 21 March 1990 at column *634*, we wish to have well-founded estimates of the costs of the executive agency proposals in the scrutiny report and for comparison purposes those of an alternative model based on areas managed by independent boards. I have already made it clear that we shall not reach decisions on the structure or future financing of the magistrates courts service until we have an opportunity to consider these estimates. In reaching decisions we shall take into consideration both the paramount importance of preserving the independence of judicial processes and the need to ensure that there are satisfactory arrangements for the effective and efficient management of the resources committed to the magistrates courts service.

Mr. Viv Richards

Mr. John Carlisle: To ask the Secretary of State for the Home Department (1) whether any request was made for police protection for Mr. Vivian Richards on his arrival at Heathrow airport on 23 April;

(2) what was the cost of the provision of a police escort for Mr. Vivian Richards on his arrival at Heathrow airport on 23 April.

Mr. Peter Lloyd: No request was made to the Home Office, but I understand that Mr. Richards was escorted by the police through Heathrow airport on 23 April to prevent congestion caused by the extensive media interest. No additional costs were incurred, and, contrary to some press reports, none of the police officers was armed.

Energy Consumption

Mr. Dobson: To ask the Secretary of State for the Home Department if he will give the target reductions for energy consumption in the buildings occupied by his Department.

Mr. Waddington: A target reduction of 15 per cent. over five years has been set.

Energy Consumption

Mr. Dobson: To ask the Secretary of State for the Home Department if he will give the energy consumption, broken down by fuel, of the buildings occupied by his Department, for the latest year available.

Mr. Waddington: The information requested is not readily available in respect of all the buildings occupied by the Home Office. However, in respect of the 21 buildings which in 1989-90 accounted for over 70 per cent. of Home Office total expenditure on energy, the information is as follows:

Energy consumption in 21 Home Office buildings in 1989-90

Site	*Gas (therms)*	*Electricity (kWhs)*	*Oil (litres)*	*Solid (tonnes)*
Abell House	66,289	1,546,890	0	0
Branston	7,234	2,153,347	0	6,380
Cleland House	51,074	1,617,130	0	0
Clive House	36,276	864,680	0	0
Corby	8,751	281,080	56,100	0
Cowley	8,208	160,021	0	0
Dunkeswell	0	86,694	1,250	0
Easingwold	0	298,449	113,245	0
Fire Service College	222,566	2,699,320	1,258,650	0
Harmondsworth	8,744	785,080	258,350	0
Horseferry House	0	1,561,560	141,700	0
Horsham	5,165	214,734	0	0
Inverness	0	30,975	0	0
Langhurst	0	296,098	16,095	0
Leeds	54,244	262,417	0	0

Site	Gas (therms)	Electricity (kWhs)	Oil (litres)	Solid (tonnes)
Lunar House	0	2,681,770	544,600	0
Olympia	0	200,805	70,820	0
Queen Anne's Gate	213,395	6,883,300	219,160	0
Sandridge	0	348,259	94,140	0
Steventon	0	409,040	265,026	0
Woking	62,343	243,907	0	0

Metropolitan Police (Housing Allowance)

Mr. Shersby: To ask the Secretary of State for the Home Department what is the amount of the new force housing allowance for the Metropolitan police.

Mr. Peter Lloyd: The new force housing allowance for the Metropolitan police has not yet been set.

Wildlife Protection (Prosecutions)

Mr. Simon Hughes: To ask the Secretary of State for the Home Department (1) how many prosecutions of drivers have been instigated, and how many resulted in successful prosecution, in respect of deaths to protected species under the Wildlife and Countryside Act 1981 as a result of collisions with traffic; and if he will make a statement;

(2) under the Wildlife and Countryside Act 1981 and the Food and Environment Protection Act 1985, how many prosecutions have been instigated, and how many have been successful, in respect of the illegal poisoning of birds of prey; and if he will make a statement.

Mr. John Patten: Information is not available centrally.

Correspondence

Mr. Kaufman: To ask the Secretary of State for the Home Department when he intends to reply to the letters to him of 29 December 1989, 5 February and 23 March 1990, with regard to Mrs. R. Sarwar of 209 Northmoor road.

Mr. Waddington: I shall write to the right hon. Member.

FOREIGN AND COMMONWEALTH AFFAIRS

Missile Technology Control Regime

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make it his policy to initiate amendments to the missile technology control regime agreements to include prohibitions on the sale of large-scale projectile launchers and high altitude cannon.

Mr. Waldegrave: The missile technology control regime (MTCR) aims to control transfers that could make a contribution to nuclear weapons delivery systems other than manned aircraft. Launch and ground support equipment and facilities usable for delivery systems falling within the MTCR parameters are already covered under item 12 of the MTCR equipment and technology annex.

European Security Commission

Dr. Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs what information he has concerning the European security commission proposed by President Havel of Czechoslovakia.

Mr. Waldegrave: The Czechoslovak Government outlined their proposal to representatives of CSCE countries in Prague on 6 April. We expect to have further discussions with the Czechoslovak authorities after considering the proposal in NATO.

Turkey

Mr. Battle: To ask the Secretary of State for Foreign and Commonwealth Affairs when he last raised with the Turkish Government issues of human rights abuses in that country.

Mr. Maude: We regularly raise the issue of human rights in Turkey with the Turkish Government. My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs raised the matter when he saw the deputy Prime Minister on 22 January. Most recently my right hon. Friend the Prime Minister raised the question with President Ozal on 25 April.

Rights of the Child

Mr. Eadie: To ask the Secretary of State for Foreign and Commonwealth Affairs if he has established a timetable for ratification of the United Nations convention on the rights of the child; and if he will make a statement.

Mr. Sainsbury: The United Kingdom signed the United Nations convention on the rights of the child on 19 April 1990. We intend to ratify the convention as soon as possible.

Mr. Jonathon Moyle

Mr. Galloway: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) if he will call for a report from Her Majesty's ambassador in Santiago on the death of British editor Jonathon Moyle in his hotel room in Santiago on 28 or 29 March; and if he will make a statement;

(2) if he is satisfied that the Chilean authorities are fully investigating the death in his hotel room in Santiago on 28 or 29 March, of Jonathon Moyle; and if he will make a statement.

Mr. Sainsbury: Her Majesty's embassy at Santiago is in contact with the examining magistrate, and keeps the consular department of the Foreign and Commonwealth Office fully informed of developments in the investigation into Mr. Moyle's death on 31 March 1990. The consular department is in contact with Mr. Moyle's parents and former employers.

A Chilean magistrate gave approval on 2 April 1990 for a full investigation into the death of Mr. Moyle. The Chilean authorities are pursuing their investigation vigorously and the results are expected shortly.

Mr. Victor Taipe Zuniga

Mr. Ernie Ross: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will now raise with the Peruvian Government the detention of Victor Taipe Zuniga, president of the National Mineworkers Federation.

Mr. Sainsbury: The British embassy in Lima is looking into this case and has contacted the Peruvian authorities.

Cambodia

Mr. Battle: To ask the Secretary of State for Foreign and Commonwealth Affairs if his Department has any plans to re-examine its policy in respect of the seating of Cambodian representatives at the United Nations.

Mr. Sainsbury: We shall have to look closely at the question of Cambodia's seat at the United Nations in the context of current diplomatic activity aimed at achieving a peaceful settlement.

Mr. Battle: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will deposit a copy of the report by the British mission to Cambodia of December 1989 in the Library.

Mr. Sainsbury: I refer the hon. Member to the reply given by my right hon. Friend the Minister of State, Foreign and Commonwealth Office to the hon. Member for Cynon Valley (Mrs. Clwyd) on 31 January, *Official Report*, column *223*.

Burma

Mr. Battle: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement regarding United Kingdom relations with Burma.

Mr. Sainsbury: I refer the hon. Member to the answer I gave to my hon. Friend the Member for Mid-Kent (Mr. Rowe) on 27 February, *Official Report*, column *111*.

European Community (Member States)

Mr. John D. Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs if he has raised within the European Community the issue of the constitutional imperative of one member state to work for the acquisition of part of the United Kingdom; and if he will make a statement.

Mr. Maude: No. The EC does not have competence to consider questions of interpretation of the constitution of the Republic of Ireland.

European Civil Service

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to increase the number of *(a)* generalist, *(b)* specialist, *(c)* lawyers and *(d)* economist British recruits to the European civil service.

Mr. Maude: While appointments are a matter for the EC institutions themselves, we are working with the European Commission to improve the recruitment of British nationals throughout the range of disciplines, and particularly as generalists. We and the Commission have recently agreed a package of measures aimed at increasing recruitment of United Kingdom nationals. These include regular recruitment competitions for generalists in addition to those for lawyers and economists, the bringing forward of more United Kingdom nationals from the reserve list of those successful in competitions, and improved publicity.

For our part we are taking action to increase the number of United Kingdom candidates applying for employment in the institutions. A European stream within administrative grade recruitment to the civil service will be created, increased funding provided for secondments to the EC institutions and a central unit established within the Cabinet Office to co-ordinate the British recruitment effort.

Somalia

Mr. Michael: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the latest developments in Somalia and any international discussions regarding Somali refugees.

Mr. Waldegrave: The Somali Government's proposals for internal reconciliation have so far been rebuffed by the Somali National Movement. The situation of Somali refugees is kept under review by the relevant international organisations. So far this year, we have contributed a further £325,000 for Somali refugees.

Gibraltar

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has had from *(a)* the Irish Government and *(b)* the Spanish Government about his decision to issue certificates under the Crown Proceedings Act in respect of legal action relating to the deaths of three persons in Gibraltar.

Mr. Waldegrave: We have had no representations.

Launching Equipment

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs what information he has had *(a)* from the Government of Canada and *(b)* from the Government of Barbados about pictures of the launching equipment in their countries constructed by the late Dr. Bull.

Mr. Gordon Brown: To ask the Secretary of State for Foreign and Commonwealth Affairs when he first received warnings from the United States of America about the Space Research Corporation.

Mr. Waldegrave: In the light of the charges laid against an individual on 25 April and in the light of the continuing investigations by Customs and Excise, it would be wrong to make further comments on these matters.

Energy Consumption

Mr. Dobson: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will give the target reductions for energy consumption in the buildings occupied by his Department.

Mr. Sainsbury: The Foreign and Commonwealth Office and the Overseas Development Administration each aim to reduce energy consumption by 15 per cent. over the next five years at an annual rate of 3 per cent.

Mr. Dobson: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will give the energy consumption, broken down by fuel, of the buildings occupied by his Department for the latest year available.

Mr. Sainsbury: In the calendar year 1989, energy consumption in Foreign and Commonwealth Office buildings was:

	Energy consumption
(i) Electricity	19,411,000 kwh
(ii) Gas	391,000 therms
(iii) Fuel Oil	1,003,000 litres

The figures are taken from statistical returns produced by the Property Services Agency (PSA).

The PSA does not provide details of ODA fuel consumption. However, expenditure in the financial year 1988-89 was:

	£
(i) Electricity	95,641
(ii) Gas	70,250

Iraq (Missile Development)

Mr. Gordon Brown: To ask the Secretary of State for Foreign and Commonwealth Affairs when he first became aware of Iraq's involvement in an advanced missile development programme.

Mr. Waldegrave: We first became aware of Iraq's involvement with advanced ballistic missiles in 1987 when Iraq announced it had developed missiles with a 650 km range. It used such missiles against Iran in early 1988.

ATTORNEY-GENERAL

Mr. Lorrain Osman

Mr. Sheerman: To ask the Attorney-General what have been the costs incurred by Her Majesty's Government in dealing with all aspects of the Lorrain Osman case.

Mr. John Patten: I have been asked to reply.

The costs fall into three general categories. First, there is the cost of his detention, on which I would refer the hon. Member to the other reply given to him today on this matter. Secondly there are the legal costs incurred in the proceedings in the United Kingdom against Mr. Osman, and in respect of his subsequent appeals. Up to his committal, such costs fell to the Hong Kong Government. Costs identified so far in the first of Mr. Osman's habeas corpus applications amount to over £20,000. Costs incurred in the second and third habeas corpus applications were awarded against Mr. Osman. Finally there are the administrative costs incurred by Ministers and officials in dealing with the case, answering correspondence, parliamentary questions, and so on. These arise from the normal duties of the people concerned and cannot be calculated separately.

HOUSE OF COMMONS

Stationery

Mr. John Evans: To ask the Lord President of the Council if he will take steps to arrange for a stationery supplies store to be established in the Palace of Westminster for the purchase of common office requirements not readily available in shops close to the Palace.

Sir Geoffrey Howe: Present plans envisage that the first opportunity to establish any such service for those who work in the House will arise with the completion of phase I of the new parliamentary buildings when a small general shop run by the Refreshment Department and selling a limited range of essential items will be opened. Thereafter it is understood that planning for phase 2 will include the provision of a number of retail units.

European Community Business

Mr. Winnick: To ask the Lord President of the Council when he now expects the Government to respond to the Select Committee on Procedure's report on how European Community business should be dealt with by the House.

Sir Geoffrey Howe: The Government have been giving detailed and careful consideration to the issues covered by the report and I expect to be in a position to publish their response shortly.

LORD PRESIDENT OF THE COUNCIL

Energy Consumption

Mr. Dobson: To ask the Lord President of the Council (1) if he will give the target reductions for energy consumption in the buildings occupied by the Privy Council Office;

(2) if he will give the energy consumption, broken down by fuel, of the buildings occupied by the Privy Council Office for the latest year available.

Sir Geoffrey Howe: The Privy Council Office occupies part of the Cabinet Office building in Whitehall. In the financial year 1989-90 the costs to the Department for the supply of electricity and gas were £10,923 and £1,920 respectively. The office has no formal targets for reducing consumption, but expects to contribute to the overall reduction of 15 per cent. over five years proposed for Government Departments by the Energy Efficiency Office of the Department of Energy.

HEALTH

Leighton Hospital, Crewe

Mrs. Dunwoody: To ask the Secretary of State for Health what research has been done into the numbers of private patients using Leighton hospital, Crewe, during the last two years and their views on the creation of an independent hospital trust.

Mrs. Virginia Bottomley: The latest information held centrally on private patients treated at Leighton hospital is given in the table.

Private patients, Leighton hospital, Crewe District Health Authority, 1987-88 and 1988-89

	1987-88	1988-89
Average daily occupied beds	6·5	9·5
In-patient cases treated	950·0	917·0
Day case admissions	423·0	573·0
In-patients occupying a bed as at 31 March	7·0	8·0
In-patient average length of stay (days)	2·5	3·8

Source: KP21 return.

Since 1989, Leighton hospital has provided no accommodation for private in-patients and day cases, although it continues to receive an income from other services provided for private patients. We know of no research into the views of private patients on the creation of independent hospital trusts.

Mrs. Dunwoody: To ask the Secretary of State for Health if he will institute a consultation procedure in the Crewe and Nantwich area which will enable patients and the general populace of Crewe and Nantwich to give their opinions on the creation of an independent hospital trust at Leighton hospital, Crewe.

Mrs. Virginia Bottomley: It will be for Mersey region to determine locally the detailed arrangements to be made for consultation if an application for NHS trust status is submitted by Leighton hospital. We have made it clear that we expect regions to seek the views of all those with an interest, including the local community.

Mrs. Dunwoody: To ask the Secretary of State for Health what machinery has been recommended by his Department to Leighton hospital, Crewe as a means of consulting the staff before any decisions are taken on the creation of an independent hospital trust.

Mrs. Virginia Bottomley: Applications for NHS trust status will not be invited until Parliament has approved the necessary legislation. It will then be for regions to determine locally the detailed arrangements to be made for formal consultation on applications. We have made it clear that we expect them to seek the views of all those with an interest, including the staff at the unit concerned.

Radiation

Dr. Thomas: To ask the Secretary of State for Health if he, or officials of his Department, have been invited to participate in, or be observers at, the sixth international standing conference on low-level radiation and health, to be held at the University college of north Wales, Bangor, on 7 to 8 July.

Mr. Freeman: No.

Dr. Thomas: To ask the Secretary of State for Health if he, Ministers or officials of his Department, have been invited to attend, or present a paper at, the seminar on environmental radioactivity and leukaemia clusters, to be held at the Institute of Cryogenics at Southampton university on 1 June.

Mr. Freeman: The Department has received notice of this scientific seminar and an official will attend as an observer. In addition, I understand that papers will be presented by officers from the National Radiological Protection Board, and the public health laboratory service.

Nursing Staff

Mrs. Margaret Ewing: To ask the Secretary of State for Health what is the total number of nursing staff employed in private hospitals in England.

Mrs. Virginia Bottomley: In the year ending 31 March 1988, the latest date for which this information is available centrally, there were 56,447 nursing staff (whole-time equivalents) employed in private hospitals, homes and clinics in England.

Source: KO36 return 1988. Private hospitals, homes and clinics registered under Section 23 of the Registered Homes Act 1984.

Special Hospitals

Mr. Bermingham: To ask the Secretary of State for Health when he expects a review to be undertaken into the special hospitals system; and if he will make a statement.

Mr. Freeman: Major changes in the management of the special hospitals service were made during the latter half of 1989, including the transfer of management responsibility to the new special hospitals service authority and the introduction of general management. We have instructed the authority to review existing policies and priorities within the strategic framework provided by the Government's stated objectives for the further development of the service, to provide an effective basis for its management of special hospitals in future years. We will review its progress regularly, and a comprehensive evaluation of the new arrangements will be undertaken in due course.

Drugs

Mr. Michael Morris: To ask the Secretary of State for Health, pursuant to his answer to the hon. Member for Northampton, South (Mr. Morris) on 4 April at column *652*, if his Department has made any forecast of the likely increase in the cost of drugs in 1990-91; what this increase is likely to be; and if he will make a statement.

Mrs. Virginia Bottomley: The Department's forecast of the cost of drugs and appliances prescribed by general practitioners and dispensed by pharmacists, appliance contractors and dispensing doctors in England is published in the supply estimates 1990-91 (242-XIII, HMSO), a copy of which is in the Library.

The forecasts of expenditure are the subject of continual updating as new information becomes available, and the statistical models from which the forecasts are derived are subject to close monitoring and development. The Department has recently commissioned management consultants to review its models and suggest improvements. The Department will shortly be revising its forecast of drugs expenditure in the family practitioner service in the light of both the forthcoming consultants' report and recent outturn information.

Blood Transfusion Service

Mr. Burns: To ask the Secretary of State for Health what changes are planned in the funding arrangements for the blood transfusion service.

Mrs. Virginia Bottomley: No fundamental changes to the arrangements for blood supply to the National Health Service are planned.

New accounting arrangements are being introduced which will help to establish closer relationships between regional transfusion centres and their hospitals and so enable an even better service to be provided. These changes affect the way in which the regional transfusion centres are funded for their operating costs of approximately £70 million per annum. The regional health authorities have traditionally allocated funds direct to the regional transfusion centres. In future those funds will be devolved to the district health authorities and the regional transfusion centres will recover their operating costs in proportion to the districts' demands on the regional transfusion centre for blood supplies.

The reimbursement of the regional transfusion centres will not include any element for the blood itself. This is freely donated by voluntary donors to whom we are all indebted.

I understand that two regional transfusion centres have introduced the new arrangements from 1 April this year and the others plan to do so from 1 April 1991.

Adoption (Romania)

Mr. Burns: To ask the Secretary of State for Health what are the procedures to be followed when couples in the United Kingdom wish to bring a baby from Romania for adoption in the United Kingdom; and if he will make a statement.

Mrs. Virginia Bottomley: There are established procedures whereby prospective adopters, once the Romanian authorities have provisionally agreed to place a child with them, should obtain entry clearance for the child. The application is made to the consulate in Bucharest. This must include information about the child, his state of health, and documents to verify that the child is legally available for adoption, with parental consent where appropriate. The application is transmitted without delay to London where my Department requests that the applicants' local authority undertakes, within a maximum of six weeks, the inquiries necessary to determine that the applicants are suitable adopters for that child. We have asked local authorities to act swiftly in the current Romanian crisis.

These procedures are necessary to protect the children in accordance with the central principle of adoption law that the child's welfare is the first consideration. It would be wrong—and in breach of the United Nations declaration on adoption and fostering—if lower standards were applied to Romanian children who are especially in need of protection from further risk.

Residential Care Homes

Mr. Forman: To ask the Secretary of State for Health what steps he is taking to ensure the quality of care in residential care homes.

Mrs. Virginia Bottomley: We are today publishing "Caring for Quality" guidance on standards for residential homes for elderly people. Copies have been placed in the Library. This SSI publication is an important further component of the Department's programme to raise standards in residential care. Steps are being taken to improve standards in residential care homes. Other measures include:

The setting up by local authorities of arms length inspection units to inspect all homes, whether public or independent, in an even-handed way;

A training pack for registration and inspection staff commissioned by the Department which was published earlier this year;

A £2·2 million development programme, the caring in homes initiative, aimed at improving life for people in residential care homes;

From 1 April 1991 social services authorities will be responsible for meeting the care costs of people eligible for public support who enter independently run residential and nursing homes. In entering into contracts with such homes authorities will be expected to satisfy themselves of the quality of care provided. In addition, care managers will ensure that the needs of the individual continue to be monitored.

The complaints procedures for personal social services to be set up and publicised by all social services authorities will provide additional safeguards.

The Registered Homes Act 1984 and associated regulations placed a responsibility on local authorities to register private and voluntary residential care homes catering for four or more residents, to inspect them at least twice a year and to ensure that good standards are maintained. Fresh legislation is under consideration to bring homes for fewer than four residents under control.

Health Service Indicators

Mr. Anthony Coombs: To ask the Secretary of State for Health when the Health Service indicators for 1988-89 will be published.

Mr. Freeman: The set of 1988-89 indicators, which has just been sent to every English health authority, has been placed in the Library.

Kidney Patients (HIV Infection)

Sir Michael McNair-Wilson: To ask the Secretary of State for Health how many kidney patients have received HIV-contaminated blood as a result of transfusions; and if he will take steps to make such persons eligible to benefit from the funds held by the Macfarlane Trust.

Mrs. Virginia Bottomley: Of the reports received by the communicable disease surveillance centre of cases of HIV infection among the recipients of blood transfusions, none relates to kidney patients.

Energy Consumption

Mr. Dobson: To ask the Secretary of State for Health if he will give the target reductions for energy consumption in the buildings occupied by his Department.

Mr. Freeman: The Department of Health is currently considering its energy policy and aims to achieve the target suggested by the ministerial group on energy efficiency of a 15 per cent. improvement over five years.

Mr. Dobson: To ask the Secretary of State for Health if he will give the energy consumption, broken down by fuel, of the buildings occupied by his Department, for the latest year available.

Mr. Freeman: The last year for which figures are available is 1988-89 and my right hon. Friend the Secretary of State for Social Security will provide the figures for the then Department of Health and Social Security.

Capital Accountancy System

Mr. Ralph Howell: To ask the Secretary of State for Health what grounds underline the decision to use an interest rate figure of 6 per cent. in the new capital accountancy system to be introduced into the National Health Service in 1991.

Mr. Freeman: The 6 per cent. interest rate is a real (as opposed to nominal) rate based on the long-term cost of capital, and is the same as the discount rate used for the non-trading part of the public sector. The discount rate is based on the cost of capital for low-risk purposes in the private sector, and aims to ensure that investments in the public sector are broadly comparable, in terms of economic efficiency, to those undertaken in the private sector.

Regional Allocations

Mr. Cousins: To ask the Secretary of State for Health if he will estimate what the allocations would have been to each English regional health authority for 1990-91 if the same cash total had been distributed on the same basis as the 1988-89 allocations; what is the difference between the allocation estimated as above and the actual allocation; and if he will express the actual allocation as a percentage of the estimated allocation.

Mr. Freeman *[holding answer 4 April 1990]:* The table shows the information which is available, and 1988-89 was the final year of allocations under the resource allocation working party (RAWP) formula. Allocations in 1989-90 were based on a uniform increase for all regions, while 1990-91 allocations represent the beginning of the introduction of the new weighted capitation formula proposed in "Working for Patients".

It is not possible to estimate what regions would have received in 1990-91 if the old RAWP formula had been applied. Allocations in 1988-89 were based on ministerial judgment about the right pace of movement towards funding targets set by the old allocation formula. The question of how Ministers would have exercised their judgment in 1990-91 if the old system had continued is an entirely hypothetical one.

Furthermore, the application of the RAWP formula would require information which is no longer collected.

£000s at cash

Regions	*Total main allocation available for services in region 1988-89* (1)	*Percentage share of total allocation* (2)	*Total main allocation available for services in region 1989-90* (3)	*Percentage share of total allocation* (4)	*1990-91 allocation for spend on resident population* (5)	*Percentage share of total allocation* (6)	*Total main allocation available for services in region 1990-91* (7)	*Percentage share of total allocation* (8)
Northern	735,253	6·64	817,311	6·63	885,403	6·63	884,179	6·61
Yorkshire	829,677	7·49	920,376	7·46	1,005,316	7·53	999,322	7·47
Trent	1,010,146	9·12	1,126,131	9·13	1,261,890	9·45	1,227,583	9·18
East Anglian	437,676	3·95	488,050	3·96	529,280	3·96	539,690	4·03
North West Thames	808,071	7·30	895,111	7·26	995,223	7·45	968,446	7·24
North East Thames	1,007,139	9·09	1,114,489	9·04	1,164,301	8·72	1,197,287	8·95
South East Thames	897,538	8·10	1,000,077	8·11	1,098,777	8·23	1,092,602	8·17
South West Thames	745,778	6·73	828,304	6·72	866,378	6·49	900,756	6·73
Wessex	614,551	5·55	687,346	5·57	770,975	5·77	757,653	5·66
Oxford	482,415	4·36	548,386	4·45	609,466	4·56	595,806	4·45
South Western	731,564	6·61	818,155	6·64	888,517	6·65	896,046	6·70
West Midlands	1,185,562	10·70	1,316,619	10·68	1,414,673	10·59	1,419,349	10·61
Mersey	585,517	5·29	652,367	5·29	702,087	5·26	699,175	5·23
North Western	1,004,859	9·07	1,117,456	9·06	1,164,562	8·72	1,199,999	8·97
Total	11,075,746	100·00	12,330,178	100·00	13,356,848	100·00	13,377,893	100·00

Notes:
1. Column (5) adjusted for the effect of cross-boundary flows.
2. The difference of £21,045 between columns (5) and (7) reflects the cost of net cross boundary flows between England and Wales/Scotland.

Cot Deaths

Mr. Nigel Griffiths: To ask the Secretary of State for Health whether his Department has examined the findings of the Bristol pathologist specialising in sudden infant deaths.

Mrs. Virginia Bottomley *[holding answer 27 April 1990]:* We are aware of a three-year study due for completion in 1993 which the department of child health at Bristol maternity hospital is undertaking into factors which may be contributing to sudden infant deaths. I understand that the team, which includes a paediatric pathologist, will be collecting information on the social and medical history of infants who die and recording data on the thermal environment and levels of electro-magnetic radiation present in their homes. Comparisons will be made with a control group of healthy infants. We await the outcome of this research with keen interest.

NORTHERN IRELAND

Birmingham Pub Bombings

Mr. Mullin: To ask the Secretary of State for Northern Ireland if the case of the Birmingham pub bombings was raised by either side at the recent meeting of the Anglo-Irish conference.

Mr. Cope: No.

Kincora Boys' Home

Mr. Dalyell: To ask the Secretary of State for Northern Ireland what contacts his Department has had with the BBC over its preparation for the "Private View" programmes about the Kincora boys' home.

Mr. Cope: None. I am not aware of any programmes called "Private View". An approach was made to my

Department's press office by the BBC's "Public Eye" programme but no assistance was offered to the programme.

Terrorism (Use of Stolen Vehicles)

Mr. Maginnis: To ask the Secretary of State for Northern Ireland how many people have been charged in *(a)* the Irish Republic and *(b)* Northern Ireland with the theft in the Irish Republic of vehicles which were subsequently used in terrorist incidents in Northern Ireland.

Mr. Cope *[holding answer 2 April 1990]:* The information is not collated centrally, but I understand that since 1 January 1989, no such charges have been brought.

Mr. Maginnis: To ask the Secretary of State for Northern Ireland how many vehicles stolen in the Irish Republic have been used in bombings, shootings or other terrorist incidents in Northern Ireland since the beginning of 1989; and if he will give details.

Mr. Cope *[holding answer 2 April 1990]:* Comprehensive and reliable information is not available.

ENERGY

Nuclear Power

Dr. Thomas: To ask the Secretary of State for Energy what contribution the United Kingdom has made to the International Atomic Energy Agency's assessment of safety significant events team programme; and what benefits he expects to accrue to safety of nuclear facilities in the United Kingdom from ASSET.

Mr. Baldry: The United Kingdom endorses the International Atomic Energy Agency's (IAEA) "Assessment of Safety-Significant Events Team" (ASSET) service, and recognises the contribution which it makes to the improvement of operational safety worldwide by assisting nuclear operators to achieve the safe operation of installations. However, given the expertise of the Health and Safety Executive's nuclear installations inspectorate, we see no current need to request the services of ASSET in order to ensure a safe operating regime at the United Kingdom's civil nuclear installations.

United Kingdom Atomic Energy Authority

Dr. Thomas: To ask the Secretary of State for Energy if he will make a statement on the recent meeting he had with the trade unions at the United Kingdom Atomic Energy Authority.

Mr. Baldry: My right hon. Friend the Secretary of State for Energy and I met Atomic Energy Authority staff trade unions representatives on 22 January 1990. We discussed a range of issues, including the formation of Nuclear Electric, the maintenance of the nuclear option and the greenhouse effect.

Electricity Companies (Audits)

Mr. Redmond: To ask the Secretary of State for Energy if he will take steps to ensure that independent audits in respect of *(a)* the finances and *(b)* the environmental commitment of electricity companies are made freely available to the public.

Mr. Baldry: All limited liability companies are obliged to have an independent audit of their accounts under the Companies Act 1985. The annual accounts of the companies must be submitted to Companies House where they are available for inspection. Schedule 9 to the Electricity Act 1989 requires licence holders to prepare and publish an environmental statement, after consultation with the Countryside Commission, Nature Conservancy Council and other statutory bodies. These documents, when finalised, should complement the guiding principles set out in the statement of environmental care prepared and publicised by the generators last year.

Pollution Abatement Technology

Dr. Thomas: To ask the Secretary of State for Energy what plans he has to create a fund for National Power and PowerGen to fund the installation and maintenance of pollution abatement technology.

Mr. Baldry: I have no such plans.

Oil and Gas Resources

Mr. Rowe: To ask the Secretary of State for Energy when he will publish his next report on the development of the oil and gas resources of the United Kingdom, the Brown Book.

Mr. Peter Morrison: I have today published the latest edition of the Brown Book, and have arranged for copies to be placed in the Library of the House and the Vote Office. The report gives a detailed account of the development of oil and gas resources during 1990.

Energy Consumption

Mr. Dobson: To ask the Secretary of State for Energy if he will give the target reductions for energy consumption in the buildings occupied by his Department.

Mr. Wakeham: The only building of which the Department of Energy is the sole occupant is its London headquarters, into which it moved in September 1989. That building already has an up-to-date building energy management system and other energy-saving measures judged likely to be cost-effective after the necessary period for the building, plant and equipment to settle down. In its premises in Aberdeen, Glasgow, London and Lytham the Department is a minor occupant; and it is for the major occupants to set targets for reductions in energy consumption within the Government's overall policy. At Leicester, where energy consumption is determined by the meter testing operations carried out by the Department's gas and oil measurement branch, I have set a target for reductions of 15 per cent. over the next five years.

Mr. Dobson: To ask the Secretary of State for Energy if he will give the energy consumption, broken down by fuel, of the buildings occupied by his Department, for the latest year available.

Mr. Wakeham: In 1989-90 my Department spent a total of £186,585 on fuel, of which £167,655 was spent on electricity and £18,930 on gas. The Department moved to new headquarters premises during the year and complete consumption figures are not available. The figures do not include fuel consumption at the Department's former headquarters building, where fuel was included within the overall accommodation charge paid to the Property Services Agency.

Fuel Exports and Imports

Mr. Dobson: To ask the Secretary of State for Energy (1) what was the total value at constant prices of oil, natural gas and coal exported and imported, respectively, in March on the same basis as his answer of 9 November 1989, *Official Report*, columns *767-68*;

(2) what was the total tonnage of oil, natural gas and coal exported and imported, respectively, in March on the same basis as his answer of 9 November 1989, *Official Report*, columns *767-68*.

Mr. Wakeham: The equivalent information for exports and imports of oil, gas and coal for March 1990 as set out in my earlier answer of 9 November 1989, *Official Report*, columns *767-68* is not yet available.

Mr. Dobson: To ask the Secretary of State for Energy what was the total of electricity imported and exported through the channel link with France in each month of 1989 and each of the first three months of 1990; and what was the value of such imports and exports in each month in question.

Mr. Wakeham: The most up-to-date information on electricity imports is as follows:

	Volume (gigawatt hours)	*Value (£ million)*
1989		
January	1,259·5	26·7
February	1,004·9	21·2
March	1,007·5	21·3
April	1,129·9	24·0
May	1,339·4	29·9
June	1,210·3	27·0
July	1,419·7	33·2
August	1,150·1	24·9
September	1,227·8	27·0
October	1,426·6	28·5
November	962·9	21·6
December	834·8	19·7
1990		
January	1,092·5	25·8
February	0	0

Source: Customs and Excise, Overseas Trade Statistics.

There were no exports of electricity in any of the above months except January 1990. In January 1990 electricity exports amounted to 1,069 gigawatt hours, worth £25·2 million.

Figures for March 1990 are not yet available.

Industrial Development Grants

Mr. Colin Shepherd: To ask the Secretary of State for Energy if he will list in the *Official Report* the grants made by his Department under section 13 of the Industrial Development Act 1982 showing the value of the grant as a percentage of the whole project cost.

Mr. Wakeham: No such grants have been made.

Energy Efficiency Office

Mr. Simon Hughes: To ask the Secretary of State for Energy what has been the advertising component of the budget of the Energy Efficiency Office for each year since its inception.

Mr. Peter Morrison: Advertising is part of a much wider marketing strategy for the Energy Efficiency Office. However, the advertising component of the Energy Efficiency Office's budget since its inception in 1983 is as follows:

	£000
1983-84	1,630
1984-85	4,227
1985-86	4,191
1986-87	6,062
1987-88	942
1988-89	1,842
1989-90	806

Coal Industry (Privatisation)

Mr. Simon Hughes: To ask the Secretary of State for Energy if he will make a statement on his privatisation plans for the coal industry.

Mr. Baldry: It remains the Government's intention to introduce legislation during the next Parliament to return British Coal's coal mining activities to the private sector. The timing and form in which they will be privatised have yet to be decided.

SOCIAL SECURITY

Reduced Earnings Allowance

Mr. Strang: To ask the Secretary of State for Social Security whether he will make a statement on reduced earnings allowance.

Mr. Scott: Our policy on reduced earnings allowance, which was thoroughly discussed during the passage of this year's Social Security Bill, is set out in Cm. 917 "The Way Ahead", copies of which are available in the Library.

Vaccine Damage

Mr. Ashley: To ask the Secretary of State for Social Security (1) whether any departmental advice has been given to the independent doctors who sit on vaccine damage tribunals regarding the implications of the Loveday judgment on their consideration of whether or not, on the balance of probabilities, a child has been damaged by whooping cough vaccine;

(2) how many doctors sit on the vaccine damage tribunals, and what are their specialties and experience.

Mrs. Gillian Shephard: These matters are the responsibility of the president of social security and medical appeal tribunals and vaccine damage tribunals and arrangements have been made for him to respond to the right hon. Member.

Mr. Ashley: To ask the Secretary of State for Social Security how many applications for a vaccine damage payment because of alleged damage from the whooping cough vaccine, given either separately or in combination with other vaccines, were received in 1989 and in each of the preceding four years; and in each case what proportion were successful.

Mrs. Gillian Shephard: The available information is given in the table.

Number of claims and awards under the Vaccine Damage Payments Act on the grounds that whooping cough vaccine (administered either singly or in combination with other vaccines) caused severe disablement 1985 to 1989

	Number of claims	*Number of awards*[1]
1989	20	nil
1988	23	3
1987	37	9
1986	42	15
1985	52	23

[1] The awards in each year do not necessarily relate to the claims made within the same year.

Mr. Ashley: To ask the Secretary of State for Social Security what evidence from other countries is considered by doctors adjudicating on applications for vaccine damage payments because of alleged damage from the whooping cough vaccine; and whether they are encouraged to consider evidence from those countries which also have vaccine damage payments schemes.

Mrs. Gillian Shephard: In considering whether severe disablement was caused by a particular vaccine the doctor will have regard to the body of research and medical opinion emerging worldwide. In particular, as part of the evidence, account has to be taken of Lord Justice Stuart-Smith's decision in the case of Loveday *v.* Renton. After taking evidence from a wide range of medical opinion both from this country and abroad, Lord Justice Stuart-Smith concluded that he was not satisfied on the balance of probability that pertussis vaccine can cause permanent brain damage in young children.

Mr. Ashley: To ask the Secretary of State for Social Security whether any vaccine damage payments have been made to children allegedly damaged by the whooping cough vaccine since the announcement of the Loveday judgment.

Mrs. Gillian Shephard: Since April 1988, when judgment was given in Loveday *v.* Renton, there have been no vaccine damage payments in respect of claims made on the grounds that whooping cough vaccine caused severe disablement.

Bronchitis and Emphysema

Mr. Strang: To ask the Secretary of State for Social Security what response has been made to the letter from the Industrial Injuries Advisory Council recommending further research into bronchitis and emphysema following the council's 1988 report (Cm. 379).

Mr. Scott: Various avenues are being pursued, including consultations with the Medical Research Council, and I understand that the Industrial Injuries Advisory Council is discussing ways of establishing a formal study with the steel industry, the European coal and steel fund and the Health and Safety Executive.

21-hour Rule

Mr. Fatchett: To ask the Secretary of State for Social Security whether his Department has any plans to issue new guidelines to social security officials on how to apply the 21-hour rule for unemployed adults wishing to study; and if he will make a statement.

Mrs. Gillian Shephard: The Department is shortly to issue to officials clarification of its existing procedures. The instruction will be designed to ensure that the Department's policy is operated as efficiently as possible and no new guidelines on its policy concerning the application of the 21-hour rule or changes of that policy are involved.

Family Credit

Ms. Quin: To ask the Secretary of State for Social Security if he will supply figures for the number of people claiming family credit for each district authority in the counties of *(a)* Cleveland, *(b)* Cumbria, *(c)* Durham, *(d)* Northumberland and *(e)* Tyne and Wear; and if he will indicate in each case what percentage this represents of the total eligible to claim family benefit.

Mrs. Gillian Shephard: Information is available only in relation to the Department's own local office areas. The latest available information about the number of families receiving family credit who at the time their awards were made were living in the areas covered by the local offices in the counties concerned is as follows.

	Number
Ashington	661
Barrow in Furness	482
Berwick upon Tweed	277
Bishop Auckland	929
Blyth	713
Carlisle	701
Chester-le-Street	360
Darlington	855
Durham	691
Eston	208
Gateshead	1,172
Hartlepool	815
Hexham	343
Houghton-le-Spring	294
Jarrow	307
Kendal	296
Middlesbrough	1,264
Newcastle upon Tyne (West)	443
Newcastle (St. James)	796
Newcastle upon Tyne (East)	899
North Shields	683
Penrith	246
Peterlee	264
Redcar	396
Seaham	196
South Shields	555
Stanley	649
Stockton	1,075
Sunderland (North)	1,442
Sunderland (South)	695
Wallsend	428
Whitehaven	299
Workington	422

Information about the total numbers of families eligible for family credit can be obtained only for Great Britain as a whole, and only retrospectively, from family expenditure survey data.

Vibration White Finger

Mr. Frank Field: To ask the Secretary of State for Social Security, pursuant to the reply to the hon. Member for Birkenhead of 23 April, *Official Report*, column *87*, how many of the new and review applications relating to vibration white finger were completed in each calendar month since January of this year.

Mr. Scott: I regret that this information could be obtained only at disproportionate cost.

Action Credit Schemes

Ms. Primarolo: To ask the Secretary of State for Social Security what national insurance contribution is payable by participants in action credit schemes who are in receipt of a £5 per week disregard in order to maintain a full national insurance contribution record; and if he will make a statement.

Mrs. Gillian Shephard: Earnings from action credit schemes are normally accrued by the employer in a special account and are released to the employee at the end of the training period. A single earnings-related class 1 national insurance contribution is due on the final payment and is subject to the weekly upper earnings limit. Participants can also pay voluntary class 3 contributions during the course of the scheme.

Energy Consumption

Mr. Dobson: To ask the Secretary of State for Social Security if he will give the target reductions for energy consumption in the buildings occupied by his Department.

Mrs. Gillian Shephard: The Department's target for energy savings is to reduce the level of consumption by 15 per cent. over the next five years, after correction for weather and space occupied, in line with the Government's overall target for energy consumption.

Mr. Dobson: To ask the Secretary of State for Social Security if he will give the energy consumption, broken down by fuel, of the buildings occupied by his Department for the latest year available.

Mrs. Gillian Shephard: The latest available figures are for the financial year 1988-89. The division of administration of the Department of Health and Social Security was not completed at that time and the figures therefore reflect the consumption of both Departments.

	Energy consumption
Gas	7·8m therms
Electricity	130m kWhrs
Solid fuel	4,250 tonnes
Liquid fuel	4·6m litres

Ms. Primarolo: To ask the Secretary of State for Social Security what steps have been taken to enable people on action credit schemes to maintain full entitlement to national insurance contributions if *(a)* the participant receives the commission bonus, but remains unemployed, and *(b)* the participant receives the commission bonus and enters full-time employment.

Mrs. Gillian Shephard: A person who completes a course of training under an action credit scheme but who subsequently remains unemployed can then claim class 1 national insurance contributions credits. If he or she enters full-time employment class 1 national insurance contributions will be payable in the normal way.

WALES

Channel Tunnel

13. **Mr. Stern:** To ask the Secretary of State for Wales when he last discussed with the chairman of British Rail investment in facilities for the marshalling of freight for transmission through the channel tunnel.

Mr. Peter Walker: I have had discussions with British Rail at both national and regional level during 1989. Further discussions at national level will be taking place next week.

Local Government

14. **Mr. Murphy:** To ask the Secretary of State for Wales when he last met representatives of *(a)* county councils and *(b)* district councils in Wales; and what matters were discussed.

Mr. Peter Walker: I met representatives of the Welsh Counties Committee and the Council of Welsh Districts on 30 January to discuss local authority budgets for 1990-91. I also met Gwent district councils association on 13 March 1990, when it discussed a variety of issues. On 25 April I had the pleasure of opening the new headquarters for the Council of Welsh Districts in Cardiff.

Training and Enterprise Councils

15. **Mr. Gwilym Jones:** To ask the Secretary of State for Wales what is the proposed total expenditure for training in Wales in 1990-91; how much of this will be spent on training and enterprise councils; and what assessment he has made of the progress made in developing these councils.

Mr. Roberts: The Training Agency's total budget for Wales is £144,324,000. How much of this will be allocated to TECs will depend upon their individual start dates. The network of TECs in Wales is now complete with seven councils in the development phase. I am extremely pleased that we have reached this position much earlier than originally envisaged and look forward to all the TECs in Wales being operational by about the turn of the year.

Legislative Devolution

16. **Mr. Gow:** To ask the Secretary of State for Wales what proposals he has for legislative devolution in the Principality.

Mr. Peter Walker: None.

Welsh Language

17. **Mr. Nicholas Bennett:** To ask the Secretary of State for Wales what representations he has received about the Welsh language in the national curriculum.

Mr. Roberts: My right hon. Friend has received a great number of representations about Welsh in the national curriculum, including about 160 responses to his statutory consultation exercises.

Labour Statistics

18. **Mr. Roy Hughes:** To ask the Secretary of State for Wales what are the latest unadjusted figures for unemployment in *(a)* Newport, *(b)* Gwent and *(c)* Wales; and if he will give the equivalent figures for 1979 on the most nearly comparable basis.

Mr. Peter Walker: On 9 March 1990 the number of unemployment claimants in the Newport district, Gwent and Wales was 4,636, 13,722 and 86,638 respectively. Unadjusted figures for 1979 are not available on a basis

that enables a valid comparison to be made. Since the last general election unemployment in Newport district, Gwent and Wales has fallen by 49·2 per cent., 47·4 per cent. and 45·1 per cent. respectively.

Local Government Finance

19. **Mr. Ian Bruce:** To ask the Secretary of State for Wales what proportion of local government expenditure will be raised from the community charge payer, the uniform business rate payer and Government grant; and what were the Government's original estimates if councils had kept to Government spending guidelines.

Mr. Peter Walker: On the basis of local authority budgets for 1990-91, 58 per cent. of expenditure will be met from Government grant, 20 per cent. from the national non-domestic rate and 22 per cent. by charge payers. After allowing for rebates and transitional relief the amount met locally should reduce to below 19 per cent.

If local government had spent in line with my settlement 61 per cent. of its expenditure would have been met by central Government grant and 21 per cent. by non-domestic rates, leaving 18 per cent. to be met by community charge payers. After taking account of transitional relief and community charge rebates the share met by charge payers would have fallen to below 15 per cent.

21. **Dr. Marek:** To ask the Secretary of State for Wales if he will make it his policy to increase the standard spending assessment for Clwyd.

Mr. Peter Walker: Standard spending assessments (SSAs) for 1990-91 were discussed with, and agreed by, the Welsh local government associations. The formulae for 1991-92 are under discussion and all representations will be considered before final decisions are taken on grant distribution for that year.

22. **Mr. Alan W. Williams:** To ask the Secretary of State for Wales if he will make a statement on his experience with implementation of the community charge in the current year; and whether he will recommend any major changes in its application next year.

Mr. Peter Walker: I have been impressed with the professionalism demonstrated by Welsh local authorities in implementing the community charge, and I have written to the chairmen of the associations to that effect. As with any new policy, the Government will monitor the working of the policy in practice.

Mr. Morgan: To ask the Secretary of State for Wales what assessment he has made of the number of local authorities in Wales which are charging standard community charge on empty properties at *(a)* single rate, *(b)* double rate *(c)* other ratios.

Mr. Peter Walker: I have made no such assessment. I shall shortly be collecting information from all charging authorities about the use they have made of their powers to specify property classes and set multipliers at less than the maximum.

Mr. Morgan: To ask the Secretary of State for Wales what consultations he has held with the local authorities in Wales on the level of standard community charge to be levied on empty properties.

Mr. Peter Walker: I consulted the Welsh local authority associations on draft regulations prescribing standard charge classes and maximum multipliers for those classes. Within the framework established by legislation and regulations, decisions on standard charge multipliers for any class of property are for individual charging authorities.

Mr. Morgan: To ask the Secretary of State for Wales if he has any plans to visit any of the poll tax administration and collection offices in Wales.

Mr. Peter Walker: I have no present plans to do so.

Sea Defences

20. **Mr. Raffan:** To ask the Secretary of State for Wales if he will order an immediate and comprehensive review of the Principality's sea defences.

Mr. Grist: A survey of the sea defences round the coastline of Wales and England was announced by the chairman of the National Rivers Authority, Lord Crickhowell, on 22 March.

Baden-Wurttemberg

23. **Dr. Thomas:** To ask the Secretary of State for Wales when he last met representatives from the government in Baden-Wurttemberg; and what was discussed.

Mr. Peter Walker: I had the very great pleasure of accompanying the Minister—President of Baden-Wurttemberg, Herr Dr. Lothar Spath, and other members of his delegation, including senior business men, during their visit to Wales on 26-27 March. Together, Herr Dr. Spath and I signed a co-operation agreement between Wales and Baden-Wurttemberg which will pave the way for joint activity in a range of industrial, academic, technological and commercial fields.

Transport

24. **Mr. Flynn:** To ask the Secretary of State for Wales if he has had any recent discussion with Welsh local authorities on the future of transport.

Mr. Roberts: My right hon. Friend has had a number of meetings with local authorities' representatives, including the Gwent District Councils Association on 13 March 1990. A variety of issues, including transport, was discussed.

Flooding, Towyn

25. **Sir Anthony Meyer:** To ask the Secretary of State for Wales what communication he has had with the European Community regarding aid for flood victims in Towyn.

Mr. Grist: The Department has been involved in arranging payment of £111,500 as EC aid to the three appeals set up by the mayors of Colwyn, Rhuddlan and Delyn.

Local Income Tax

Mr. Nicholas Bennett: To ask the Secretary of State for Wales what would be the estimated charge on the basis of current expenditure *(a)* per household and *(b)* per capita for each Welsh district if a system of local income tax were introduced.

Mr. Peter Walker: I refer my hon. Friend to the reply given to him on 22 February 1989, c. *624*. I have made no subsequent estimates of the effect of introducing a local income tax in Wales.

Waste Recycling

Dr. Thomas: To ask the Secretary of State for Wales what is his Department's policy regarding the separation and recycling of waste by district, borough and city councils in Wales.

Mr. Grist: I refer the hon. Gentleman to the answer I gave to the hon. Member for Cardiff, West (Mr. Morgan) on 27 April, c. *366-67*.

Road Deaths

Mr. Boyes: To ask the Secretary of State for Wales if he will publish a table showing the number of road fatalities in Wales since 1 October 1989 and for each year from 1980 to 1990.

Mr. Roberts: Data for 1990 are not yet available, but the provisional figure for the period October to December 1989, the latest available, is 55. Information requested is as follows for the remaining years.

	Fatal road casualties
1980	268
1981	275
1982	300
1983	245
1984	250
1985	245
1986	235
1987	220
1988	226
[1]1989	232

[1] Provisional.

Psychiatric Nurses

Mr. Win Griffiths: To ask the Secretary of State for Wales if he will list those health authorities which provide a full-time psychiatric nursing service seven days a week; and if he will provide details of emergency cover arrangements made by those authorities which do not have a full-time service.

Mr. Grist: Deployment of psychiatric nurses is a matter for individual health authorities. The information requested is not available centrally.

Mental Hospital Sites

Mr. Win Griffiths: To ask the Secretary of State for Wales if he will make it his policy that money raised from the sale of mental hospital sites is used in full for the development of services for the mentally ill.

Mr. Grist: The Welsh Office proposes to issue later this year revised and consolidated guidance to district health

authorities on the management of the National Health Service estate, including the disposal of National Health Service land and buildings. In respect of the use of receipts from sales at mental illness hospital sites this guidance will concentrate on the need, already clearly stated in the Welsh Office mental illness strategy, for health authorities to satisfy themselves in advance of significant reductions in the provision of hospital psychiatric services that there is a pattern of alternative services available which will meet adequately the individual needs of persons suffering from a mental illness who are or would otherwise have been in hospital. The Welsh Office will wish to be assured through the county mental illness plans drawn up by the district health authorities, social services authorities and other interested groups, through the executive committee's annual review process of district health authorities' performance and through the revised arrangements for local consultation on changes in health services that this is happening and in particular that there is in place a financial strategy for the development of a comprehensive new pattern of mental illness services which takes fully into account the contribution that existing service resources, including land and buildings, can make. While, therefore, there is unlikely to be a blanket requirement that all receipts from sales at mental illness hospital sites should be re-invested in the new pattern of services, the Department will wish there to be a clear linkage between the development of local services and the optimal use of the resources which become available.

Mental Illness

Mr. Win Griffiths: To ask the Secretary of State for Wales (1) if he will list all submissions under the mental illness strategy which have been made by participating bodies, stating which have been accepted for Welsh Office funding; and if he will give the amount in each case;

(2) what extra resources have been provided to health authorities, local authorities and the voluntary sector to date in carrying out his mental illness strategy; what posts and projects are currently being funded; and what extra resources will be provided in future;

(3) what arrangements have been made to ensure that funds provided for projects financed under his mental illness strategy are spent in full on these projects.

Mr. Grist: The local planning and implementation of the mental illness strategy is co-ordinated by the eight county joint planning teams, which comprise representatives of district health authorities, social services authorities, and other interested groups. All eight county teams have submitted plans which have been considered as a basis for Welsh Office funding for the current year. Chapter 16 of the Government's expenditure plans 1990-91 to 1992-93 (Cm. 1016) indicated that the sum of £2·2 million would be made available in 1990-91 to support developments under the mental illness strategy. Provisional offers totalling some £1·6 million are being made to county teams; the distribution of these extra resources by county and between partners in the teams is not yet finalised, and depends upon the acceptance of the offers by the county teams, and in some cases the clarification of particular aspects of specific proposals. A further offer of some £100,000 is being made in respect of bids from other organisations intended to support the development of services under the strategy on an all-Wales rather than a county basis.

The overall total of £2·2 million available under the strategy represents resources additional to those directly available to partner agencies in the county teams for the provision of mental illness services. Recipient bodies will be responsible for ensuring the full and proper application of funding to the agreed purposes; the Welsh Office will be monitoring activity and reviewing progress made by county teams during the course of the year, and will be holding annual review meetings with each team.

It is not possible to forecast what resources will be made available in future years, not least because that will depend in part upon the progress made in developing new patterns of service, and the levels of funding which the county team partners are prepared to commit from their own resources.

Office Chairs

Mr. Morgan: To ask the Secretary of State for Wales what criteria apply to decisions on the replacement of office chairs in his Department.

Mr. Peter Walker: Office chairs are replaced when they are broken, worn out or no longer meet modern standards or requirements.

Mr. Morgan: To ask the Secretary of State for Wales what is the standard useful life of office chairs used by civil servants.

Mr. Peter Walker: A number of factors will determine the life of an office chair, including the frequency of use, changing user requirements, the introduction of information technology, and improvement in product design and manufacture.

Mr. Morgan: To ask the Secretary of State for Wales what was the average age of the office chairs in his Department replaced with new chairs in the final quarter of the financial year 1989-90.

Mr. Peter Walker: At least 10 years.

Energy Consumption

Mr. Dobson: To ask the Secretary of State for Wales if he will give the target reductions for energy consumption in the buildings occupied by his Department.

Mr. Peter Walker: My Department's aim is to reduce its energy consumption over the next five years to a level which will give a saving of 15 per cent. of the current energy bill.

Mr. Dobson: To ask the Secretary of State for Wales if he will give the energy consumption, broken down by fuel, of the buildings occupied by his Department, for the latest year available.

Mr. Peter Walker: Energy consumption in buildings occupied by my Department in 1988-89 was as follows:

	Energy consumption
Electricity	18,048,000 kWh
Gas	840,000 therms
Liquid fuel	7,000 litres
Solid fuel	86 tonnes

Museum of Modern Art

Mr. Alex Carlile: To ask the Secretary of State for Wales if he will reconsider his refusal to support the proposal to establish at Machynlleth the Welsh museum of modern art; and if he will make a statement.

Mr. Roberts: The Department does not provide direct financial assistance for museums other than the National Museum of Wales. The attention of the organisers of the proposed museum at Machynlleth has been drawn to the possibility of alternative sources of support, but it is entirely for the bodies concerned to decide on priorities.

Coastal Sediment, Anglesey

Mr. Alex Carlile: To ask the Secretary of State for Wales if he will appoint an inquiry into the cause of a 6-mile wide band of sediment off the Anglesey coast; and if he will make a statement.

Mr. Grist: Water samples are being tested to determine the nature of this occurrence.

Management Information System

Mr. Morgan: To ask the Secretary of State for Wales whether he now has available to him a fully operational management information system.

Mr. Peter Walker: A new computerised finance system became operational on 1 April 1990 as planned.

Rural Housing

Mr. Alex Carlile: To ask the Secretary of State for Wales if he will meet representatives of local authorities to discuss the housing shortage in rural Wales; and if he will make a statement.

Mr. Grist: The Department regularly meets all housing authorities in Wales to discuss a wide range of relevant issues.

DEFENCE

Radar Emissions

Mr. Nicholas Bennett: To ask the Secretary of State for Defence what information he has as to any ill effects on animal livestock of radar emissions; and what estimates he has as to the range over which such emissions might pose a health hazard.

Mr. Alan Clark: I am not aware of any studies into the effects of radar transmissions on animal livestock.

Defence Export Services

Mr. Andrew Smith: To ask the Secretary of State for Defence if he will make a statement on the respective roles of the Defence Export Services Organisation and International Military Services.

Mr. Alan Clark: The primary role of the MOD Defence Export Services Organisation is, in conformity with Government export control policies, to assist the British defence industry in selling its products in overseas markets. It is also responsible for the disposal by sale, at home and overseas, of surplus service equipments and stores. International Military Services Ltd. is a private limited company incorporated under the Companies Act whose shares are vested in the Secretary of State for Defence. It offers, on a commercial basis, a range of marketing and project management services in the defence field available to both Government and industry.

Stornoway Airport

Mr. Macdonald: To ask the Secretary of State for Defence (1) what account has been taken of noise from ground engine running in the survey of aircraft noise at Stornoway airport; and what plans he has to make measurements of that source of noise during the forthcoming military exercise at Stornoway;

(2) what account has been taken of noise from aircraft performing run-in and break manoeuvres in the survey of aircraft noise at Stornoway airport; and what plans he has to make measurements of this source of noise during the forthcoming military exercise at Stornoway.

Mr. Archie Hamilton: I have nothing to add to the information contained in the letter of 23 April to the hon. Member from my noble Friend the Under-Secretary of State for the Armed Forces, a copy of which has been placed in the Library.

Mr. Macdonald: To ask the Secretary of State for Defence how many simulated attacks were made on Stornoway airport during 1988 and 1989; and how many of these occurred during periods of military activation of the airfield.

Mr. Neubert: I refer the hon. Member to the answers I gave on 9 March 1989 (column *675*). There were no recorded simulated attacks on Stornoway airport during the periods of military activation in 1988 and 1989.

Mr. Macdonald: To ask the Secretary of State for Defence, pursuant to the replies to the hon. Members for Western Isles on 20 February, *Official Report*, columns *664-65*, what was the number of practice approach and overshoot movements at Stornoway airport during 1989 which occurred during periods of military activation of the airfield.

Mr. Neubert: There were 60 recorded practice approaches and overshoots by military aircraft at Stornoway airport during periods of military activation of the airfield in 1989.

Mr. Macdonald: To ask the Secretary of State for Defence, what are the minimum permitted height and maximum permitted speed for aircraft carrying out simulated attacks on Stornoway airport; and what are the regulations concerning the direction of ingress to and egress from the airfield during these attacks.

Mr. Neubert: I refer the hon. Member to the answer I gave him on 9 March 1989 (column *675*).

Energy Consumption

Mr. Dobson: To ask the Secretary of State for Defence if he will give the target reductions for energy consumption in the buildings occupied by his Department.

Mr. Archie Hamilton: The Ministry of Defence has a target of 25 per cent. for the reduction in consumption of

non-operational energy on the Defence estate for the period 1985-86 to 1990-91. The Ministry will also participate in the target reduction on non-operational energy of 15 per cent. over five years set for all Government Departments with effect from 1 April 1990.

Mr. Dobson: To ask the Secretary of State for Defence if he will give the energy consumption, broken down by fuel, of the buildings occupied by his Department, for the latest year available and equivalent figures for each of the armed services.

Mr. Archie Hamilton: Details of operational and non-operational energy consumption by the armed services and the procurement executive for 1988-89 are contained in table 3.6 in volume 2 of the 1990 Statement on the Defence Estimates (Cm. 1022-11). The only figures available for the civil estate are those for electricity and gas for the calendar year 1989.

There are:

Energy Consumption

Electricity	*Gas*
71,803,344 kWhs	1,653,321 therms

RAF Trials

Mr. Macdonald: To ask the Secretary of State for Defence what is the purpose of the trials activity to be conducted by the Royal Air Force central tactics and trials organisation to the west of the Isle of Lewis between 30 April and 4 May; how many and what types of aircraft are involved; what airfield the aircraft will be operating from; and what precautions will be taken to avoid dropping missile or other debris on vessels operating in the extended danger area.

Mr. Archie Hamilton: The purpose of this trial is to assess the capability of United Kingdom air defence assets in the detection of incoming cruise missiles, which will be simulated by television-guided Martel missiles. Buccaneer, Tornado F3, Nimrod, NATO E3A and Shackleton aircraft will take part in the trial, operating from RAF Lossiemouth, Coningsby, Leeming and Kinloss, and from the German air force base at Geilenkirchen. A maximum of 12 aircraft will participate in the trial area at any one time and approximately 60 sorties will be flown over the trial period.

A notice to mariners has been issued advising of the extension to the range danger area, and all proper precautions will be taken to ensure that no vessel is within range of any missile when firing takes place.

Low Flying

Mr. Macdonald: To ask the Secretary of State for Defence if he will make a statement on the outcome of his Department's investigation of a complaint about low flying over Coll, Lewis, on 6 April 1989.

Mr. Neubert: I have nothing further to add to my letter of 19 June 1989 to the hon. Member, a copy of which has been placed in the Library.

Mr. Macdonald: To ask the Secretary of State for Defence if he will make a statement on the recently reported breach of low-flying regulations over St. Kilda by two Tornado aircraft from RAF Leeming.

Mr. Neubert: In September 1989, the National Trust for Scotland complained about unauthorised low-flying military aircraft on 24 and 26 June 1989 over a bird sanctuary on the St. Kilda group of islands. Following an investigation by the Royal Air Force police, appropriate disciplinary action has been taken against the aircrews concerned.

Mr. Macdonald: To ask the Secretary of State for Defence how many complaints about low-flying aircraft were received by his Department in 1988 and in 1989 from addresses in the Western Isles; and how many were found to relate to aircraft operating from Stornoway airport.

Mr. Neubert: The Ministry of Defence received the following numbers of complaints or inquiries about military low flying from addresses in the Western Isles:

	Number
1988	4
1989	21

Complaint records do not generally identify the operating base of the aircraft concerned, but one complaint in 1988 and two complaints in 1989 have been positively identified as relating to military aircraft operating from Stornoway airport.

Near Miss (Stornoway)

Mr. Macdonald: To ask the Secretary of State for Defence if the Nimrod aircraft which was involved in a near miss with a British Airways aircraft near Stornoway on 13 March was participating in exercise Northaxe.

Mr. Neubert: No.

RAF Crash, Berwickshire

Mr. Kirkwood: To ask the Secretary of State for Defence if he will now publish the report on the fatal RAF crash 12 months ago at Fast Castle, Berwickshire.

Mr. Neubert: Yes.

Petrol

Dr. Marek: To ask the Secretary of State for Defence what percentage of vehicles used by his Department currently run on *(a)* leaded petrol and *(b)* diesel.

Mr. Neubert: Information is not available in the form requested. However, within the main vehicle fleets, 56 per cent. of vehicles use diesel fuel and 36 per cent. use leaded petrol. The remaining 8 per cent. are capable of using unleaded petrol.

CIVIL SERVICE

Business Appointments

59. **Mr. Tony Banks:** To ask the Minister for the Civil Service how many business appointments of former civil servants have been approved by the advisory committee in the last year.

Mr. Luce: Twenty-seven in 1989.

Skill Centres

60. **Mr. Cryer:** To ask the Minister for the Civil Service what rules govern the arrangement of civil service buy-outs such as the recent purchase of skill centres.

Mr. Luce: The overall objective is to get the best value for the taxpayer consistent with the avoidance of possible conflicts of interest.

Civil Service Agencies

62. **Mr. Squire:** To ask the Minister for the Civil Service what proportion of the original agency candidates have now been successfully set up as agencies within the civil service.

Mr. Luce: Nine of the original 12 candidates for agency status are among the 30 executive agencies which have now been launched. Work continues on the remaining three candidates.

Civil Service (Duties and Functions)

63. **Mr. Harry Greenway:** To ask the Minister for the Civil Service if he will review the duties and functions of the civil service; and if he will make a statement.

Mr. Luce: Ministers continually review the functions and priorities of their Departments in order to improve efficiency and service to the public.

Trade Unions

64. **Mr. Skinner:** To ask the Minister for the Civil Service what recent discussions he has had with civil service trade union representatives; and if he will make a statement.

Mr. Luce: I refer the hon. Member to the reply I gave earlier to the hon. Member for Derbyshire, North-East (Mr. Barnes).

Civil Service Medical Centre

Mrs. Clwyd: To ask the Minister for the Civil Service whether he has any plans to improve the present method of manually recording treatment of persons by the civil service medical centre; and whether individuals treated by the centre can be supplied with records of past treatment.

Mr. Luce *[holding answer 26 April 1990]:* The only form of treatment provided by the civil service occupational health service (CSOHS) at its clinic in central London is the provision of immunisations and other prophylactic procedures for individuals exposed to specific risks. Each individual is supplied with a personal record of the procedure undertaken but, at present, it is not possible to supply records of past procedures.

A feasibility study is currently being undertaken into the information-recording needs of the service in preparation for introducing a new computer system in 1991-92. This study will address the issue of improving all recording systems in the CSOHS.

The CSOHS became a "next steps" agency at the beginning of April and Dr. George Sorrie, the medical adviser and director, will be pleased to provide information about day-to-day operations of the CSOHS if the honourable Member for Cynon Valley would like to write to him directly.

TRANSPORT

Irradiated Fuel

Mr. McFall: To ask the Secretary of State for Transport (1) if he will ensure that the proposed transportation of irradiated fuel from the Torness nuclear power station will satisfy the current International Atomic Energy Authority series 6 regulations on the emissions of radioactivity from exposed surfaces of the flasks used to carry the irradiated fuel;

(2) if he will name the type of flask to be used for the transport of irradiated fuel from the Torness nuclear power station; and in which way these flasks differ from other varieties of nuclear flasks;

(3) if he will ensure that the current means of transportation of irradiated fuel from Hunterston B nuclear power station and the proposed transport of irradiated fuel from Torness nuclear power station will comply with his Department's requirements.

Mr. Portillo: Irradiated fuel flasks are designed and tested in accordance with the International Atomic Energy Agency's safety series No. 6 and certified for compliance by my Department. Regular compliance audits are carried out at points of departure, transhipment and receipt.

The proposed mark A2 flask, to be used at Torness nuclear power station, is an evolutionary development of the existing mark I AGR fuel flask.

Air Traffic Control

Mr. Macdonald: To ask the Secretary of State for Transport if he will make a statement on the provisions for protection of aircraft flying on advisory routes from other air traffic; and what regulations exist to restrict other aircraft from crossing advisory routes without air traffic control clearance.

Mr. McLoughlin: The statutory responsibility for the safety regulation of United Kingdom civil aviation rests with the Civil Aviation Authority. The CAA discharges its responsibilities in respect of air traffic control through the national air traffic services (NATS), a joint CAA/Ministry of Defence organisation.

I have been informed that air traffic service advisory services have been established offering, in addition to flight information services, a continuous separation service to all participating aircraft. Participation is not compulsory and it has to be emphasised that the advice offered to participating aircraft relates only to known traffic. Pilots of aircraft wishing to cross an air traffic service advisory route should contact the appropriate air traffic services unit before doing so in accordance with the rules of the air. The United Kingdom aeronautical information publication contains details of the advisory airspace within the United Kingdom.

Road Deaths

Mr. Boyes: To ask the Secretary of State for Transport if he will publish a table showing the number of road fatalities in England since 1 October 1989 and for each year from 1980 to 1990.

Mr. Atkins: Following is the table requested for road accident fatalities from 1980 to 1989. No information is yet available for 1990.

Number of road accident fatalities in England: 1980-1990

Year	Killed
1980	4,984
1981	4,896
1982	4,943
1983	4,576
1984	4,754
1985	4,322
1986	4,546
1987	4,349
1988	4,283
[1]1989	4,492
[1,2]1989	1,254

[1]Provisional.
[2]4th quarter.

M1 (Junction 15A)

Mr. Marlow: To ask the Secretary of State for Transport when he expects the contract for junction 15A on the M1 to be let; and when he anticipates it being completed.

Mr. Atkins: The construction of the new junction 15A on the M1 motorway in Northamptonshire is part of the contract for the A43 Blisworth and Milton Malsor bypass.

A £15 million contract for construction of the bypass has been awarded to Calliford Engineering and work started on site on 18 April. Construction is expected to take about two years.

EC Aviation

Mr. Thornton: To ask the Secretary of State for Transport (1) what is his policy on the recent proposal by the European Community Commission to take responsibility on behalf of European Community member states for aviation negotiations with non-European Community countries; and if he will make a statement;

(2) what is his policy towards the application of the liberalisation principles currently being applied to bilateral aviation relations within the European Community to international aviation agreements between the United Kingdom and non-European Community countries; and if he will make a statement.

Mr. McLoughlin: We continue to seek liberal aviation arrangements both bilaterally and within the European Community. At its March meeting, the Council of Transport Ministers agreed in principle that negotiations should get under way with the countries of the European Free Trade Association on a package of civil aviation measures and asked the Commission to produce more specific proposals for this. We are considering the Commission's proposal about responsibility for aviation negotiations with non-EC countries.

Energy Consumption

Mr. Dobson: To ask the Secretary of State for Transport if he will give the target reductions for energy consumption in the buildings occupied by his Department.

Mr. Atkins: The Department of Transport aims to achieve real cost reductions in energy consumption of 5 per cent. per annum over the next five years.

Mr. Dobson: To ask the Secretary of State for Transport if he will give the energy consumption, broken down by fuel, of the buildings occupied by his Department, for the latest year available.

Mr. Atkins: Consumption of energy by the Department of Transport in 1989-90 is calculated to have been:

	Energy consumption
Electricity	32 million kWh
Gas	1·6 million therms
Liquid fuel	240,000 litres
Solid fuel	185 tonnes

Airline Safety

Sir Michael McNair-Wilson: To ask the Secretary of State for Transport (1) what steps he has taken to ensure that all the passengers in an airliner can be successfully evacuated in 90 seconds if the cabin is full of smoke and some of the exits inoperable; and how recently a practical demonstration of evacuation on each of the civil airliners currently on the British register has taken place;

(2) how many of the recommendations relating to airliner safety arising from the fire on a 737 aircraft at Manchester in 1985 have now been made mandatory on British airliners; and if he will list them.

Mr. McLoughlin: The statutory responsibility for the safety regulations of civil aviation within the United Kingdom rests with the Civil Aviation Authority. As my hon. Friend's questions require detailed answers, I have drawn them to the attention of the chairman of the authority and asked him to write to my hon. Friend direct.

Long-haul Flights

Mr. Day: To ask the Secretary of State for Transport what information he has on when the Civil Aviation Authority expects to produce the fourth version of CAP 371 for fixed-wing long-haul and ultra long-haul two-crew operations.

Mr. McLoughlin: I am advised by the Civil Aviation Authority, which has the statutory responsibility for the safety regulation of United Kingdom civil aviation, that it is currently examining the results of tests and research conducted by several nations into the effects of long-haul two-crew operations. When these tests have been fully analysed, the Civil Aviation Authority will make any necessary changes to the provisions contained in CAP 371 covering such flights.

Jump Seats

Mr. Ernie Ross: To ask the Secretary of State for Transport (1) when he last met his European partners to discuss the use of jump seats on tourist buses; and if he will make a statement;

(2) whether he will introduce legislation to ban jump seats on tourist buses.

Mr. Atkins *[holding answer 26 April 1990]:* British requirements for folding crew seats are similar to those in other European countries. This Department is involved closely in the current European Commission work on a draft directive to cover all safety aspects relating to bus and coach construction, including these seats. It would be premature for Ministers to discuss appropriate EC requirements before the technical work is complete.

DUCHY OF LANCASTER

Energy Consumption

Mr. Dobson: To ask the Chancellor of the Duchy of Lancaster (1) if he will give the target reductions for energy consumption in the buildings occupied or owned by the Duchy of Lancaster;

(2) if he will give the energy consumption, broken down by fuel, of the buildings occupied or owned by the Duchy of Lancaster, for the latest year available.

Mr. Kenneth Baker: The principal building which is both owned and occupied by the Duchy, and which houses their administrative staff, is at Lancaster place. Heating for this building, which comprises the main form of energy used, is supplied on a fixed cost basis from a circuit linked to an adjoining building. The amount of energy and type of fuel consumed is not within the Duchy's control.

Other buildings owned by the Duchy are leased to occupiers who are responsible for meeting their own costs of energy consumption. It would not be appropriate for the Duchy to set energy consumption targets, or to seek a breakdown of fuel consumed.

THE ARTS

P G Wodehouse Memorial Library

29. **Mr. Gerald Bowden:** To ask the Minister for the Arts when he next plans to visit the P G Wodehouse memorial library at Dulwich college to discuss support for cultural commemorations.

Mr. Luce: I shall be visiting the P G Wodehouse memorial library tomorrow. P G Wodehouse made a unique contribution to the literature of this country.

Arts, South-West

32. **Mr. Matthew Taylor:** To ask the Minister for the Arts what representations he has received about arts in the south-west.

Mr. Luce: I visited Plymouth on 9 February and met many representatives of the arts in the south-west. I was able to see at first hand the thriving arts scene they have created.

Library Association

33. **Mr. John Marshall:** To ask the Minister for the Arts when he last met the chairman of the Library Association; and what was discussed.

Mr. Luce: I last met the president of the Library Association on 18 April and discussed matters of concern to the Library Association and other issues of mutual interest.

National Companies

34. **Mr. Chris Smith:** To ask the Minister for the Arts what information he has on the current financial circumstances of the national companies.

Mr. Luce: I have nothing to add to the reply I gave to the hon. Member on 5 March, column *480*.

Arts Companies (Trading Deficits)

35. **Mr. Tony Banks:** To ask the Minister for the Arts what information he has on the number of Arts Council clients who are currently in deficit.

40. **Dr. Marek:** To ask the Minister for the Arts what representations he has received about the number of arts companies currently trading in deficit.

52. **Dr. Kim Howells:** To ask the Minister for the Arts what representations he has received about arts companies which are in current deficit.

Mr. Luce: I understand that arts organisations funded directly by the Arts Council were expected to have accumulated deficits of some £12·7 million, or 6 per cent. of total turnover, by the end of March. This figure conceals a wide variation in the performance of individual organisations.

European Community

36. **Mr. Knapman:** To ask the Minister for the Arts how he intends to spread British culture into the European Community.

Mr. Luce: Lead responsibility for the promotion of British culture overseas rests with the British Council which launched last autumn its "Britain in Europe" initiative to encourage commercial sponsorship of visits to Europe by leading British arts organisations. The Arts Council is also actively exploring the new opportunities for artistic interchange which 1992 will bring.

I am confident that the excellence of many British performers and companies will continue to be recognised in Europe and recently had the pleasure of showing to my EC colleagues some of the range and distinction of Glasgow's cultural provision during its inauguration celebrations as EC city of culture.

Liverpool Theatres

37. **Mr. Wareing:** To ask the Minister for the Arts what representations he has received on the financial circumstances of the Liverpool Playhouse theatre and Everyman theatre.

Mr. Luce: I understand that the Arts Council is continuing to work closely with Liverpool city council to ensure a satisfactory solution to the problems facing these two theatres.

Arts Funding

38. **Mr. Maclennan:** To ask the Minister for the Arts what additional resources he will make available to the arts consequent upon his proposed restructuring of their funding in England.

Mr. Luce: I expect changes in the structure of arts funding that I have announced to be achieved within the Arts Council's existing financial allocation. There will, of course, be an appropriate transfer of resources from the Arts Council to the regional arts board as clients are devolved.

Museums and Galleries

39. **Mr. Conway:** To ask the Minister for the Arts what provision he is making for the refurbishment and repair of museums and galleries.

Mr. Luce: I have earmarked £180 million over the next three years for the building and maintenance programmes at the national museums and galleries which I sponsor.

Welsh Arts Council

41. **Dr. Thomas:** To ask the Minister for the Arts whether he has any proposals for the restructuring of the Welsh Arts Council.

Mr. Luce: No, but I shall be considering with my Welsh and Scottish colleagues whether the Welsh and Scottish Arts Councils need to be brought within the new planning and monitoring arrangements that I have proposed for the English regions.

Arts, East Midlands

42. **Mr. Vaz:** To ask the Minister for the Arts if he will make a further statement on funding for the arts in the east Midlands.

Mr. Luce: I have nothing to add to the answer I gave to the hon. Member on 12 February 1990, columns *15-16*.

Works of Art (Public Viewing)

43. **Mr. Bowis:** To ask the Minister for the Arts what contribution the private sector can make to preserve important works of art for public viewing.

Mr. Luce: The Government firmly believe in the partnership between private and public sectors in the preservation of our nation's heritage. There are many ways in which the private sector, whether corporations or private individuals, may contribute to the preservation of important works of art in this country. Sponsorship and generous private patronage of our museums and galleries has already made a significant contribution to the acquisition, conservation and display of important works of art. Those who are fortunate enough to own such works of art may offset them against capital taxation by either offering them to the nation in lieu of tax or to a national institution by means of a private treaty sale. Similar benefits to both the nation and the individual or corporate giver will accrue from cash gifts to arts charities with the establishment of gift aid as announced by my right hon. Friend the Chancellor of the Exchequer in his Budget statement. I am confident that the introduction of this concession will further encourage both corporate and private giving to museums and galleries and fine arts charities such as the national art collections fund as well as more generally to a range of other arts bodies.

53. Mr. Wood: To ask the Minister for the Arts what steps he is taking to encourage public access to important works of art held in private hands.

Mr. Luce: I actively encourage public access to privately owned works of art by facilitating the lending of such works for public exhibition through the Government indemnity scheme. This scheme, by removing the substantial cost of insurance, not only makes it possible for institutions around the country to stage exhibitions which often include the cream of private collections but enables the long-term loan of privately owned items to institutions which can then display them in their galleries.

Arts Council

44. **Mr. Jessel:** To ask the Minister for the Arts when he is next due to meet the chairman of the Arts Council.

Mr. Luce: I meet the chairman regularly to discuss matters of mutual interest.

50. **Mr. Hardy:** To ask the Minister for the Arts if he will make further funds available to the Arts Council to enable it to assist the local authorities which have now been subject to capping of the community charge to maintain support for libraries, museums and cultural activities.

Mr. Luce: It is up to local authorities to decide how much to spend on the arts.

Public Libraries

45. **Ms. Mowlam:** To ask the Minister for the Arts what information he has on the current level of expenditure on public library services.

48. **Ms. Walley:** To ask the Minister for the Arts what information he has on the current level of expenditure on public library services.

Mr. Luce: Information on the current level of expenditure on public library services is not held centrally. The latest figures available show that expenditure by 100 authorities in England totalled £495·2 million in 1988-89. This indicates a real terms increase of 4·3 per cent. over expenditure by 106 authorities in 1978-79.

47. **Mr. Battle:** To ask the Minister for the Arts whether he plans to meet the Library Association to discuss the level of funding for public library authorities.

Mr. Luce: I met the president of the Library Association on 18 April. Our discussions covered a wide range of library interests. The question of funding for public library authorities was not raised. It is a matter for individual local authorities.

Business Donations

46. **Mr. Boswell:** To ask the Minister for the Arts whether there have been any donations from the private or corporate sector to assist with the refurbishment of public buildings under his control.

Mr. Luce: I recently announced the establishment of the museums and galleries improvement fund, a joint initiative between the Wolfson charities and Government. The fund will have an annual budget of £4 million for the next three years for the refurbishment of galleries in United Kingdom public museums and galleries. I greatly welcome this exciting initiative.

National museums and galleries have attracted substantial support from business and private sources towards the refurbishment of their buildings. The following are recent major donations (over £0·5 million):

Sponsor	Amount (£ million)	Museum/Gallery	Purpose
MEPC	1·0	Sir John Soane's Museum	Repairs to fabric of the building
Clore Foundation	6·0	Tate Gallery	New Clore Gallery housing The Turner bequest (opened 1987)
Sainsbury Brothers	Substantial sum	National Gallery	New Sainsbury Wing (due open Spring 1991)
Walter Annenberg	$5·0	National Gallery	Refurbishment of Impressionist Rooms
Nomura Securities Ltd.	1·5	Tate Gallery	Refurbishment work
Mr. T. T. Tsui	1·25	Victoria and Albert	New Chinese Gallery
Mr. Wohl	0·75	National Gallery	Refurbishment of Room 9
Benefaction from the late Sir John Addis	0·66	British Museum	Islamic Gallery (opened June 1989)
Sainsbury Family	0·85	Science Museum	New Food For Thought Gallery (opened October 1989)

Repertory Theatres

49. **Mr. Flannery:** To ask the Minister for the Arts what information he has on the number of repertory theatres currently facing financial deficits.

Mr. Luce: I understand that building-based drama companies operating outside London and funded by the Arts Council were projected to have an accumulated deficit of some £1·47 million by the end of March. This represents about 4·4 per cent. of their annual turnover and conceals a wide variation in the performance of individual companies.

Budget Statement

51. **Mr. Squire:** To ask the Minister for the Arts how he intends to inform the general public how they can benefit arts institutions following the last Budget.

Mr. Luce: The introduction by the Chancellor of the gift aid incentive to charitable giving provides a most welcome opportunity for the arts to raise even more resources from individuals and the private sector. The Arts Council and the Museums and Galleries Commission intend to publicise the new arrangements.

Acceptance in Lieu

Mr. Faulds: To ask the Minister for the Arts what is the total amount of tax satisfied consequential on the acceptance of objects and property in lieu of inheritance tax and capital transfer tax which have been covered in the public accounts by means of resort to the Reserve in respect of the five financial years since the written answer on 26 July 1985 on behalf of the then Minister for the Arts, *Official Report*, column *779;* and if he will indicate the average annual figure which would arise from a breakdown of the total amount.

Mr. Luce: The amount of tax satisfied by means of resort to the Reserve in the last five financial years is listed in the table. Due to underspends in each financial year on the annual provision of £2 million provided jointly by my Department and that of my right hon. Friend the Secretary of State for the Environment for the acceptance in lieu of objects and property, the amount actually spent from the Reserve was less than the original call. I list the actual money spent from the Reserve from the hon. Member's information.

Year	Amount of tax Satisfied/Call on the Reserve £	Amount actually spent from the Reserve £
1985-86	520,000·00	366,707·00
1986-87	1,165,000·00	947,842·00
1987-88	7,338,444·00	6,627,464·00
1988-89	5,584,692·88	4,719,816·88
1989-90	9,977,898·00	9,513,768·05
Total	24,586,034·88	22,175,597·93
Annual average	4,917,207·00	4,435,120·00

NATIONAL FINANCE

Local Government Finance

Mr. Holt: To ask the Chancellor of the Exchequer what was the total cost of local government as a proportion of gross domestic product in *(a)* 1960, *(b)* 1970, *(c)* 1979, *(d)* 1985, *(e)* 1989 and *(f)* 1990.

Mr. Lilley: The importance of local government within the economy is generally measured on the basis of their expenditure. Such expenditure as a percentage of GDP, using definitions consistent with the information contained in the financial statement and Budget report, is given in the table.

Local authority expenditure[1] as a percentage of GDP

	Per cent.
1960	9¼
1970	13¼
1979	12½
1985	11¼
1989	10½
1990-91[2]	11

[1] Current expenditure on goods and services, current grants and subsidies, interest, capital expenditure and net lending.

[2] FSBR forecast. If the effect of the abolition of domestic rates on the measure of GDP is excluded the figure becomes 10¾ per cent.

Corporation Tax

Mr. Nicholas Brown: To ask the Chancellor of the Exchequer if he will estimate the total of capital allowances claimed by companies in respect of *(a)* scientific research and *(b)* patents and know-how, and the corporation tax forgone as a result of such claims, giving the most recently available information.

Mr. Lilley: Allowances for scientific research are tentatively estimated to be in the region of £1¼ billion in

1988. Fully used to reduced corporation tax liability, the cost to the Exchequer would be about £½ billion. No estimate can be made for patents and know-how.

Unit Labour Costs

Mr. Neil Hamilton: To ask the Chancellor of the Exchequer if he will set out in tabular form for the period 1980 to 1990, for the United Kingdom, France and Italy, the change in unit labour costs and the change in currency parities expressed as a percentage against German unit labour costs and the value of the deutschmark.

Mr. Ryder: The table shows indices of EC and CSO estimates of relative unit labour costs (whole economy), expressed in a common currency (deutschmark), for the years since 1980 for which complete data are available.

	United Kingdom (CSO)	*France*	*Italy*	*Germany*
1980	100·0	100·0	100·0	100·0
1981	115·0	104·1	108·9	100·0
1982	107·2	99·9	111·0	100·0
1983	100·3	98·1	119·4	100·0
1984	101·5	100·3	124·3	100·0
1985	104·4	103·7	125·7	100·0
1986	89·3	98·8	122·1	100·0
1987	84·2	94·1	121·1	100·0
1988	95·1	93·6	124·7	100·0

These figures have been derived using whole economy unit labour cost indices as published by the European Commission in "European Economy, November 1989" by the CSO in "Monthly Digest of Statistics", and from the nominal bilateral exchange rates published by the IMF in "International Financial Statistics".

Mr. Nicholas Bennett: To ask the Chancellor of the Exchequer what information he has as to percentage changes in unit labour costs in each European Community country and percentage changes in each European Community country's exchange rate against the deutschmark in the past five years.

Mr. Ryder *[holding answer 26 April 1990]:* The table shows indices of EC and CSO estimates of relative unit labour costs (whole economy), expressed in a common currency (deutschmark), for the latest five years for which complete data are available.

Indices, 1980 = 100

	1984	*1985*	*1986*	*1987*	*1988*
United Kingdom (CSO)	101·5	104·4	89·3	84·2	95·1
Germany	100·0	100·0	100·0	100·0	100·0
France	100·3	103·7	98·8	94·1	93·6
Italy	124·3	125·7	122·1	121·1	124·7
Netherlands	92·7	91·4	90·7	90·2	90·1
Belgium	88·1	90·8	89·6	86·6	85·7
Luxembourg	87·6	87·8	86·5	87·7	88·4
Denmark	101·0	103·8	101·4	107·9	111·7
Greece	127·5	127·8	101·8	95·9	102·9
Ireland	111·6	115·1	110·0	101·2	100·9
Spain	94·3	95·6	90·6	88·8	95·9
Portugal	101·0	105·0	96·6	93·1	97·0

These figures have been derived using the whole economy unit labour costs indices published by the EC in "European Economy, November 1989" and by the CSO in "Monthly Digest of Statistics", and from the nominal bilateral exchange rates published by the IMF in "International Financial Statistics".

Minimum Reserves

Mr. Allen: To ask the Chancellor of the Exchequer if he will list the European countries which operate minimum reserve requirements; and what they are in each case.

Mr. Ryder: Minimum reserve requirements in the main European countries are as follows:

Austria:
Between 9 per cent. and 4½ per cent. of sight, time and savings deposits in Schillings, certain securities issues, net foreign exchange position.

Belgium:
Not used currently.

Denmark:
No compulsory reserve requirements.

Federal Republic of Germany:
Between 6·6 per cent. and 12·1 per cent. on residents sight deposits. 12·1 per cent. on non-resident sight deposits. 4·95 per cent. on time deposits and 4·15 per cent. on savings deposits.

France:
5·5 per cent. on sight deposits, 3 per cent. on time deposits.

Greece:
A primary reserve requirement of 8 per cent. on drachma and foreign currency deposits.

Ireland:
A liquidity ratio of 10 per cent. of banks' current and deposit account liabilities to non-bank residents plus net interbank funding on the domestic market plus net external liabilities.

Italy:
25 per cent. of the monthly increase in deposits in excess of the growth of capital and reserves, up to a maximum of 22·5 per cent. of the level.

Luxembourg:
Not used.

Netherlands:
The money market cash reserve requirement varies with conditions in the money market. Until 2 May it is between 1¾ per cent. and 3¼ per cent. of guilder and foreign currency short-term deposit liabilities plus 25 per cent. of all other liabilities.

Portugal:
17 per cent. of eligible liabilities (private sight, notice and time deposits in escudos and foreign currency deposits held by residents or emigrant workers).

Spain:
5 per cent. of sight, time and savings deposits, plus securitised bank liabilities held by domestic non-banks in Peseta.

Switzerland:
Not used.

United Kingdom:
Not used for purposes of monetary control.

Energy Consumption

Mr. Dobson: To ask the Chancellor of the Exchequer if he will give the target reductions for energy consumption in the buildings occupied by his Department.

Mr. Ryder: The target reduction for energy consumption in Her Majesty's Treasury is a cumulative 1½ per cent. per annum saving over five years. Reductions in individual buildings may vary from this norm.

Mr. Dobson: To ask the Chancellor of the Exchequer if he will give the energy consumption, broken down by fuel, of the buildings occupied by his Department, for the latest year available.

Mr. Ryder: The information, which covers major offices only, is as follows:

	Gas '000 therms	*Electricity '000 kWh*	*Solid/liquid fuel '000 litres*
Government Offices, Great George Street, London SW1	169	3,341	42
Chessington Computer Centre, Surrey	71	935	97
Alencon Link, Basingstoke, Hampshire	1	100	24
Grosvenor House, Basingstoke, Hampshire	6	53	—
Riverwalk House, London SW1	57	1,449	—

All figures reflect consumption in calendar year 1989.

Recycling

Mr. Simon Hughes: To ask the Chancellor of the Exchequer if he will make it his policy to zero-rate, for the purposes of value added tax, recycled paper and cardboard; and if he will make a statement.

Mr. Ryder: No.

Arms Exports

Mr. Cryer: To ask the Chancellor of the Exchequer, if he will make a statement on the prosecutions to be undertaken for breach of regulations prohibiting the sale of arms with reference to the seized gun components destined for Iraq.

Mr. Ryder *[holding answer 23 April 1990.]* One person has been charged in connection with these export consignments. Customs and Excise is continuing to make inquiries to see whether firms or other individuals have committed offences in the United Kingdom. The disclosure of any further information than this may prejudice any subsequent proceedings.

European Monetary System

Mr. Fearn: To ask the Chancellor of the Exchequer, pursuant to his reply to the hon. Member for Southport of 18 April, what form the representations from British industry regarding British entry into the ERM of the EMS took; and how many were in support of British entry and how many against.

Mr. Ryder *[holding answer 24 April 1990]:* My right hon. Friend has received several written representations from British industry indicating support for sterling's entry into the exchange rate mechanism of the European monetary system.

Taxation

Mr. Kirkwood: To ask the Chancellor of the Exchequer if he will apply the formula used in his reply to the hon. Member for Oldham, West (Mr. Meacher) of 4 April 1989, *Official Report*, columns 7-8, to those on 1989-90 incomes of £6,000, £12,000, £18,000, £24,000, £30,000, £36,000 and £42,000 to indicate aggregate tax gain or loss since 1979 for *(a)* a single man, *(b)* a man with no children and *(c)* a married man with two children.

Mr. Lilley *[holding answer 24 April 1990]:* The information is in the table which shows the additional liability to income tax in 1989-90 if the 1978-79 regime had been indexed for inflation and applied to the individuals specified.

Increase in 1989-90 in income tax under 1978-79 indexed regime

Earnings £ per annum	*Single person £ per annum*	*Married man £ per annum*
6,000	286·30	264·70
12,000	766·30	744·70
18,000	1,246·30	1,224·70
24,000	1,916·05	1,841·55
30,000	2,538·55	2,476·05
36,000	3,716·05	3,538·80
42,000	5,332·30	5,079·30

Note: Calculations assume no other source of income and no reliefs or allowances other than the appropriate personal allowance. Child tax allowances in 1978-79 are excluded from the calculations as they were being phased out.

EMPLOYMENT

Benefits

Mr. Worthington: To ask the Secretary of State for Employment whether any cuts have been imposed on the youth training and employment training benefits for Scotland in 1990-91.

Mr. Nicholls: No.

Gas Containers

Dr. Thomas: To ask the Secretary of State for Employment if he will make a statement on the improved health and safety to the public and workers expected to accrue from the recently introduced pressure systems and transportable gas containers regulations; and what information is being made available, in what numbers, and to whom, arising from these regulations.

Mr. Nicholls: The following information is generally available on the regulations:

The Pressure Systems and Transportable Gas Containers Regulations 1989: (S.I. 1989 No. 2169), HMSO, ISBN 0 11 098169 3, £3·40, (11,000 copies printed).

Safety of Pressure Systems: Approved Code of Practice, COP 37, HMSO, ISBN 0 11 885514 X, £4·50, (6,000 copies printed and a further 10,000 copies are currently being printed).

Safety of Transportable Gas Containers: Approved Code of Practice, COP 38, HMSO, ISBN 0 11 885515 8, £4·00, (9,700 copies printed).

A Guide to the Pressure Systems and Transportable Gas Containers Regulations 1989: HS(R) 30, HMSO, ISBN 0 11 885516 6, £4·50, (10,000 copies printed).

Safe Pressure Systems: IND(S)27(L), free (50,000 copies printed).

A further free leaflet will be available later in the year giving guidance on competent persons as defined in the regulations. Copies of the free leaflets are available on request from any of the following Health and Safety Executive public inquiry points:

Broad Lane, Sheffield, S3 7HQ
Telephone: 0742 752539

St. Hugh's House, Stanley Precinct,
Trinity Road, Bootle, Merseyside L20 3QY
Telephone: 051 951 4381

Baynards House, 1 Chepstow Place,
Westbourne Grove, London W2 4TF
Telephone: 071 221 0870

The other publications are obtainable through booksellers or from HMSO publications centre, PO Box 276, London SW8 5DT (Telephone: 071 873 9090).

The regulations are to be introduced over the next four years and it is therefore too early to assess their impact.

Hazardous Substances

Dr. Thomas: To ask the Secretary of State for Employment if he will make a statement on the effectiveness of the implementation of paragraphs 77 and 78 of the approved code of practice in regard to the surveys conducted under the Control of Substances Hazardous to Health Regulations 1988.

Mr. Nicholls: The Control of Substances Hazardous to Health Regulations (COSHH) came into force on 1 October 1989 and their implementation is being monitored by the Health and Safety Executive (HSE). It is too early for the HSE to comment on the effectiveness of paragraphs 77 and 78 of the COSHH approved code of practice.

Advisory Committee on Women's Employment

Mr. Leighton: To ask the Secretary of State for Employment how many meetings the Department's advisory committee on women's employment held in 1989; and what subjects were discussed.

Mr. Nicholls: The advisory committee on women's employment which I chair held three meetings in 1989. The topics discussed include child care, labour retention and attraction, importance of women and family friendly policies, the employment of women in rural areas and women and public appointments.

Equal Pay Appeals

Mr. Leighton: To ask the Secretary of State for Employment what steps he intends to take to shorten the time taken through the employment appeal tribunal procedure for equal pay for equal value cases to be dealt with.

Mr. Nicholls: Appeals to the employment appeal tribunal in equal pay cases come to a hearing in the same time as other cases and there is no reason for such appeals to be given precedence. However, the Government are concerned to remedy any unreasonable delays and after consultation with the Lord Chancellor and the senior judiciary it has now been agreed that additional judge time will be provided. This should enable the employment appeal tribunal to reduce the time taken for all cases.

Bronchitis and Emphysema

Mr. Strang: To ask the Secretary of State for Employment what response has been made by the Health and Safety Executive to the letter from the Industrial Injuries Advisory Council recommending further research into bronchitis and emphysema following the council's 1988 report, Cm. 379.

Mr. Nicholls: The chairman of the Health and Safety Commission replied to the chairman of the Industrial Injuries Advisory Council on 16 June 1988, expressing sympathy with the council's viewpoint that further research should be conducted into non-smoking, dust-exposed workers and giving details of the Health and Safety Executive's studies on dust problems.

Mr. Strang: To ask the Secretary of State for Employment what studies have been carried out into bronchitis and emphysema among steelworkers and non-smokers since 1988.

Mr. Nicholls: I am unaware of any studies which have been carried out into bronchitis and emphysema among steelworkers and non-smokers since 1988. There is an on-going programme of research supported through the independent scientific committee on smoking and health that includes assessments of the prevalence of bronchitis among non-smokers as well as smokers. Some of the relevant studies were completed during 1988-89 and findings will be published in the scientific literature.

Health and Safety

Mr. Strang: To ask the Secretary of State for Employment how many prosecutions were brought in a magistrates court for health and safety offences for each year since 1974; and how many of these resulted in a conviction.

Mr. Nicholls: The information is available in the form requested only for 1988-89. In that year, provisional figures show that in England and Wales HSE's factory and agricultural inspectorates laid a total of 1,990 informations in magistrates courts and that 1,798 of these resulted in a conviction.

Mr. Strang: To ask the Secretary of State for Employment how many prosecutions were brought in courts other than a magistrates court for health and safety offences for each year since 1974; how many of those

resulted in a conviction; what was the average fine in each year; and how many custodial sentences were awarded in each year.

Mr. Nicholls: The information about courts other than magistrates courts in England and Wales is available in the form requested only for the year 1988-89. For Scotland, separation of summary and solemn procedure hearings could be done only at disproportionate cost. Factory and agricultural inspectorates are given in the table. Since 1974 two HSE prosecutions have resulted in suspended custodial sentences.

Type of court	*Informations laid*	*Convictions*	*Average fine per conviction* £
Crown	66	56	2,145

Mr. Strang: To ask the Secretary of State for Employment what was the maximum fine available to magistrates for health and safety offences in each year since 1974; on how many occasions each year the maximum was awarded; and what was the average fine each year.

Mr. Nicholls: The vast majority of health and safety offences can attract the maximum fine specified in section 33 of the Health and Safety at Work etc. Act 1974 (HSWA). The remainder (which are of a minor nature) attract a variety of lesser maxima.

The maximum fine available to magistrates for offences described in section 33 of HSWA was initially £400. The Criminal Law Act 1977 raised it to £1,000. In 1984 it was further increased to £2,000 by the Criminal Penalties Increase Order.

Provisional figures from HSE's factory and agricultural inspectorates show that in 1988-89 45 informations attracted the maximum fine of £2,000 from magistrates. For the same year the average fine for convictions in magistrates courts was £505. In earlier years it is not possible to distinguish the level of fine in magistrates courts from that in all courts. The table shows the average level of fine in all courts since 1975:

Prosecution action taken by HSC/E Enforcing Authorities (excluding local authorities), 1975-1988-89[1]

Date of hearing	*Average fine per conviction (£)*
1975	[2]81
1976	[2]94
1977	[2]105
1978	[2]134
1979	[3]184
1980	[3]180
1981	[3]189
1982	[4]233
1983	252
1984	313
1985	436
1986-87	410
1987-88	[5]792
[1]1988-89	547

[1] Provisional
[2] Her Majesty's Factory Inspectorate only
[3] HSE's Factory and Agricultural Inspectorates only
[4] HSE's Factory, Agricultural and Mines and Quarries Inspectorate only
[5] Includes fines totalling £750,000 imposed against BP. If these convictions are excluded the average fine for 1987-88 would be £427

Restart

Mr. McLeish: To ask the Secretary of State for Employment (1) if he will list the restart menu options and indicate which of them involves the client leaving the claimant count;

(2) how many restart interviews were conducted in the period July 1986 to June 1989; what numbers were referred to each menu option; what numbers actually took up their referral; what numbers were referred to the unemployment benefit service for *(a)* non-attendance at interview, *(b)* non-availability and *(c)* refusal of suitable employment; and, of the latter three groups, what number had their benefit suspended or withdrawn, for Great Britain and each of the standard regions.

Mr. Eggar: The employment service, which is responsible for the restart programme, became an executive agency on 2 April 1990. Mr. Mike Fogden, the employment service agency's chief executive, will be replying in writing to the hon. Gentleman.

Energy Consumption

Mr. Dobson: To ask the Secretary of State for Employment if he will give the target reductions for energy consumption in the buildings occupied by his Department.

Mr. Eggar: The Department is committed to a target for energy savings (temperature and price corrected) of 15 per cent. over a five-year period commencing on 1 April 1990.

Mr. Dobson: To ask the Secretary of State for Employment if he will give the energy consumption, broken down by fuel, of the buildings occupied by his Department, for the latest year available.

Mr. Eggar: Figures for energy consumption are available only by cost. For the year ending 31 March 1989 the energy expenditure of the Department was as follows:

Fuel	*Expenditure (£ millions)*
Electricity	5·917
Gas	2·905
Other	0·578
Total	9·400

Factory Inspectorate

Mr. Strang: To ask the Secretary of State for Employment if he will place in the Library a copy of the review carried out by the Health and Safety Executive internal audit section and the Treasury staff inspection division decision on Her Majesty's factory inspectorate.

Mr. Nicholls: No. The review is a confidential management document.

Employment Service

Mr. David Porter: To ask the Secretary of State for Employment if he has approved the employment service's operational plan for 1991-92; and if he will make a statement.

Mr. Eggar: My right hon. and learned Friend has approved the plan and placed copies in the Libraries of the

House. The plan sets out the ways in which the employment service intends to meet the targets he has set for it in the annual performance agreement which was published on 2 April. The plan also sets out how the business of the employment service is expected to develop over the next three years and shows how the employment service intends to improve the efficiency and quality of its services to the public.

Public Expenditure

Mr. McLeish: To ask the Secretary of State for Employment if he will list those organisations consulted on the reduction in public expenditure in the gross cost per trainee week.

Mr. Nicholls *[holding answer 23 April 1990]:* None.

SCOTLAND

Fish Farming Advisory Committee

Mr. Wilson: To ask the Secretary of State for Scotland if he will list the members of his fish farming advisory committee, the dates and venues of its meetings since being established; and if he will make a statement on its work so far.

Lord James Douglas-Hamilton: My right hon. and learned Friend has appointed the hon. Lord Grieve VRD, QC, MA, LLB as chairman of the fish farming advisory committee and Professor G. Dunnet as vice-chairman. The membership is made up as follows: Mr. J. A. MacAskill, Highlands and Islands development board; Dr. J. Francis, Nature Conservancy Council; Mr. D. Campbell, Countryside Commission for Scotland; the councillor for the appropriate area of Highland regional council; Messrs I. McLennan and A. Graham, Western Isles islands council; Mr. D. McKerrell, Argyll and Bute district council; Mrs. J. Crichton, Orkney islands council; Mr. T. Kelly, Department of Agriculture and Fisheries for Scotland; Mr. D. Buchanan, Highland river purification board and Mr. D. Hammerton, Clyde river purification board. Representatives of other statutory bodies may be invited as necessary.

The committee met over 19 and 20 March 1990 in the Fort William area to discuss procedural matters. The committee has been established at the Secretary of State's request by the Crown Estate to advise commissioners on applications for sea bed leases which have given rise to unresolved objections by any of the bodies represented on the committee. The committee stands ready to consider any such cases.

Peat

Ms. Walley: To ask the Secretary of State for Scotland if he will ban all use of peat by his Department; whether he will formulate a national peatlands conservation policy; and if he will make a statement.

Lord James Douglas-Hamilton: The hon. Member will no doubt be pleased to note that whenever appropriate, alternatives to peat are already used by Scottish Office. We will carefully consider extending the use of peat alternatives; but it is considered premature at this stage to ban the use of peat completely.

The Government are conscious of the nature conservation importance of the peatlands of Great Britain and are aware of the concerns expressed about the conflicts between peat extraction and the nature conservation interests. We believe that the best way of dealing with the complex issues raised is within the established planning and conservation framework.

Lead Plumbing

Mr. Andrew Welsh: To ask the Secretary of State for Scotland if he will estimate for each district and islands council *(a)* the number of houses which have whole or partial lead plumbing and *(b)* the total cost at current prices of replacing all lead plumbing in the affected houses together with separate estimates for (i) the private sector, (ii) the public sector, (iii) housing associations and (iv) new towns and Scottish Homes.

Lord James Douglas-Hamilton: I am unable to provide such estimates at present. The responsibility for monitoring the condition of houses in Scotland rests with local authorities for houses in their districts and with Scottish Homes and new town development corporations for houses in their ownership. The Scottish Development Department has however asked those bodies for their estimate of the number of houses with whole or partial lead plumbing and their estimate of the cost of replacing it. Many returns have yet to be received; and I will write to the hon. Member when the information is complete.

Sea Lice

Mr. Dalyell: To ask the Secretary of State for Scotland what consideration his Department's experts are giving to Norwegian experiments to eliminate the use of Nuvan in dealing with problems of sea lice.

Mr. Lang: Information on the use of gold sinny wrasse as "cleaner fish" to remove sea lice from farmed salmon was given in my replies to the hon. Member on 22 January and on 13 November last year.

Scientists in Norway are also working on the use of a natural insecticide, pyrethrin, which is found in chrysanthemum flowers, to control sea lice infestation in farmed salmon. The method employed involves mixing a crude extract of pyrethrin with oil which is poured on to the top of the water in fish cages. Details of the treatment regime, method of recovery and fate of the oil are required before a detailed environmental impact assessment can be made.

Scientists at the Department of Agriculture and Fisheries for Scotland's marine laboratory continue to take an active part in research to develop alternative treatments for sea lice infestation, and to monitor work being carried out elsewhere.

Forestry

Mr. Ron Davies: To ask the Secretary of State for Scotland when the Government intend to respond to the report of the Select Committee on Agriculture on forestry.

Lord James Douglas-Hamilton: The Government have responded to the Select Committee's report. It is expected that the Committee will publish this response before the end of May.

Bed-and-Breakfast Businesses

Mr. Home Robertson: To ask the Secretary of State for Scotland what is his estimate of the number of bed-and-breakfast businesses which were assessed for non-domestic rates for 1989-90; and what proportion of the total of such businesses were so assessed in each region and islands area.

Lord James Douglas-Hamilton: The information requested is not available centrally. We are aware that there have been differences in the criteria adopted by regional assessors in deciding whether a bed-and-breakfast establishment should be entered on the valuation roll. In order to ensure a consistent approach in the future, we propose to clarify in legislation the boundary between domestic and non-domestic in the case of bed-and-breakfast establishments. We have been consulting interested parties on our proposals, and are now studying the many responses received before bringing forward appropriate regulations to limit the liability for non-domestic rates to those establishments clearly being run as a business.

Waste Disposal

Mr. Andrew Welsh: To ask the Secretary of State for Scotland if, pursuant to his answer to the hon. Member for Angus, East on 24 April on waste disposal sites, he will consider introducing a national register of landfill sites; and if he will make a statement.

Lord James Douglas-Hamilton: District and islands councils in Scotland are the competent authorities with respect to waste management. Each council is required by law to have at its principal office a register containing copies of all current waste disposal licences issued by the council. Accordingly, we have no plans to introduce a national register of landfill sites.

Mr. Andrew Welsh: To ask the Secretary of State for Scotland if he will list the research and development projects currently being undertaken into waste disposal by his Department and other agencies, listing the cost and number of people employed in each project.

Lord James Douglas-Hamilton: Research into waste disposal management and practices is normally commissioned by the DOE on a United Kingdom basis. Details of the work currently under way were given in a reply to my hon. Friend the Member for Devizes (Sir C. Morrison) on 23 April 1990 at columns *2-4*. Nevertheless, in order to investigate a particular issue within Scotland we recently contributed £15,000 towards the cost of a study into waste arising in central Scotland being carried out by the SDA.

Mr. Andrew Welsh: To ask the Secretary of State for Scotland if he will list the operational waste disposal sites which have been identified by the hazardous waste inspectorate in 1989 as having the potential to generate methane gas.

Lord James Douglas-Hamilton: In 1988, the Department asked district and islands councils to identify all sites in their areas which had received biodegradable (potentially methane-generating) waste since 1960. They identified 520 such sites, of which 216 were operational. In February 1989, the authorities were urged by the Department to monitor and take appropriate action at all the sites in accordance with guidelines contained in waste management paper No. 27, "The Control of Landfill Gas".

In view of the limited information available from the survey and the need for further work by the authorities to confirm the extent of any landfill gas problems, it would be inappropriate to publish details of the sites. However, a follow-up survey to review progress will be undertaken shortly, and I expect an appropriate summary to be available in due course.

Contaminated Land

Mr. Andrew Welsh: To ask the Secretary of State for Scotland, pursuant to his answer on 23 April, *Official Report*, column *59*, what steps his Department will take to identify the risk of contamination in those 58 per cent. of vacant land sites in Scotland for which the question of contamination was unknown.

Lord James Douglas-Hamilton: The 1990 Scottish vacant land survey and any subsequent surveys will identify the extent of contamination in the 58 per cent. of vacant and derelict sites for which the situation was unknown in 1988. It is the responsibility of the local authorities to collect the data for the survey and to identify the extent of contamination.

Mr. Andrew Welsh: To ask the Secretary of State for Scotland if, pursuant to his answer of 23 April, *Official Report*, column *59*, he will list the names and locations, with grid references, of the 10 per cent. of vacant land which is known or suspected to be contaminated.

Lord James Douglas-Hamilton: The 1988 Scottish vacant land survey was a pilot study of partial coverage. The data were collected on an in-confidence basis by the local authorities. This arrangement precludes me from giving site-specific information and is in accordance with the Government statistical service code of practice (Cmnd 9270).

Mr. Andrew Welsh: To ask the Secretary of State for Scotland what funds his Department has made available for the purpose of cleaning up contaminated land or leaky waste disposal sites.

Lord James Douglas-Hamilton: Responsibility for dealing with contaminated land or problem waste disposal sites rests with the site owners.

As far as local authorities are concerned the capital allocation to their general services budget is not targeted and it is for each council to determine its own priorities for expenditure on such work.

The Scottish Development Agency is empowered to provide assistance for the clearance of derelict land which can include contaminated land. For this financial year the agency will have available approximately £58 million to carry out its derelict land function.

Mr. Andrew Welsh: To ask the Secretary of State for Scotland if, pursuant to his answer to the hon. Member for Angus, East on 24 April, he will state how many of the (i) open and (ii) closed landfill sites, as contained in the Scottish Development Department Survey 1989, were operational prior to the introduction of the Control of Pollution Act 1974; and how many constitute a serious risk to groundwater.

Lord James Douglas-Hamilton: All the sites included in my reply of 24 April operate under licences or resolutions issued under the requirements of the Control of Pollution Act 1974. The licensing provisions came into operation on 1 January 1978. About 100 of the sites were already operational at that time.

The identification of sites causing pollution to groundwater is the responsibility of the river purification authorities. Although the numbers may fluctuate from year to year, authorities' annual reports for 1988 indicate that 10 active and two or three closed landfill sites are of concern.

Energy Consumption

Mr. Dobson: To ask the Secretary of State for Scotland if he will give the target reductions for energy consumption in the buildings occupied by his Department.

Mr. Rifkind: A total of 15 per cent. covering the five-year period to 1994-95. This figure excludes prisons and the minor Scottish Departments.

Mr. Dobson: To ask the Secretary of State for Scotland if he will give the energy consumption, broken down by fuel, of the buildings occupied by his Department for the latest year available.

Mr. Rifkind: The figures, in kilowatt hours, for 1989-90 are:

	Kilowatt hours
Electricity	25,807,925
Gas	2,878,675
Liquid Fuel	1,336,117
Solid Fuel	1,285,443

These figures exclude prisons and the minor Scottish Departments.

Small Businesses

Mr. Wray: To ask the Secretary of State for Scotland whether he will urgently announce measures to protect Scottish businesses, especially small businesses and self-employed enterprises, from the effects of *(a)* increases of water charges and *(b)* difficulties in passenger and freight transit from Scotland to the continent.

Lord James Douglas-Hamilton: The charging arrangements in Scotland for water supply require authorities to be even-handed in apportioning expenditure between classes of consumer and they have discretion to set different metered charges for different circumstances. There are no provisions for the Secretary of State to intervene in the setting of charges. The average metered water charge for 1990-91 is 30·89p. per cu m, an increase of less than 9 per cent. on last year.

The provision of passenger and freight services from Scotland to the continent is a matter for the commercial judgment of transport operators, which are best placed to evaluate transport needs. If these needs are not being met, Scottish businesses should identify the nature of the services they require and discuss their needs with the transport operators concerned.

Mr. Wray: To ask the Secretary of State for Scotland what response he has given to the National Federation of Self Employed and Small Businesses of Scotland regarding their complaints against the increases of metered water charges and their effects on competitiveness.

Lord James Douglas-Hamilton: The Secretary of State has received a letter relating to water charges and other matters from the Scottish secretary of the National Federation of Self Employed and Small Businesses Ltd. The points raised by the federation are being considered and a response will be made in due course.

A77

Mr. Allan Stewart: To ask the Secretary of State for Scotland what recent discussions he has had with Strathclyde regional council concerning the timetable for the Ayr road route (A77); and if he will make a statement.

Lord James Douglas-Hamilton *[holding answer 25 April 1990]:* My right hon. and learned Friend has had no recent discussions with Strathclyde regional council concerning the timetable for the Ayr road route.

Parts of Strathclyde regional council's section of the Ayr road route were affected by a legal challenge by Glasgow district council in October 1989. Prior to that challenge, the main works associated with this section of the road were due to start in 1991 and it was hoped that the trunk road section would follow on in 1992 subject to the availability of funds and priorities at that time. Advance works for the region's section of the road, in areas not affected by the legal challenge, have already started.

Mr. Allan Stewart: To ask the Secretary of State for Scotland what information he has on whether Strathclyde regional council will proceed with construction of the Ayr road route (A77) after 3 May.

Lord James Douglas-Hamilton *[holding answer 25 April 1990]:* My right hon. and learned Friend has had no communication from Strathclyde regional council on the matter of whether the council intends to proceed with the construction of the Ayr road route after 3 May.

Police

Mr. Graham: To ask the Secretary of State for Scotland if he will call for a report from the chief constable of Strathclyde as to the dates of incidents at which police were armed since 1985.

Lord James Douglas-Hamilton *[holding answer 26 April 1990]:* I am advised by the chief constable that firearms were issued on 319 occasions over the last five years. If the hon. Member is concerned about any particular incident, he may care to write to the chief constable.

Mr. Graham: To ask the Secretary of State for Scotland (1) if he will call for a report from the chief constable of Strathclyde as to the number of officers by division trained in armed weapons and the number available in any emergency;

(2) if he will call for a report from the chief constable of Strathclyde as to how many officers can be armed at any one time.

Lord James Douglas-Hamilton *[holding answer 26 April 1990]:* The number of officers trained in the use of firearms is an operational matter for the chief constable. Officers are issued with firearms only on specific occasions which are judged to require a firearms capability. The Department issued guidelines to the police in 1984 covering the circumstances when firearms may be issued, the authority for issue, training and record-keeping; a copy is in the Library.

Mr. Graham: To ask the Secretary of State for Scotland if he will call for a report from the Chief Constable of Strathclyde as to how many police officers are licensed and insured to drive police vehicles by division.

Lord James Douglas-Hamilton *[holding answer 26 April 1990]:* I am advised by the Chief Constable that there are 5,296 officers in the Strathclyde force currently authorised to drive police vehicles. These officers are deployed throughout the 15 divisions and other specialist departments within the force on the basis of the Chief Constable's assessment of local needs.

Mr. Graham: To ask the Secretary of State for Scotland if he will call for a report from the Chief Constable of Strathclyde as to the number of armoured vehicles held by his force and their locations.

Lord James Douglas-Hamilton *[holding answer 26 April 1990]:* Strathclyde police do not possess any armoured vehicles.

AGRICULTURE, FISHERIES AND FOOD

Slaughter Policy

Mr. Ralph Howell: To ask the Minister of Agriculture, Fisheries and Food on what evidence received subsequent to 11 January 1989 he decided to implement the slaughter policy; and if he will make a statement.

Mr. Maclean: On the assumption that the question relates to the slaughter policy for salmonella-infected poultry flocks, I refer my hon. Friend to the answer given to him on this subject on 13 December 1989 at column *689*.

Agriculture Support

Mr. Ralph Howell: To ask the Minister of Agriculture, Fisheries and Food if he will state the total amount of support for agriculture by the Government for each year since 1979, expressed in actual and constant prices in each case.

Mr. Maclean: Support to the agriculture industry is provided directly by means of grants and subsidies, and indirectly through expenditure on research and development, advisory services, administration and so on.

Agriculture in the United Kingdom reports direct expenditure while the public expenditure White Paper covers total expenditure—direct and indirect—on agriculture, fisheries, food and forestry.

The table gives direct and total expenditure since 1978-79, both actual and at constant (1978-79) prices:

£ million.

Outturn	*Direct support*		*Total support*	
	Actual prices	*Constant prices*[1]	*Actual prices*	*Constant prices*[1]
1978-79	537	537	1,008	1,008
1979-80	677	585	1,244	1,074
1980-81	1,012	751	1,639	1,217
1981-82	972	647	1,669	1,111
1982-83	1,432	890	2,157	1,341
1983-84	1,717	1,020	2,424	1,440
1984-85	1,712	968	2,419	1,368
1985-86	2,165	1,156	2,878	1,537
1986-87	1,449	750	2,199	1,138
1987-88	1,630	811	2,372	1,180
1988-89[2]	1,380	648	2,346	1,101
1989-90[3]	1,255	546	2,418	1,053

[1] Based on 1978-79 prices.
[2] Estimated.
[3] Forecast.

Bovine Spongiform Encephalopathy

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food how much he has either spent or allocated on bovine spongiform encephalopathy *(a)* research or *(b)* compensation for each year from 1985 to 1992 in the United Kingdom; and if he will make a statement.

Mr. Gummer: Expenditure on BSE research to date is as follows:

Financial year	*Expenditure £*
1988-89	454,000
1989-90	922,000

The Ministry recently announced a £6·1 million programme of research on BSE, following the recommendations of Dr. Tyrrell's research consultative committee as follows:

Financial year	*Forecast £ million*
1990-91	2·2
1991-92	2·2
1992-93	1·7

In addition, the Department of Education and Science will be committing £6·3 million to slow virus research over the next three years.

Expenditure on compensation since the introduction of the compulsory slaughter policy in August 1988 is as follows:

Financial year	*Expenditure £*
1988-89	1,066,613
1989-90	2,127,654

The forecast expenditure on compensation contained in the 1989 public expenditure survey is as follows:

Financial year	*Forecast £*
1990-91	3,381,300
1991-92	3,482,739
1992-93	3,569,807

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food (1) what tests he has carried out for the presence of the bovine spongiform encephalopathy agent on *(a)* blood, *(b)* saliva, *(c)* urine, *(d)* faeces and *(e)* semen in cattle which are suspected of having bovine spongiform encephalopathy; and if he will make the results public;

(2) what tests he has carried out for the presence of the bovine spongiform encephalopathy agent on *(a)* blood, *(b)* saliva, *(c)* urine, *(d)* faeces and *(e)* semen in cattle; and if he will make those results public.

Mr. Gummer: Research is in progress to determine whether the BSE agent is present in the blood and semen

of confirmed cases of BSE. Further studies are planned which will determine the infectivity of gut, kidney and salivary gland from confirmed cases. No experiments are being conducted using material derived from clinically healthy cattle.

I shall follow our general policy of publishing the results of the research that we fund.

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 23 April, *Official Report*, column *86*, to the hon. Member for South Shields, how many of the notified cases of bovine spongiform encephalopathy-infected cattle were later confirmed as having the disease in each week end 5 January to 13 April.

Mr. Gummer: Results are not yet complete but the information requested to date is as follows:

Week ending	*Number notified*	*Number confirmed*	*Still alive or awaiting diagnosis*
5 January 1990	245	201	18
12 January 1990	292	258	4
19 January 1990	284	234	14
26 January 190	294	242	19
2 February 1990	309	250	22
9 February 1990	329	270	23
16 February 1990	362	297	29
23 February 1990	367	276	61
2 March 1990	424	249	160
9 March 1990	393	123	260
16 March 1990	392	54	335
23 March 1990	351	8	343
30 March 1990	329	3	326
6 April 1990	323	0	323
13 April 1990	278	0	278

USSR (Agricultural Imports)

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food if he will list the agricultural products which the authorities in the Union of Soviet Socialist Republics have recently announced will not be permitted to be imported into the Union of Soviet Socialist Republics from the United Kingdom.

Mr. Gummer: Cattle, sheep, goats, beef, sheepmeat, bovine semen, bovine embryos and dairy products.

Eggs

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food what discussions he has had with the EEC on the use of Government funds for the promotion of British eggs; how much expenditure has been incurred on this scheme to date; what provision has been made for the full financial year 1990-91; and whether the European Community has approved this expenditure.

Mr. Maclean: I have no plans to use Government funds to promote eggs. As to the use of the net assets of the old Eggs Authority for such purposes, I would refer the hon. Member to the reply I gave to my hon. Friend the Member for Billericay (Mrs. Gorman) on 29 March at column *258*.

Animal-derived Protein

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food what animal-derived protein can legally be incorporated in cattle rations; and what is his estimate of the annual consumption by cattle of such protein.

Mr. Maclean: The feeding of ruminant-derived protein to ruminants was prohibited from July 1988. Protein derived from other animals may be fed to cattle providing it has been prepared in accordance with the Protein Processing Order 1989 and the Diseases of Animals (Waste Food) Order 1973. Information on the annual consumption by cattle of such protein is not available.

Energy Consumption

Mr. Dobson: To ask the Minister of Agriculture, Fisheries and Food if he will give the energy consumption, broken down by fuel, of the buildings occupied by his Department, for the latest year available.

Mr. Maclean: The information requested is available only in financial terms and for the Department as a whole. For the 1989-90 financial year the expenditure was as follows:

	£ million
Electricity	1·8
Gas	0·4
Solid and liquid fuel	0·7

Mr. Dobson: To ask the Minister of Agriculture, Fisheries and Food if he will give the target reductions for energy consumption in the buildings occupied by his Department.

Mr. Maclean: The Department is participating in the public sector energy efficiency campaign and, in common with other Government Departments, has a target of saving 15 per cent. of its energy bill over a period of five years.

Meat Imports (South America)

Mr. Shore: To ask the Minister of Agriculture, Fisheries and Food what, in constant prices, was the level of imports of Argentinian and Uruguayan meat and meat products in 1972, 1982, 1985, 1986, 1987, 1988 and 1989.

Mr. Maclean: Since constant price data are not readily available at this level of disaggregation, the table shows the value and volume of imports of meat and meat preparations from Argentina and Uruguay in the specified years:

	Argentina		*Uruguay*	
	Value £ million	*Volume '000s tonnes*	*Value £ million*	*Volume '000s tonnes*
1972	56·3	93·0	—	—
1982	23·0	16·0	6·4	4·1
1985	0·3	0·3	18·9	13·3
1986	3·9	2·3	24·7	17·0
1987	29·5	17·9	15·9	9·5
1988	23·8	20·3	13·4	9·2
[1]1989	47·9	25·6	24·3	13·2

[1] Optional.

Cows

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food what is the number of *(a)* cows and *(b)* herds of cows in each county of the United Kingdom.

Mr. Gummer: The tables show the number of agricultural holdings which had beef or dairy cows at the June 1989 agricultural census, for each county of England, Wales and Northern Ireland, together with the number of cows on those holdings. For Scotland, where county data are not available, the information is by local authority districts.

June 1989 census (England and Wales)
Distribution of breeding cows (dairy and beef) by county
England and Wales

County within region		*Number*
England and Wales	Dairy and beef cows	3,145,842
	Holdings with cows	72,985
England	Dairy and beef cows	2,624,366
	Holdings with cows	57,035
North Region	Dairy and beef cows	326,628
	Holdings with cows	6,954
Cleveland	Dairy and beef cows	6,726
	Holdings with cows	171
Cumbria	Dairy and beef cows	206,175
	Holdings with cows	4,252
Durham	Dairy and beef cows	40,609
	Holdings with cows	1,158
Northumberland	Dairy and beef cows	69,885
	Holdings with cows	1,287
Tyne and Wear	Dairy and beef cows	3,233
	Holdings with cows	86
Yorkshire/Humberside Region	Dairy and beef cows	228,767
	Holdings with cows	6,380
Humberside	Dairy and beef cows	21,312
	Holdings with cows	709
North Yorkshire (North Allerton)	Dairy and beef cows	147,084
	Holdings with cows	3,699
North Yorkshire (Beverley)	Dairy and beef cows	4,977
	Holdings with cows	177
South Yorkshire	Dairy and beef cows	17,951
	Holdings with cows	508
West Yorkshire	Dairy and beef cows	37,443
	Holdings with cows	1,287
East Midlands Region	Dairy and beef cows	210,910
	Holdings with cows	5,164
Derbyshire	Dairy and beef cows	81,028
	Holdings with cows	1,998
Leicestershire	Dairy and beef cows	49,465
	Holdings with cows	1,111
Lincolnshire	Dairy and beef cows	35,194
	Holdings with cows	1,005
Northamptonshire	Dairy and beef cows	23,229
	Holdings with cows	552
Nottinghamshire	Dairy and beef cows	21,994
	Holdings with cows	498
East Anglia Region	Dairy and beef cows	65,939
	Holdings with cows	1,846
Cambridgeshire	Dairy and beef cows	8,210
	Holdings with cows	328
Norfolk	Dairy and beef cows	36,695
	Holdings with cows	945
Suffolk	Dairy and beef cows	21,034
	Holdings with cows	573
South East Region	Dairy and beef cows	289,109
	Holdings with cows	5,991
Bedfordshire	Dairy and beef cows	6,644
	Holdings with cows	181
Berkshire	Dairy and beef cows	13,907
	Holdings with cows	261
Buckinghamshire	Dairy and beef cows	27,238
	Holdings with cows	586
East Sussex	Dairy and beef cows	28,416
	Holdings with cows	699
Essex	Dairy and beef cows	17,826
	Holdings with cows	425
Greater London (East)	Dairy and beef cows	774
	Holdings with cows	21
Greater London (South East)	Dairy and beef cows	2,209
	Holdings with cows	46
Hampshire	Dairy and beef cows	51,519
	Holdings with cows	876
Hertfordshire	Dairy and beef cows	13,445
	Holdings with cows	282
Isle of Wight	Dairy and beef cows	9,481
	Holdings with cows	204
Kent	Dairy and beef cows	27,844
	Holdings with cows	769
Oxfordshire	Dairy and beef cows	36,444
	Holdings with cows	671
Surrey	Dairy and beef cows	21,188
	Holdings with cows	445
West Sussex	Dairy and beef cows	32,174
	Holdings with cows	525
South West Region	Dairy and beef cows	862,334
	Holdings with cows	17,325
Avon	Dairy and beef cows	47,421
	Holdings with cows	907
Cornwall	Dairy and beef cows	136,727
	Holdings with cows	3,614
Devon	Dairy and beef cows	244,028
	Holdings with cows	5,836
Dorset	Dairy and beef cows	112,173
	Holdings with cows	1,543
Gloucestershire	Dairy and beef cows	61,642
	Holdings with cows	1,261
Isles of Scilly	Dairy and beef cows	87
	Holdings with cows	27
Somerset	Dairy and beef cows	165,071
	Holdings with cows	2,850
Wiltshire	Dairy and beef cows	95,185
	Holdings with cows	1,287
West Midlands Region	Dairy and beef cows	357,377
	Holdings with cows	8,114
Hereford and Worcester	Dairy and beef cows	77,121
	Holdings with cows	2,254
Shropshire	Dairy and beef cows	125,073
	Holdings with cows	2,489
Staffordshire	Dairy and beef cows	117,383
	Holdings with cows	2,441
Warwickshire	Dairy and beef cows	32,928
	Holdings with cows	782
West Midlands	Dairy and beef cows	4,872
	Holdings with cows	148

County within region		*Number*
North West Region	Dairy and beef cows	283,302
	Holdings with cows	5,261
Cheshire	Dairy and beef cows	149,301
	Holdings with cows	2,127
Greater Manchester	Dairy and beef cows	16,428
	Holdings with cows	561
Lancashire	Dairy and beef cows	113,819
	Holdings with cows	2,500
Merseyside	Dairy and beef cows	3,754
	Holdings with cows	73
Wales	Dairy and beef cows	521,476
	Holdings with cows	15,950
Clwyd	Dairy and beef cows	78,977
	Holdings with cows	2,019
Dyfed	Dairy and beef cows	227,171
	Holdings with cows	6,221
Gwent	Dairy and beef cows	32,877
	Holdings with cows	1,019
Gwynedd	Dairy and beef cows	52,157
	Holdings with cows	2,261
Mid Glamorgan	Dairy and beef cows	11,207
	Holdings with cows	454
Powys	Dairy and beef cows	99,103
	Holdings with cows	3,345
South Glamorgan	Dairy and beef cows	10,182
	Holdings with cows	222
West Glamorgan	Dairy and beef cows	9,802
	Holdings with cows	409

Northern Ireland

County with region		*Number*
Northern Ireland total	Dairy and beef cows	501,628
	Holdings with cows	20,916
County Antrim	Dairy and beef cows	106,368
	Holdings with cows	3,511
County Armagh	Dairy and beef cows	51,989
	Holdings with cows	2,637
County Down	Dairy and beef cows	90,294
	Holdings with cows	3,470
County Fermanagh	Dairy and beef cows	70,699
	Holdings with cows	3,273
County Londonderry	Dairy and beef cows	63,354
	Holdings with cows	2,618
County Tyrone	Dairy and beef cows	118,924
	Holdings with cows	5,407

Scotland

Local authority district	*Number of cows*	*Number of holdings*
Shetland	2,576	218
Orkney	33,507	838
Western Isles	2,364	270
Caithness	20,142	517
Sutherland	4,234	225
Ross and Cromarty	12,906	325
Skye and Lochalsh	2,798	213
Lochaber	2,484	106
Inverness	7,,929	190
Badenoch and Strathspey	6,291	109
Nairn	5,163	70
Moray	26,154	484
Banff and Buchan	20,758	574
Gordon	32,886	632
City of Aberdeen	2,555	50
Kincardine and Deeside	21,946	395
Angus	14,108	265
City of Dundee	2,496	40
Perth and Kinross	28,319	556
Kirkcaldy	3,865	58
North East Fife	9,732	165
Dunfermline	4,642	84
West Lothian	7,601	137
City of Edinburgh	1,662	20
Midlothian	3,739	62
East Lothian	4,416	71
Tweeddale	8,811	141
Ettrick and Lauderdale	13,795	198
Roxburgh	16,392	257
Berwickshire	11,388	175
Clackmannan	1,157	26
Stirling	14,199	322
Falkirk	4,077	109
Argyll and Bute	33,350	731
Dumbarton	4,074	85
City of Glasgow	495	11
Clydebank	303	6
Bearsden and Milngarvie	487	8
Strathkelvin	2,175	50
Cumbernauld and Kilsyth	1,034	19
Monklands	4,376	80
Motherwell	2,616	49
Hamilton	4,506	76
East Kilbride	10,726	168
Eastwood	3,062	48
Renfew	7,968	137
Inverclyde	2,443	35
Clydesdale	26,113	410
Cunninghame	16,351	288
Kilmarnock and Loudon	16,741	250
Cumnock and Doon Valley	20,266	291
Kyle and Carrick	29,398	401
Wigtown	49,026	588
Stewartry	36,043	435
Nithsdale	33,833	456
Annandale and Eskdale	32,740	499
Total	693,218	13,023

Cattle

Mr. John D. Taylor: To ask the Minister of Agriculture, Fisheries and Food what is his estimate of the extent of illegal movement of cattle from the United Kingdom into the Republic of Ireland; what are its implications for dead meat plants in Northern Ireland; what incentive encourages this movement of livestock; whether he has drawn it to the attention of the European Commission; what proposals he has to bring this trade to an end; and if he will make a statement.

Mr. Maclean: It is not possible to determine the extent of illegal exports of cattle from the United Kingdom into the Republic of Ireland, since such movements can be established only when detected by Her Majesty's Customs and Excise. When there are high negative monetary compensatory amounts (MCAs) chargeable on exports of agricultural produce from the United Kingdom, there is an incentive to export such products illegally. The MCA charge on finished cattle exports to the Republic of Ireland has been around £75 a head in recent weeks, but from 14 May it will be reduced to less than £30 a head following the devaluation agreed in the price fixing. The European Commission is well aware of the problems created in recent years by high MCAs on trade in cattle and other agricultural produce across the Irish land border. Her Majesty's Customs and Excise is responsible for prevention of MCA fraud and is vigilant in its efforts to

prevent illegal movements across the frontier. Any substantial movement of finished cattle from Northern Ireland for slaughter in the Republic of Ireland must have the effect of reducing the supply of stock available for slaughter at meat plants in Northern Ireland and the consequential reduction in supply could increase the level of producer prices payable in Northern Ireland.

Written Answers to Questions

Tuesday 1 May 1990

AGRICULTURE, FISHERIES AND FOOD

Bovine Spongiform Encephalopathy

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food whether he is considering any research in developing a diagnostic test for bovine spongiform encephalopathy in live cattle.

Mr. Maclean: On the advice of the Tyrrell committee, MAFF funds studies at the central veterinary laboratories, Weybridge, on the clinical features in cases of BSE with particular emphasis on methods of early diagnosis. Further studies at this laboratory and at the neuropathogenesis unit in Edinburgh on the genetics, molecular biology and chemical pathology of BSE are also funded by MAFF because of their potential for development of diagnostic tests.

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food if he will indicate by number the method of disposal of bovine spongiform encephalopathy-infected cattle slaughtered during the current year.

Mr. Maclean: The information for 1990 is not yet available.

The information for 1989 is as follows:

Method of disposal	*Number*
Incineration	5,346
Burial	2,342
Retained for research	10

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food what was the date of birth of the youngest confirmed cases of BSE to date.

Mr. Maclean: The youngest confirmed case of BSE was 22 months old and was born on 18 November 1987.

Horse Slaughter

Mr. Corbett: To ask the Minister of Agriculture, Fisheries and Food whether he will list the location of those abattoirs used for the slaughter of equines which are export-approved, and their owners or operators; and when such export approval was given.

Mr. Maclean: There are five abattoirs licensed for the slaughter of equines which are export-approved. I shall write separately to the hon. Member.

Drift-net Fishing

Mr. Tony Banks: To ask the Minister of Agriculture, Fisheries and Food what information he has on the extent of the bycatch of non-target fish in drift-nets on United Kingdom boats.

Mr. Maclean: Precise information on the level of non-target fish bycatches in our drift-net fisheries is not readily available. However, through the appropriate choice of mesh size and net placement our fishermen are known to ensure selective fishing achieving a relatively clean catch of the target species.

Mr. Tony Banks: To ask the Minister of Agriculture, Fisheries and Food if there are any plans to establish an observer programme to investigate the incidental capture of non-target species, particularly birds and marine mammals in United Kingdom drift-nets.

Mr. Maclean: We have no plans for a scheme that would involve observers being placed on fishing boats. The drift-net fisheries around the UK are relatively small scale and in the main targeted on herring and salmon. The accidental catch of birds or marine mammals is not judged to be a frequent or significant occurrence. There is no evidence that these fisheries are threatening the survival of any species.

Intervention Board

Mr. Trotter: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the location of the work of the Intervention Board.

Mr. Gummer: Ministers have approved in principle the Intervention Board's proposal that a third of the agency's functions, consisting of its external trade work and administrative support, should be relocated in Newcastle, in order to relieve its staff shortages in Reading. About 350 posts will be transferred. In deciding upon Newcastle, where the agency already has facilities, Ministers and the agency were satisfied that there are good recruitment and career prospects, and that satisfactory office accommodation, housing, communications and other facilities are available. Subject to the necessary resources being available, the transfer of work will begin as soon as accommodation can be obtained and be made ready and essential data links installed. After a suitable period at this new site, the agency's experience there will be reviewed and a further report made to Ministers.

HOME DEPARTMENT

Prison Service

Mr. Sheerman: To ask the Secretary of State for the Home Department (1) what percentage of the prison service remand sector he expects to be in the hands of the private sector by 1992;

(2) how many remand prison establishments he anticipates being privatised by 1992.

Mr. Mellor: We are not yet in a position to make a further announcement of decisions concerning private sector involvement in the remand system, but hope to be able to do so soon.

Mr. Sheerman: To ask the Secretary of State for the Home Department what is the percentage of black prison officers currently serving in British prisons.

Mr. Mellor: Of the 32 per cent. of prison officer grades who responded to the voluntary survey of ethnic origin, 0·43 per cent. identified themselves as black. A primary objective of the current recruitment campaign for prison officers is to increase the number of new entrants from the ethnic minorities: the initial results are encouraging.

Mr. Speller: To ask the Secretary of State for the Home Department what was *(a)* the average number of prisoners held in United Kingdom prisons during the years (i) 1974, (i) 1979, (iii) 1984 and (iv) 1989 and *(b)* the average number of full-time prison staff employed during this period.

Mr. Mellor: The readily available information is given in the table.

Average population for prison service establishments in England and Wales and average number of staff[1] in prison service employment in selected years.

Number of persons

	1974	*1979*	*1984*	*1989*
Average population	36,867	42,220	[2]43,349	[2]48,610
Average number of staff[3]	19,225	22,414	26,739	31,863

[1] Comprising outstation and headquarters staff.
[2] Including police cells.
[3] Including part-time staff each of whom is counted as a half: disaggregation would involve disproportionate cost.

Mr. Speller: To ask the Secretary of State for the Home Department what was the number of prisoners *(a)* serving sentences in United Kingdom prisons during the last five years for which figures are available and *(b)* held on remand pending trial or pending sentence.

Mr. Mellor: Information for England and Wales was published in tables 3 and 4 of Home Office statistical bulletin "The Prison Population in 1989" (issue 12/90), a copy of which is in the Library.

Mr. Speller: To ask the Secretary of State for the Home Department what is the average number of monthly overtime hours worked by prison staff during the last five years for which figures are available.

Mr. Mellor: "Fresh start" ended overtime working for prison officers; in 1986-87, the last full year they worked overtime, the average number of monthly overtime hours worked was 69. Figures are not held centrally for previous years. There are no central records of overtime for prison staff in other grades.

Mr. Flynn: To ask the Secretary of State for the Home Department if he will make a statement on his programme to *(a)* refurbish existing prisons and *(b)* build new prisons.

Mr. Mellor: I refer the hon. Member to the reply given to my hon. Friend the Member for Dorset, South (Mr. Bruce) on 30 April 1990 at column *395*.

Immigration

Mr. Tim Smith: To ask the Secretary of State for the Home Department how many persons were accepted for settlement in the United Kingdom in 1989.

Mr. Peter Lloyd: The provisional figure for the number of persons accepted for settlement in the United Kingdom in 1989 is 48,600. More details are published in table 3 of Home Office statistical bulletin issue 8/90 "Control of Immigration: Statistics—Fourth Quarter and Year 1989", a copy of which is in the Library.

Television Licences

Mr. Nicholas Bennett: To ask the Secretary of State for the Home Department what representations he has received about the time taken to process renewal applications for television licences and to cash cheques; and if he will make a statement.

Mr. Mellor: We do not maintain separate records of representations about the time taken to process renewal applications or to cash cheques, and the information requested could not be provided without disproportionate cost. We believe the number of any such representations to be small.

There were some delays in processing new and renewal applications for the concessionary television licence by the National Television Licence Records Office following the change in the regulations in 1988. In some cases cheques became time expired before eligibility could be established and the licence issued. Now that the backlog has largely been cleared and new internal procedures introduced, it is far less likely that such problems will recur.

ATTORNEY-GENERAL

Crown Prosecution Service

Mr. Tony Banks: To ask the Attorney-General what performance indicators are used by the Crown prosecution service; and if he will make a statement about the performance of the Crown prosecution service to date.

The Attorney-General: The 31 areas of the Crown prosecution service have compiled performance statistics on a monthly basis since October 1986. Separate records are maintained for magistrates court and Crown court cases. The records include the number of defendants in respect of whom cases have been:

(a) received by the CPS;
(b) finalised;
(c) dropped or rejected;
(d) discharged at committal or sent to Crown Court; and
(e) dismissed or convicted.

In addition, information is produced on the number of cases in which defendants have been bound over without trial, the number of adjournments and the extent to which CPS resources have been committed.

From this information the following performance ratios, which enable CPS managers to monitor the quality of the service's performance both nationally and locally, are produced:

Magistrates' Court—

(a) *Average processing delay*—defendant cases on hand at the end of a period divided by defendant cases finalised in the period. (From this figure the time it would take to deal with the cases currently on hand can be calculated).
(b) *Acceptance rate*—the proportion of defendant cases received from the police for prosecution that are accepted at initial review.
(c) *Prosecution rate*—the proportion of all cases finalised that have been prosecuted in the courts.
(d) *Conviction rate*—the proportion of all defendant cases proceeding to prosecution that result in a conviction. (A conviction is a guilty plea to one or more charges where no trial is held or a conviction after trial on one or more contested charges).
(e) *Dismissal rate*—the proportion of all contested defendant cases that are dismissed.
(f) *Judgment quality*—the proportion of all contested defendant cases proceeding that are dismissed on an application that there is "no case to answer".

(g) *Adverse cost rate*—the proportion of cases prosecuted where costs are awarded against the CPS.
(h) *Efficiency rates*—
(i) acceptance review—the number of cases reviewed per half-day lawyer session;
(ii) court and court-related work—the number of cases accepted at initial review finalised per half-day lawyer session.
(i) *Unit costs*—
(i) acceptance review—resource cost (staff and other costs) per case reviewed;
(ii) court and court-related work—resource costs (staff and other costs) per defendant case finalised after acceptance at initial review.

Crown Court—
(a) *Average processing delay*—defendant cases on hand at the end of a period divided by defendant cases finalised during the period.
(b) *Conviction rate*—the proportion of trials resulting in a conviction. (A conviction is a guilty plea to one or more counts where no contested trial is held or conviction after trial on one or more contested counts.).
(c) *Acquittal rate*—the proportion of contested trials resulting in an acquittal.
(d) *Judgment quality*—the proportion of contested trials resulting in a judge directed/ordered acquittal.
(e) *Adverse cost rate*—the proportion of defendant cases finalised (including cases committed by the Magistrates for sentence or appeal) that result in the award of costs against the CPS.
(f) *Efficiency*—the number of cases finalised per CPS staff half-day session.
(g) *Unit costs*—the resource cost (staff and other costs) per case finalised.

Note: The figures produced for the ratios at (f) and (g) above make some allowance for cases transferred between Areas.

The Crown prosecution service has been a success and has demonstrated that it has been a success. The creation of the service has brought the desired degree of independence of the prosecutor from the investigator, consistency of prosecution policy and decision-making and accountability.

Racial Harassment

Mr. Tony Banks: To ask the Attorney-General if he will state *(a)* the proportion of alleged crimes referred to the Crown prosecution service involving racial harassment in each year since its creation, *(b)* how many were proceeded with and *(c)* how many resulted in convictions.

The Attorney-General: The Crown prosecution service does not maintain statistics regarding cases involving racial harassment and accordingly the information requested can be obtained only at disproportionate cost.

Mr. Tony Banks: To ask the Attorney-General how much information is passed to victims of racial harassment by the Crown prosecution service in cases where it does not decide to proceed.

The Attorney-General: Home Office circular 20/1988 stressed the importance of sympathetic treatment of victims and keeping them informed of the progress and outcome of investigations. This guidance is applicable to all categories of crime including those involving racial harassment. It has recently been reinforced by the promulgation of a victim's charter.

Under the working arrangements between the police service and the Crown prosecution service, it is the police who are the point of contact with the victims. The Crown prosecution service supports the principles of the victim's charter and recognises the importance to the victim of understanding what reasons have operated where a case is discontinued or a plea of guilty to a lesser offence than that charged is accepted. It is the policy of the Crown prosecution service that its staff should, so far as practicable, consult the police on taking such decisions. This should ensure proper understanding themselves and that they are in a position to explain the outcome of proceedings to the victims.

NORTHERN IRELAND

Crawfordsburn Hospital

Mr. Kilfedder: To ask the Secretary of State for Northern Ireland what was the cost of the carpeting, furnishing and general refurbishment of the former Crawfordsburn hospital when it was being used as a temporary office for the North Down and Ards unit of management of the Eastern health and social services board.

Mr. Needham: A total of £18,650.

Prison Costs

Mr. Kilfedder: To ask the Secretary of State for Northern Ireland what are the principal factors which account for the annual average cost per inmate in Northern Ireland prisons being the highest in the United Kingdom.

Mr. Cope: The custody of large numbers of paramilitary-type prisoners requires additional measures of security and control.

DHSS Staff (Annual Reporting)

Mr. William Ross: To ask the Secretary of State for Northern Ireland when the revised annual reporting system for Department of Health and Social Services staff in Northern Ireland came into operation; since when the system for such staff has been monitored; and on what dates any changes were made in the monitoring system.

Mr. Needham *[holding answer 27 April 1990]:* The new staff reporting and appraisal system was introduced to the Northern Ireland civil service in stages from 1 April 1987, and for Department of Health and Social Services staff from June 1988. The system has been monitored from the outset.

The Department of Finance and Personnel is reviewing the system.

Mr. Martin Galvin

Mr. Teddy Taylor: To ask the Secretary of State for Northern Ireland if he will raise at the next meeting of the Anglo-Irish Conference the decision of the Government of the Republic of Ireland to award Irish citizenship to Mr. Martin Galvin, fund raiser for Noraid, and the consequent raising of the ban on his admission under EEC rules.

Mr. Cope *[holding answer 30 April 1990]:* I understand that Mr. Galvin was registered as a citizen of the Republic of Ireland in 1986 in accordance with that country's law. This fact was one factor, among others, in the reconsideration of the previous (1984) decision to exclude him from the United Kingdom under the Immigration Act

1981. Should circumstances change, it remains open to my right hon. and learned Friend the Home Secretary to reimpose a ban as necessary. We have no plans to raise the matter in the intergovernmental conference.

EMPLOYMENT

Pesticides

136. **Mr. Simon Hughes:** To ask the Secretary of State for Employment what research has been carried out to establish the incidence of health complaints among farm workers working with pesticides; and if he will make a statement.

Mr. Nicholls: The Health and Safety Executive publishes annual reports which detail incidents investigated by HSE inspectors which involve misuse of pesticides and allegations of ill-health arising from them. These reports are held in the House of Commons Library.

Employment Training

Mr. Leighton: To ask the Secretary of State for Employment when the employment service's scrutiny into the reasons for drop-outs in employment training will be published.

Mr. Eggar: I have received the report of the efficiency scrutiny of take-up of Department of Employment group programmes, which addresses among other things the reasons for drop-out from employment training. I am currently considering my response to the report.

Environmental Protection Training

Ms. Walley: To ask the Secretary of State for Employment what assessment has been made of environmental protection training needs; and if he will make a statement.

Mr. Nicholls: The Department of Employment Training Agency is currently funding a study to examine the labour market and skills implications of increased environmental awareness. The study will focus on air and water pollution and solid waste management. A report will be available in the summer.

Training Agency Staff

Ms. Short: To ask the Secretary of State for Employment if he will publish details for each of the Training Agency area offices of the percentage of staff who are registered disabled.

Mr. Nicholls: The information is not available for Training Agency area offices. The percentage of staff in each of the 10 Training Agency regions who were registered disabled at 31 January 1990 is as follows:

	Percentage
London	2·0
South East	3·2
South West	2·0
Wales	2·3
West Midlands	3·1
East Midlands and Eastern	2·6
Yorkshire and Humberside	2·2
North West	3·2
Northern	3·4
Scotland	2·5

Unemployed Claimants

Ms. Short: To ask the Secretary of State for Employment whether, when an unemployed claimant who is a quarterly attender has his benefit suspended for not actively seeking work, he automatically loses his quarterly attender status.

Mr. Eggar: The employment service became an executive agency on 2 April 1990. The employment service's chief executive, Mr. Mike Fogden, will be replying in writing to the hon. Lady.

Skill Centres

Mr. Cryer: To ask the Secretary of State for Employment which 10 skill centres are to be sold to Astra Training Services Ltd.; and what price has been agreed.

Mr. Eggar: My right hon. and learned Friend announced on 13 February 1990 at column *141* that terms of sale had been agreed with Astra Training Services Ltd. for the businesses at 46 skill centres, plus the skill centre training agency's head office, mobile training service, sales teams and colleges, and that the sale of these training businesses would involve a payment of some £11 million from the Government to Astra.

The 10 skill centre sites referred to in my earlier reply on 27 March 1990 at column *158* are sites where a training business purchaser is to be granted a lease. At seven of the 10 sites a lease is to be granted to Astra; these sites are Cardiff, Deptford, Leeds, Leicester, Slough, Swindon and Wakefield. At the remaining three sites—East Lancashire, Ipswich and St. Helens—a lease is to be granted to the consortium headed by Mr. Christopher Lakin.

Mr. Cryer: To ask the Secretary of State for Employment, pursuant to his answer to the hon. Member for Bradford, South of 23 April, *Official Report*, column *99*, at what stage of negotiations following the receipt of bids for skill centres it was decided that £11 million should be given to Astra Training Services; and what steps were taken to ascertain whether other bidders would revise their positions in the light of the sum being offered.

Mr. Eggar: The payment of £11 million from the Government to Astra Training Services Ltd. represented Astra's assessment of the costs of turning around a business which is currently unprofitable and creating training businesses with good prospects of viability. Deloittes, in conjunction with my Department's other advisers, evaluated all the offers and made recommendations to my Department. The Government decided that the Astra offer, including the £11 million payment, met the Government's six objectives for the sale (a copy of which was placed in the Vote Office on 13 February 1990) more fully than competing offers.

Mr. Cryer: To ask the Secretary of State for Employment whether the three civil servants concerned have assumed full-time duties with Astra Training Services Ltd.; and what are the redundancy terms which apply to them.

Mr. Eggar: The three civil servants concerned in the management buy-out of the skills training agency assume full-time duties with Astra Training Services Ltd. on 1 May 1990. Redundancy terms were not appropriate as they transferred their employment under the Transfer of Undertakings (Protection of Employment) Regulations 1981.

Action for Jobs

Mr. Terry Davis: To ask the Secretary of State for Employment what were the main headings of expenditure on action for jobs in addition to expenditure on television advertising and printed material in 1987-88.

Mr. Eggar: The main headings of expenditure on action for jobs in 1987-88, in addition to television advertising and printed material, were press, radio and outdoor advertising, regional campaigns, exhibition material and research.

Mines Safety

Mr. Dobson: To ask the Secretary of State for Employment how many exemptions from any provisions relating to mines safety have been granted to British Coal by the mines inspectorate in each year since 1979.

Mr. Nicholls: The total number of exemptions and consents granted by the Health and Safety Executive mines inspectorate from 1987-88 are as follows:

	Number
1987-88	2,026
1988-89	1,911
[1]1989-90	990

[1] Provisional.

It is not possible to give separate figures for exemptions and consents nor information prior to 1987-88 without incurring disproportionate cost.

Training

Mr. Teddy Taylor: To ask the Secretary of State for Employment what is the total sum to be expended by his Department on the finance of training in the current year; and by what percentage this has changed in real terms over the past five years.

Mr. Nicholls *[pursuant to his reply, 5 April 1990, c. 817]:* I regret that the figures for expenditure given in the table accompanying my original reply were incorrect, being shown in millions, instead of billions. The correct figures are set out in the table:

Year	*£*	*Percentage*
1985-86	1,648,500,000	
1986-87	1,830,700,000	+11·1
1987-88	1,945,400,000	+6·3
1988-89	2,328,800,000	+19·7
1989-90	2,840,400,000	+22·0
1990-91	2,693,000,000	−5·2

The percentage changes remain unaltered.

ENERGY

Electricity Privatisation

Mr. Dobson: To ask the Secretary of State for Energy which agencies have been chosen to carry out the electricity privatisation advertising campaign.

Mr. Wakeham: The Department and the regional electricity companies are currently in the process of selecting an advertising agency to carry out a campaign to inform the public of the flotation of the distribution companies. An announcement of the successful candidate will be made in due course.

Mr. Dobson: To ask the Secretary of State for Energy what is his current estimate of the cost of the electricity privatisation advertising campaign.

Mr. Wakeham: It is too early to make a reliable estimate of the cost of the advertising campaigns to inform the public of the flotations of the electricity supply industry in England and Wales. The full costs of the privatisation, including advertising costs, will be made available to Parliament in the normal way.

Reactor Fuel

Mr. Andy Stewart: To ask the Secretary of State for Energy whether the United Kingdom Atomic Energy Authority is offering to store spent research reactor fuel for overseas customers.

Mr. Baldry: The Government are aware of the difficulties currently faced by many operators of research reactors around the world in managing their spent fuel. These reactors are used for a variety of technical and medical research.

The Government will not allow spent fuel from overseas customers to be disposed of in the United Kingdom. However, they are content for the United Kingdom Atomic Energy Authority (UKAEA) to reprocess such fuel, provided that any reprocessing contract includes options for the return of waste. It would be the Government's intention that such options would be exercised and wastes returned. If, for whatever reason, the fuel were not reprocessed, it would have to be removed from the United Kingdom within a strictly defined time limit. Reprocessing and storage must be in accordance with the requirements of the relevant regulatory authorities.

THE ARTS

Acceptance in Lieu

Mr. Faulds: To ask the Minister for the Arts whether he will list the objects and property accepted in satisfaction of inheritance tax and capital transfer tax during the financial year ended 31 March; if he will specify *(a)* the amount of tax satisfied in each case, *(b)* whether any offers of objects carried conditions as to destination, *(c)* the dates in each case of the recommendations received by him from the Museums and Galleries Commission for the acceptance of objects, *(d)* the total for the financial year of the tax thus satisfied and *(e)* the means by which that total has been covered in the public accounts; and whether a press notice will be issued by the Office of Arts and Libraries comprising the information given in his reply.

Mr. Luce *[holding answer 30 April 1990]:* The information that the hon. Member requests is as follows:

Item	*Tax satisfied £*	*Date MGC recommendations received*
[1]Collection of Coins	418,429·20	6 January 1989
[1]Painting by Rubens	169,852·48	26 January 1988
[1]Portrait of Sir Alexander Carew	103,976·42	8 April 1989
[1]"Quai a Pontoise" by Pissarro	73,040·00	20 June 1989
Islamic tiles	42,000·00	8 August 1989
"Farm Cart with Horse in Harness" by Constable	50,025·00	25 April 1989
[1]Collection of modern paintings	82,742·00	6 October 1989
Harpsichord	25,276·95	16 October 1989
[1]Woodcut by Munch	57,539·00	25 May 1989
[1]Painting by Beechey	151,489·00	23 November 1989
"Richmond pres Londres" by Corot	361,500·00	19 January 1990
[1]Painting by Van der Heyden	2,800,000·00	15 January 1990
[1]Painting by de Heere	527,898·00	3 October 1989
[1]Two portraits by Gainsborough, one by Rubens and a landscape by Seghers	6,650,000·00	15 January 1990

Those offers marked [1] carried conditions as to their destinations.

The total tax satisfied in the financial year 1989-90 was £11,513,768·05. A total of £1 million was charged to the vote for royal palaces, royal parks, historic buildings, ancient monuments and the national heritage (class X, vote 4) and £10,513,768·05 was charged to the vote for arts and the heritage (class XIII, vote 2).

Press notices have already been issued announcing the acceptance of all these items.

Energy Consumption

Mr. Dobson: To ask the Minister for the Arts if he will give the target reductions for energy consumption in the building occupied by the offices for which he is responsible.

Mr. Luce *[holding answer 30 April 1990]:* The Office of Arts and Libraries' aim is to reduce energy consumption by 15 per cent. over the next five years.

Mr. Dobson: To ask the Minister for the Arts if he will give the energy consumption, broken down by fuel, of the buildings occupied by the offices for which he is responsible, for the latest year available.

Mr. Luce *[holding answer 30 April 1990]:* The latest breakdown of energy costs of the Office of Arts and Libraries' accommodation is for 1989-90, and as follows:

	£
Electricity	5,877·30
Gas	871·59
Liquid fuel	777·90

Details of energy consumption are not available.

FOREIGN AND COMMONWEALTH AFFAIRS

Mr. Nelson Mandela

Dr. Kim Howells: To ask the Secretary of State for Foreign and Commonwealth Affairs whether he has any plans to meet Mr. Nelson Mandela to discuss reform in South Africa.

Mr. Waldegrave: My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs hopes to meet Mr. Mandela shortly to discuss how the process of peaceful change in South Africa can best be taken forward.

Single European Market

Mr. Cryer: To ask the Secretary of State for Foreign and Commonwealth Affairs when he next expects to discuss arrangements for 1992 with other EEC Foreign Ministries.

Mr. Maude: Her Majesty's embassies in EC member states regularly and frequently discuss single market issues with their host Foreign Ministries. The Foreign Affairs Council next meets on 7-8 May, and the International Market Council on 14-15 May. My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs and I regularly discuss the single market in bilateral meetings with other EC Foreign Ministers.

South Africa

Mr. Canavan: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with the Government of South Africa; and if he will make a statement.

Mr. Waldegrave: I refer the hon. Member to the answer I gave to the hon. Member on 4 April.

Lithuania

Mr. John Marshall: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about Her Majesty's Government's policy on the future status of Lithuania.

Mr. Waldegrave: The people of Lithuania have made clear their wish to determine their own future. We are urging, and will continue to urge, the Soviet authorities and Lithuanians to begin puposeful negotiations aimed at a settlement acceptable to both sides which will satisfy the aspirations of the Lithuanian people.

Mr. Anthony Coombs: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with other EEC member states concerning action to be taken in support of self-determination for Lithuania.

Mr. Waldegrave: My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs attended a meeting of Foreign Ministers of the EC member states in

Dublin on 21 April. They issued a joint statement which was conveyed to the Soviet Government and to the Ukranians, and was published. The text is as follows:

The Community and its member states express their serious concern at the economic measures recently introduced by Moscow in relation to Lithuania. They believe that measures of a coercive nature can make no contribution to the search for a solution through dialogue. They underline the obligation to exercise maximum restraint and to avoid actions that can only lead to a further deterioration of the situation. They are firmly of the view that an outcome acceptable to all must be sought and that this is possible only by means of discussion. They call on all concerned not to carry through measures which are in consistent with this objective. In view of their serious concern at these developments, the Community and its member states intend to keep the situation and its policy implications under continuous review. A Working Group meeting for this purpose will be held in the near future.

The Secretary of State and his colleagues reviewed the situation during the informal EC summit on 28 April.

Biological Weapons

Mr. Cabom: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will raise at the next United Nations Security Council the possible breach of the arms embargo to South Africa in the light of the alleged export of listed biological weapons, including Ebola, Marburg and Rift Valley Fever by the United States of America to South Africa.

Mr. Waldegrave: No. We are not aware of any such allegations.

NATIONAL FINANCE

Business Expansion Scheme

Mr. Anthony Coombs: To ask the Chancellor of the Exchequer what is the average time taken by the district valuers of the Board of Inland Revenue to agree asset valuation for business expansion scheme purposes, following the receipt of a full valuation report from the company concerned.

Mr. Ryder: District valuers are normally expected to report agreed values within 13 weeks of receiving instructions from the inspector of taxes, unless there are particular difficulties.

Mr. Anthony Coombs: To ask the Chancellor of the Exchequer what are the reasons for the delay of the district valuation inspector of the small business in agreeing the valuation and definition of the case of the Swan Valley Railway (Holdings) plc for business expansion scheme purposes following agreement from Her Majesty's inspector of taxes (Kidderminster) in January 1989 that all assets except bridges would be regarded as plant and machinery.

Mr. Ryder: I assume that my hon. Friend intends to refer to the Severn Valley Railway (Holdings) plc. The valuation of this case is taking longer than usual because the nature of the property makes the process particularly complex.

Tax Reliefs

Mr. Allen: To ask the Chancellor of the Exchequer if he will list the information he has on tax and mortgage reliefs which operate in each European country to the benefit of house buyers.

Mr. Lilley: The available information is as follows. All amounts have been converted to sterling using the latest available purchasing power parities.

Austria

Costs of acquiring a residence, including interest on mortgages, is deductible up to AS 40,000 (£1,466) per year. This is increased by AS 40,000 for a married taxpayer who is the sole earner in a household and by AS 5,000 (£183) for each dependent child.

Belgium

Mortgage interest is deductible up to the amount of imputed taxable income from owner-occupation. There is an additional deduction for mortgage interest in respect of newly built properties.

Denmark

Mortgage interest is partly deductible from earned income. By 1992 interest will be deductible only to the extent of imputed taxable income from owner-occupation.

Finland

Mortgage interest is deductible up to a limit of Mk 25,000 (£2,352).

France

A tax credit is given, for the first five years of a mortgage, equal to 25 per cent. of annual interest up to a limit of F15,000 (£1,217), increased by F2,000 (£162) for each dependent child. In respect of new dwellings bought or constructed the limits are increased to F30,000 (£2,433) for a married couple and by F2,000 (£162) for the first dependent child, F2,500 (£203) for the second dependent child and F3,000 (£243) for the third and each subsequent dependent child.

Germany

A taxpayer who buys or builds a home may deduct from annual taxable income over a period of eight years 5 per cent. of the purchase price or construction cost, up to a maximum of DM15,000 (£3,722) per year. There is a further deduction of DM600 (£149) per year for each child living in the household.

Ireland

Relief is given up to a limit of 80 per cent. of the lesser of the amount of interest actually paid and I£2,000 (£1,639), increased to I£4,000 (£3,278) for a married couple.

Italy

There is a tax deduction of 22 per cent. of interest expenses of house-buyers. This is reduced to 10 per cent. on that part of such expenses which exceeds the difference between aggregate net income and the upper limit of the first income tax bracket. The first income tax bracket is 10 per cent. on net income up to L6,000,000 (£2,504).

Luxembourg

Mortgage interest is deductible up to LF30,000 (£488) annually, increased by LF30,000 for a spouse and LF30,000 for each dependent child.

Netherlands

Mortgage interest is deductible in full.

Norway

Mortgage interest is deductible in full.

Portugal

Mortgage interest is deductible provided that the total deduction claimed for such interest, life insurance and education costs for dependent children does not exceed Esc. 105,000 (£692) for single taxpayers and Esc. 210,000 (£1,384) for married taxpayers.

Spain

Mortgage interest is deductible from the imputed income from owner-occupied property.

Sweden

Mortgate interest is deductible in full for local income tax and for the basic national income tax (maximum rate 17 per cent.) but not always in full for the supplementary national income tax (maximum rate 25 per cent.).

Switzerland

Mortgage interest is deductible in full for federal tax.

Fuel (VAT)

Mr. Spearing: To ask the Chancellor of the Exchequer what amounts have been collected to date in respect of value added tax arising from commercial consumption of gas, coal, and electricity, respectively; and what estimate he has made of the likely future annual equivalent income from each source.

Mr. Ryder: Value added tax has not yet been imposed. The standard rating of non-domestic fuel and energy supplies from 1 July of this year is expected to yield £170 million in a full year mainly from the public sector. Most businesses will be able to deduct the VAT on fuel supplied to them as input tax. Separate estimates are not available for gas, coal or electricity.

Association for the Monetary Union of Europe

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer whether the Association for the Monetary Union of Europe receives any European Economic Community funding for its work; and whether conferences organised by this body are in any way supported by British funding.

Mr. Lilley: The Association for the Monetary Union of Europe does not figure on the Commission's register of organisations receiving Community funding in 1989; and Her Majesty's Government do not support it in any way.

Chessington Computer Centre

Mr. Tracey: To ask the Chancellor of the Exchequer what plans the Government have for the future of the Chessington computer centre.

Mr. Ryder: My right hon. Friend the Chancellor of the Exchequer, in consultation with the Minister of State, Privy Council Office, has decided that the Chessington computer centre will become a "next steps" agency. The centre provides a wide range of payroll, financial accounting and personnel record services to central Government and non-departmental public bodies. Executive agency status will allow the centre to develop its business on sound commercial lines, and help the centre to deliver its services more efficiently and effectively.

Dr. Gerald Bull

Mr. Dalyell: To ask the Chancellor of the Exchequer what discussions Customs and Excise has had with the Belgian police about the activities of the late Dr. Bull.

Mr. Ryder *[holding answer 30 April 1990]:* In the light of the criminal charges laid against an individual on Wednesday 25 April and in the light of the continuing investigations by Customs and Excise, it would be inappropriate to give any further information on these matters.

TRADE AND INDUSTRY

Iraq (Arms Component Exports)

Mr. Gordon Brown: To ask the Secretary of State for Trade and Industry (1) what was the Government's shareholding via British Steel in Sheffield Forgemasters when the order for the Iraqi gun was first placed with Forgemasters;

(2) on what date his Department first became aware that the Iraqi export order was for military equipment;

(3) whether any inquiries were made to the Export Credits Guarantee Department in respect of the Iraqi gun export order.

Mr. Flynn: To ask the Secretary of State for Trade and Industry what shareholdings nationalised industries have held in the companies presently under investigation by the Customs and Excise Department for exporting pipework and ancillary equipment to Iraq with potential military uses; and if he will set out *(a)* when such shareholdings were taken up and *(b)* when they were divested, in each case.

Mr. Ridley: In the light of the criminal charges laid against an individual on Wednesday 25 April and in the light of the continuing investigations by Customs and Excise, it would be inappropriate to give any further information on these matters.

Mr. Winnick: To ask the Secretary of State for Trade and Industry if he will list the dates when the hon. Member for Bromsgrove (Sir H. Miller) contacted his Department regarding export orders for Iraq; what was the subject of the hon. Member's representation on behalf of Walter Somers; and if he will also state the response of his Department.

Mr. Ridley *[holding answer 23 April 1990]:* In the light of the criminal charges laid against an individual on Wednesday 25 April and in the light of the continuing investigations by Customs and Excise, it would be inappropriate to give any further information on these matters.

Eastern Europe

Dr. Thomas: To ask the Secretary of State for Trade and Industry if he will make a statement on the implications for free trade and enterprise between states in western and eastern Europe that will result from the recent agreement at the conference on security and co-operation in Europe.

Mr. Redwood: The Government are very pleased that the 35 participating states at the recent Bonn CSCE intersessional conference on economic co-operation in Europe were able to reach consensus on an ambitious concluding document. In this document, all the participating states made commitments to expand economic co-operation and to enhance the growth of their economies.

The document also contains important commitments by the countries of central and eastern Europe to fully embrace domestic and international policies to promote the creation of free and competitive market economies where prices are based on supply and demand and where the performance of their economies relies primarily on the freedom of individual enterprise. These mark a further and significant step forward in the economic reform process which should lead to the creation of conditions likely to foster increased economic and industrial co-operation between the east and the west.

The Government are also pleased that the active participation in the conference of representatives of the business community produced many helpful comments and suggestions to encourage greater economic and

industrial co-operation. My Department is holding a meeting on 11 May for United Kingdom business participants in the conference and for others who were unable to attend. Among other things we hope to see an exchange of views on the ways in which my Department may be able to help British business take forward any contracts or opportunities identified at the conference, including the use of the various bilateral and multilateral assistance schemes for the countries of central and eastern Europe.

Environmental Protection

Ms. Walley: To ask the Secretary of State for Trade and Industry what plans he has to encourage a joint review with industry of the environmental protection training needs of the work force; and if he will make a statement.

Mr. Forth: There are no immediate plans for such a review. However, environmental education and training are among the wide range of matters being considered in the context of the forthcoming White Paper on the environment.

Yorkshire and Humberside Partnership

Mr. Redmond: To ask the Secretary of State for Trade and Industry (1) if he will list the members and their organisations who belong to the Yorkshire and Humberside partnership scheme;

(2) what has been achieved to date by the Yorkshire and Humberside partnership scheme.

Mr. Douglas Hogg: The organisations represented are: CBI Yorkshire and Humberside, the Association of Yorkshire and Humberside Chambers of Commerce, TUC Yorkshire and Humberside, the Yorkshire and Humberside Development Association, and the Yorkshire and Humberside Regional Association. It is up to these organisations to decide which individual should represent them on any particular occasion. I would refer the hon. Member to the organisations involved for information on the achievements of the partnership.

Export Restrictions

Mr. O'Neill: To ask the Secretary of State for Trade and Industry what criteria are used to determine what constitutes a weapon, in respect of weapons export restrictions.

Mr. Ridley *[holding answer 23 April 1990]:* The definition of a weapon for this purpose is that contained in the Export of Goods (Control) Order 1989 as amended.

Mr. Gordon Brown: To ask the Secretary of State for Trade and Industry on what criteria the export of pipes and tubes were covered by the export control orders in 1988.

Mr. Ridley: The Export of Goods (Control) Order 1987 (S.I. 1987, No. 2070) listed goods subject to control in 1988.

DEFENCE

Radar Transmitter, Pembrokeshire

Mr. Nicholas Bennett: To ask the Secretary of State for Defence what factors dictated the location of the proposed over-the-horizon radar transmitter on the site of the former St. David's airfield, Pembrokeshire.

Mr. Alan Clark: The principal factors dictating the location of the proposed over-the-horizon radar transmitter were the need for it to be situated on broadly the same latitude as the receiver but separated by a substantial distance; and the need to ensure that, together with the safety exclusion zone that surrounds it, it could be comfortably accommodated within the boundary of an existing MOD site without affecting other activities at that site. After a survey of 166 possible sites throughout the United Kingdom, St. David's airfield was selected as the only suitable location for the transmitter, in conjunction with the only suitable location for the receiver at Blakehill radio station, Wiltshire.

Mr. Nicholas Bennett: To ask the Secretary of State for Defence who will supply the transmission equipment for the proposed over-the-horizon radar transmitter on the site of the former St. David's airfield, Pembrokeshire.

Mr. Alan Clark: The equipment for the trial of an over-the-horizon radar in the United Kingdom will be supplied by the United States Government.

Mr. Nicholas Bennett: To ask the Secretary of State for Defence whether there will be any radioactive emissions from the proposed over-the-horizon radar transmitter on the site of the former St. David's airfield, Pembrokeshire.

Mr. Alan Clark: No.

Mr. Nicholas Bennett: To ask the Secretary of State for Defence what information he has concerning the interference to the operation of the United States Air Force base at Robins air base, Georgia, by the installation of an early-warning radar station in the vicinity; and what steps he will take to ensure that his proposed installation of an over-the-horizon radar transmitter on the site of the former St. David's airfield, Pembrokeshire will not similarly affect the operation of RAF Brawdy and the United States naval facility at Brawdy.

Mr. Alan Clark: The operation of the United States Air Force base at Robins air base, Georgia, is a matter for the United States Government. I understand, however, that the function and characteristics of radars situated in the vicinity of Robins air base are completely different from those of the planned over-the-horizon radar transmitter to be sited at St. David's airfield. The Ministry of Defence is satisfied that the installation of this radar will have no adverse effect on operations at RAF Brawdy.

Challenger 2 Tank

Mr. Batiste: To ask the Secretary of State for Defence, pursuant to his answer to the hon. Member for Cannock and Burntwood (Mr. Howarth) of 5 April, *Official Report*, column *838*, when he expects to announce the results of his assessment of the milestone 2 report received from Vickers Defence Systems on the Challenger 2 tank.

Mr. Alan Clark: I hope to make an announcement shortly.

Falkland Islands

Mr. Nicholas Bennett: To ask the Secretary of State for Defence what arrangements exist to permit relatives of *(a)* Regular Army personnel and *(b)* Territorial Army personnel serving in the Falkland Islands on tours of (i) six months or less and (ii) more than six months to be flown on military flights when spare seats are available; and what charge is made.

Mr. Archie Hamilton: Spouses and dependants of Regular Army personnel serving married accompanied tours of 12 months' duration in the Falkland Islands are entitled to fly on indulgence terms to the United Kingdom and return, where seats are available on RAF flights.

In addition, spouses and dependants of Falkland islanders serving elsewhere are similarly entitled. The cost of an indulgence passage is £68 adult return, children under 12 travel at half fare, infants under two travel free.

In the unlikely event of a Territorial Army soldier serving a temporary engagement in a 12-month accompanied tour in the Falkland Islands, his family would be entitled to the same indulgence concessions as a Regular Army counterpart.

PRIME MINISTER

Local Government Finance

Q160. **Mr. Latham:** To ask the Prime Minister if she will make a statement on the introduction of the community charge in England.

The Prime Minister: The vast majority of charging authorities in England have now sent out their bills net of both community charge benefit and transitional relief. I congratulate local authority chief finance officers on the work that they have done in meeting their billing deadlines. I deplore the decisions of those local authorities that have set excessive charges.

German Unification

Q175. **Dr. Godman:** To ask the Prime Minister if she has recently held discussions with Chancellor Kohl and other NATO state leaders concerning the subject of membership of NATO for a unified German state.

The Prime Minister: When I met Chancellor Kohl on 30 March, we agreed it was very important that a united Germany should be a member of NATO. This matter will be further discussed at NATO meetings this summer.

Turkey (Visit)

Mr. Flynn: To ask the Prime Minister what topics were discussed during her visit to Turkey on 25 April by her or her officials with Turkish Government Ministers or their officials.

The Prime Minister: I had wide-ranging discussions with President Ozal and Prime Minister Akbulut. The topics covered included east-west issues, the middle east, Cyprus, human rights and bilateral matters.

Expenditure

Mr. Tony Banks: To ask the Prime Minister if she will provide the final figures for 1989-90 and the estimates for 1990-91 for the total cost to public funds of all her offices, duties, accommodation and expenses.

The Prime Minister: The final figure for the cost of all my offices in 1989-90 is not yet available. The estimated total cost for 1989-90 is £7,291,493. The estimated total cost for 1990-91 is £7,442,364[1].

Note

[1] Salaries and wages, notional pension liability, administration costs, and the grant in aid to the Chequers Trust are included. My salary as a Cabinet Minister is also included. My pay and allowances as a Member of this House are excluded.

Mr. Tony Banks: To ask the Prime Minister if she will provide the final figures for 1989-90 and the estimate for 1990-91 for *(a)* the cost of maintaining and running 10 Downing street and additional costs at Chequers, *(b)* the grant in aid to the Chequers Trust and *(c)* the costs on a consistent basis and expressed at constant 1984-85 prices.

The Prime Minister: Final figures for 1989-90 are not available. The latest estimates of the figures requested are:

(a) Costs of maintaining and running 10 Downing street and additional costs at Chequers[1 2 3]

	£
1989-90	7,256,373
1990-91[5]	7,407,244

(b) Grant in aid to the Chequers Trust

	£
1989-90	238,000
1990-91	238,000

(c) Costs at (a) and (b) in 1984-85 price terms[4]

		£
1989-90	(a)	5,541,552
	(b)	181,756
1990-91[5]	(a)	5,311,497
	(b)	170,662

[1] The figures include costs at both 10 Downing street and Chequers; the information is not available by location.

[2] Salaries and wages, notional pension liability, administration costs, the costs of office services and the grant in aid to the Chequers Trust are included. The Prime Minister's salary is excluded.

[3] These totals are calculated on a consistent basis with the total for 1986-87 in sub-paragraph *(a)* of the reply to the hon. Member on 23 October 1987 at column *846*. If office services costs are excluded (to produce a figure consistent with those at sub-paragraph *(c)* of that reply) the estimated totals are:

	£	£
1989-90	6,752,798	5,156,982[6]
1990-91	6,810,675	4,883,717[6]

[4] Constant costs have been calculated using the Treasury's GDP deflator for 1988-89 rebased to 1984-85.

[5] Estimate.

[6] At 1984-85 prices.

Mr. Tony Banks: To ask the Prime Minister how much was *(a)* spent on official hospitality in No. 10 Downing street during 1989-90 and *(b)* met by her office.

The Prime Minister: Final figures for 1989-90 are not yet available. The latest estimate of expenditure by my office on official hospitality at 10 Downing street and Chequers is £27,344.

Mr. Tony Banks: To ask the Prime Minister what was the total cost of her recent trip to Bermuda to meet President Bush; how many staff accompanied her; what were their functions; and who was the flight carrier.

The Prime Minister: The figures for the total cost of my meeting with President Bush in Bermuda are not yet available. I was accompanied by two officials and 17 support staff (mostly security and communications personnel). The flight was by an RAF VC10.

Mr. Tony Banks: To ask the Prime Minister how many journalists accompanied her on her recent trip to Bermuda using official transport; and what was the charge per capita.

The Prime Minister: Twenty journalists travelled with me. Information on the charge per capita is not yet available.

Mr. Tony Banks: To ask the Prime Minister what was the total figure for travel costs for her and her staff in 1988-89 and 1989-90.

The Prime Minister: The total cost of my travel and that of my staff in 1988-89 was £925,150. Final figures for 1989-90 are not yet available. The estimated cost is £896,103.

Staff

Mr. Tony Banks: To ask the Prime Minister what was the staff complement of No. 10 Downing street in 1989-90; and how many staff were registered disabled.

The Prime Minister: The total staff complement of 10 Downing street in 1989-90 was 68. None was registered disabled.

Engagements

Mr. Andrew Mitchell: To ask the Prime Minister if she will list her official engagements for Tuesday 1 May.

Mr. Harry Greenway: To ask the Prime Minister if she will list her official engagements for Tuesday 1 May.

Mr. Stern: To ask the Prime Minister if she will list her official engagements for Tuesday 1 May.

Mr. Bowis: To ask the Prime Minister if she will list her official engagements for Tuesday 1 May.

The Prime Minister: This morning I had meetings with ministerial colleagues and others. In addition to my duties in this House I shall be having further meetings later today.

European Council Meeting, Dublin

Mr. Spearing: To ask the Prime Minister if, pursuant to her answer to the hon. Member for Newham, South on 24 April, *Official Report*, column *132*, she will seek the consent of the President of the European Council to place any papers relating to or for discussion at the 28 April meeting of Heads of State and Government in the Library.

The Prime Minister *[holding answer 30 April 1990]:* The Commission papers on German unification and on Community relations with central and eastern European countries, which were considered by the special Dublin meeting of Heads of State and Government, have been placed in the Library, together with the Presidency's conclusions.

EDUCATION AND SCIENCE

Asthma

135. **Dr. Kim Howells:** To ask the Secretary of State for Education and Science what encouragement and support is being offered by the Government to research being undertaken in the United Kingdom into the causes, effects and treatment of asthma.

Mr. Jackson: The Medical Research Council, the Government's main agency for the promotion of medical and related biological research in this country, is always willing to consider soundly based proposals for research funding in competition with other applications. In 1988-89, the last financial year for which figures are available, the council spent £756,000 on research projects which are in whole or in part relevant to asthma. In addition to this, university departments and medical schools, with support from University Funding Council block grants and health authorities, may be undertaking relevant research but information on this is not collected centrally.

City Technology Colleges

Mr. Grocott: To ask the Secretary of State for Education and Science if he will list for each of the city technology colleges *(a)* the amount of private capital promised and *(b)* the amount of private capital so far received.

Mrs. Rumbold: The information that the hon. Member requests is listed in the table:

CTC	*Amount of private sponsorship promised £ million*	*Amount of private sponsorship received £ million*
Kingshurst	1·982	1·450
Nottingham	1·882	1·104
Teesside	1·485	1·450
Tyneside	1·600	0·238
Bradford	2·675	1·526
Dartford	1·300	0·104
Harris (Croydon)	1·500	0·300
Britschool	4·100	0·594
Bacons	2·500	0·000
Haberdashers' Askes'	[1]4·100	0·000
Derby	1·150	0·234
Telford	2·000	0·000
Corby	1·600	0·000

[1] Includes estimated value of site.

School Trips (Charges)

Mr. Latham: To ask the Secretary of State for Education and Science whether he will make a statement on the first year's experience of the new arrangements regarding charges for school visits or expeditions.

Mrs. Rumbold: My right hon. Friend has commissioned a sample survey to take place during the current term, which will look at the pattern of relevant school activities since April 1989 and investigate the reasons for any changes. The results of this survey and other monitoring will be available later this year.

University Science Departments

Mr. Dalyell: To ask the Secretary of State for Education and Science when he expects to meet vice-chancellors to discuss the future of science departments in smaller universities.

Mr. Jackson: My right hon. Friend has no such plans. This is a matter for individual universities and the Universities Funding Council.

Schools (Local Management)

Mr. Jack: To ask the Secretary of State for Education and Science what representations he has received from Lancashire on local management of schools and its application in the county.

Mrs. Rumbold: My right hon. Friend has received no further representations from Lancashire LEA since the authority's scheme for local management of schools came into force on 1 April 1990.

Schools (Building and Repairs)

Mr. Pike: To ask the Secretary of State for Education and Science what representations he has received from local education authorities for additional resources to deal with new school building and repair to existing schools.

Mr. Alan Howarth: My right hon. Friend has received a number of letters and other requests from local education authorities for additional resources to the annual capital guidelines he announced on 20 December 1989.

Education Standards

Mr. Butler: To ask the Secretary of State for Education and Science if he intends to review the progress of the Education Reform Act in improving the standards of education delivered.

Mrs. Rumbold: The objective of the Education Reform Act, particularly chapter 1, is to raise standards in schools so that pupils are better fitted to meet the demands of adult life and work. Her Majesty's inspectorate and local education authority inspectors and advisers have already begun to monitor the quality of teaching and learning within the new statutory framework. In due course, as the national curriculum assessment arrangements become established, it will also be possible to monitor trends in the results achieved by pupils at each stage.

Education Spending

Ms. Primarolo: To ask the Secretary of State for Education and Science what representations he has received regarding expenditure on education in Avon; and if he will make a statement.

Mr. Alan Howarth: My right hon. Friend has received in the last month or so a small number of representations about expenditure on education in Avon.

TRANSPORT

"Financial Times" Conference

Mr. Flynn: To ask the Secretary of State for Transport what representation his Department had at the *Financial Times* conference on industry and the environment held in London on 23 and 24 April.

Mr. Atkins: None.

Horne Report

Mr. Tony Banks: To ask the Secretary of State for Transport if he will make a statement on the Government's intention in respect of the Horne report recommendations.

Mr. Atkins: The Government intend to bring forward a Bill at a suitable opportunity to implement those recommendations of the Horne report which require primary legislation, as outlined in the consultation document issued by the Department of Transport in May 1989.

Merchant Navy Training

Mr. Trotter: To ask the Secretary of State for Transport what progress has been made in furthering training for the Merchant Navy under the provisions of the Merchant Shipping Act; to what extent financial assistance has been made available for such training; and to what extent available finance has not been taken up.

Mr. McLoughlin: Since the launch in November 1988, 773 new recruits have joined the Government assistance for training scheme. Up to £2·5 million was made available during the first year and £3·5 million has been earmarked for the scheme in a full year. The actual spend during the first year was £900,000 and the spend last year was £1·6 million. Expenditure levels are expected to rise as more trainees come into the scheme.

Industrial Development Grants

Mr. Colin Shepherd: To ask the Secretary of State for Transport if he will list in the *Official Report* the grants made by his Department under section 13 of the Industrial Development Act 1982 showing the value of the grant as a percentage of the whole project cost.

Mr. Atkins *[holding answer 30 April 1990]:* Section 13 of the Industrial Development Act 1982 enables Ministers to make grants towards improvements to "basic services" in assisted areas which will facilitate developments that will create new jobs for local people.

In my Department, this is mainly used to make grants towards the cost of access and distributor roads for new industrial estates, but other developments may also be considered for grant assistance. Grant is usually paid at a rate of 30 per cent. of eligible expenditure. If a project is partly funded by a grant from the European regional development fund, Industrial Development Act grant is payable only on the balance of the cost.

The following table names the schemes which were formally approved for grant in 1989, gives the total cost of the road works, the amount of IDA grant awarded and the grant as a percentage of the total cost.

Project name	*Total cost £000*	*Grant offer £000*	*Grant/ total cost Per cent.*
Northern Region			
Hownsgill Industrial Estate	234	35	[1]15
Lambton Street Industrial Estate Access Road	260	35	[1]14
Shidon Access Road, All Saints Industrial Estate	31	5	[1]15
Tower Road, Glover Industrial Estate, Washington (2 applications)	224	67	30
Heighington Lane Improvement	1,160	157	[1]14
Heighington Lane Estate Road (2 applications)	937	126	[1]13
Seaham Grange Spur Road	102	14	[1]14
South Church Enterprise Park (phase 3)	122	17	[1]14
Cul de sac off Walton Road, Pattinson Industrial Estate	58	17	30
North West Region			
Chester Business Park	830	250	30
Chester West Employment Park	266	40	[1]15
Yorkshire and Humberside Region			
Warren Road Link, Sawcliffe Industrial Park	359	108	30
Road No. 2, Sawcliffe Industrial Park	55	17	30
Rook Lane/Dudley Hill Access Road, Bradford	93	28	30
Spring Ram Roundabout, Gelderd Road, Birstall	602	172	29
Norquest Industrial Park, Birstall	410	94	23
Development at Gelderd Road, Birstall	485	94	19
North East Sector Industrial Access Road, Scunthorpe	974	287	29
Aldwarke Lane Improvements, Rotherham	5,915	1,764	30
West Midlands Region			
Block 6, Townsend Drive, Attleborough Industrial Estate	94	28	30
Westward Heath Business Park Phase 3	833	116	[1]14
Brockyard Road Improvement (Phases 2 and 3), Walsall	502	66	[1]13
Woodend Lane, Fradley near Lichfield	103	19	18
Morgans Access Phase 2, Ashmore Lake Industrial Estate	30	9	30
Extension to Liberty Way, Nuneaton	137	41	30
East Midlands Region			
Hinckley Fields Industrial Estate Phase 1	911	111	[1]12
South West Region			
Tolvaddon Industrial Estate	358	54	[1]15

[1] Indicates partly funded by ERDF grant.
All figures rounded to the nearest whole number.

SOCIAL SECURITY

Statutory Sick Pay

Mr. Leighton: To ask the Secretary of State for Social Security what adjustments to the arrangements for statutory sick pay he is considering following the determination of the discrimination case in the West German labour court.

Mrs. Gillian Shephard: None. I assume that the hon. Member's question refers to a recent finding relating to part-time workers under German sick pay schemes. Part-time workers in the United Kingdom qualify for statutory sick pay under the same rules as full-time workers.

Social Fund

Mr. Terry Davis: To ask the Secretary of State for Social Security how many of his Department's local offices in the midlands region spent less than their full social fund allocation for grants in the financial year 1989-90.

Mr. Scott: Details of annual social fund budget allocations and expenditure for grants in respect of each social security region and local office are placed in the Library.

Community Charge Rebate

Mr. Brazier: To ask the Secretary of State for Social Security (1) how much it would cost to assess wives separately from husbands for the purpose of community charge rebate;

(2) how much it would cost to provide separate assessment for the community charge rebate for those wives with one or more children under the age of five.

Mrs. Gillian Shephard: I regret that the information requested is not available.

Mr. Brazier: To ask the Secretary of State for Social Security what would be the cost of changing the deemed interest rate on savings to 12 per cent. for the purposes of calculating community charge rebate.

Mrs. Gillian Shephard: The cost of changing the tariff income from £1 per week for every £250 of savings over £3,000 to £1 per week for every £433·33 of savings over £3,000 would be £50 million for community charge benefit in 1990-91.

National Insurance

Mr. Brazier: To ask the Secretary of State for Social Security how much extra money would be raised if the upper earnings limit on employees' national insurance contributions were to be abolished.

Mrs. Gillian Shephard: I refer my hon. Friend to my reply to my hon. Friend the Member for Cambridgeshire, South-East (Mr. Paice) on 18 April at column *894*.

Leaflets

Dr. Twinn: To ask the Secretary of State for Social Security when the new leaflet for 16 and 17-year-olds, announced in November, will be available.

Mrs. Gillian Shephard: A new leaflet for 16 and 17-year-olds (leaflet IS26) has been launched today.

The new leaflet will give up-to-date and clear information on the benefit provisions for this age group. It will be issued to all DSS local offices, unemployment benefit offices, jobcentres and careers offices. In addition, the leaflet will be sent to various other groups involved with young people, for example voluntary bodies, the probation service and secondary schools.

In developing the leaflet we have consulted a number of outside organisations including NACAB, Barnardo's, National Council of Voluntary Child Care Organisations, National Children's Home, the Scottish Council for the Single Homeless and the Children's Society. I am grateful for the help and advice that these bodies have provided. I am confident that this new leaflet will give 16 and 17-year-olds the information they need in deciding whether they should claim income support.

I have placed a copy of the leaflet in the Library.

Supplementary Benefit

Mr. Frank Field: To ask the Secretary of State for Social Security what proportion of the increase in the number of persons living in families with incomes below supplementary benefit level, on supplementary benefit and up to 110 per cent., 120 per cent. and 140 per cent. of supplementary benefit level between 1979 and 1985 can be attributed to real increases in the level of supplementary benefit.

Mrs. Gillian Shephard *[holding answer 15 February 1990]:* The available estimates are as follows:

Persons in families:	*Percentage of 1979-1985 increase attributable to increases in the rate of Supplementary benefit scale rates:*
on Supplementary Benefit (SB)	30
on SB or with incomes below:	
100 per cent. of SB level:	50
110 per cent. of SB level:	45
120 per cent. of SB level:	50
140 per cent. of SB level:	60

It is not possible to identify to any reliable degree the extent to which any group of non-recipients flowed on to supplementary benefit as a result of the real increases in the scale rates. Reliable estimates cannot therefore be provided to show the corresponding percentages for the number below each threshold unless combined with all those in receipt of supplementary benefit. Nevertheless, for each of these categories of non-recipients increases in scale rates appear to more than fully account for the whole of the increase in numbers between 1979 and 1985.

WALES

Peat

Ms. Walley: To ask the Secretary of State for Wales if he will ban all use of peat by his Department; whether he will formulate a national peatlands conservation policy; and if he will make a statement.

Mr. Roberts: Peat is used to only a very limited extent by the Department. Alternatives will continue to be considered whenever appropriate but there are no plans at present to introduce a total ban. On the wider issue, I have nothing to add to the answer given by the hon. Friend the Minister for the Environment and Countryside on 27 April 1990.

Local Government Finance

Mr. Nicholas Bennett: To ask the Secretary of State for Wales what information he has as to the level of community charge set by each Welsh county and district council in 1990-91; what is the standard spending assessment; and which political party holds the most seats on each authority.

Mr. Grist: I refer my hon. Friend to the reply I gave to my hon. Friend the Member for Cardiff, North (Mr. Jones) on 3 April, which indicated the community charges set by Welsh local authorities and the standard spending assessments attributed to them. The detailed political composition of Welsh councils is given on page 704 of the "Municipal Yearbook 1990".

Second Homes

Mr. Nicholas Bennett: To ask the Secretary of State for Wales what information he has as to the policy of each Welsh district council with regard to the level of multiplier for the standard community charge in respect of second homes.

Mr. Peter Walker: The information is not yet available. I intend shortly to collect information about the use made by charging authorities of their discretion to specify property classes and maximum multipliers for the standard charge. This will include information about second homes.

Local Authority Debt

Mr. Nicholas Bennett: To ask the Secretary of State for Wales what was the total amount of debt incurred by each Welsh county and district council for the lastest year for which figures are available.

Mr. Grist: Information on total debt incurred by each local authority in any one particular financial year is not held centrally. Information on outstanding loan debt at 31 March of each year is, however, available and figures relating to 31 March 1989 are set out in the table:

Total outstanding loan debt at 31 March 1989

	£000
	£
Alyn and Deeside	35,871
Colwyn	24,197
Delyn	28,977
Glyndwr	17,992
Rhuddlan	17,891
Wrexham Maelor	65,882
Carmarthen	48,337
Ceredigion	34,267
Dinefwr	22,083
Llanelli	37,174
Preseli Pembrokeshire	45,981
South Pembroke	34,248
Blaenau Gwent	119,438
Islwyn	71,771
Monmouth	45,504
Newport	155,377
Torfaen	84,973

	£
Aberconwy	20,033
Arfon	33,794
Dwyfor	14,108
Meirionnydd	17,615
Ynys Mon	52,687
Cynon Valley	54,472
Merthyr Tydfil	61,333
Ogwr	104,728
Rhondda	122,480
Rhymney Valley	88,356
Taff Ely	70,250
Brecknock	27,929
Montgomeryshire	22,495
Radnorshire	12,892
Cardiff	214,807
Vale of Glamorgan	57,669
Lliw Valley	46,994
Neath	42,151
Port Talbot	33,515
Swansea	171,543
Total Districts	2,159,814
Clwyd	106,125
Dyfed	82,098
Gwent	106,015
Gwynedd	54,383
Mid Glamorgan	21,820
Powys	43,571
South Glamorgan	96,180
West Glamorgan	113,906
Dyfed Powys Joint Police Authority	4,041
North Wales Joint Police Authority	1,720
South Wales Joint Police Authority	6,060
Total Counties	635,919
Total Wales	2,795,733

Departmental Achievements

Mr. Nicholas Bennett: To ask the Secretary of State for Wales if he will give details of the main achievements of his Department since June 1987.

Mr. Peter Walker: Unemployment in Wales has fallen for 46 consecutive months (to March 1990), currently standing at 83,900 (6·4 per cent.), compared to 152,700 (12·3 per cent.) in May 1987—a drop of 68,800 (5·9 percentage points). The current rate of 6·4 per cent. is lower than the EC average and many of the UK's main European competitors. It is also the lowest rate since May 1980. The current total of 83,900 is the lowest since July 1980. At December 1989, the civilian work force in employment in Wales stood at 1,215,000, the highest ever.

Over 50,622 people have started training on employment training since the programme was launched in September 1988. A total of 53,972 young people have entered YTS since May 1987. We continue to provide a YTS place for every young person who seeks one.

The White Paper, "Training for Employment", published in December 1988 set out a framework for modernising and developing our training system. To assist me in meeting this challenge I set up the training, enterprise and education advisory group. One of its main tasks has been to advise on the establishment of training and enterprise councils in Wales. TECs are an exciting development which offer the prospect of a move to a locally planned and delivered training strategy. We now have a complete network of TECs in development covering the whole of Wales and I expect these to be operational by the end of the year.

Development funding has been awarded to compacts in south Glamorgan, mid and west Glamorgan and Clwyd.

Since 1 June 1987, a total of 295 inward investment projects have been secured for Wales promising some 25,000 new jobs and involving a capital investment of some £1·75 billion. Among the largest projects are those announced by Ford, Bosch, TSB and National Provident Institution. As part of the inward investment effort, I and the Minister of State have between us undertaken 11 visits overseas.

Since my appointment in June 1987, nearly 3,500 offers of grant assistance have been made to businesses in Wales. Payments of nearly £97 million have been made with related additional/safeguarded employment of over 20,000. It is expected that over 72,000 jobs will actually be created or safeguarded by projects which have been grant-aided under regional incentive schemes.

In recent weeks a co-operation agreement has been signed with Baden-Wurttemberg, Germany's most dynamic region. This will enable a great deal of activity to take place in the fields of company collaboration, inward investment and joint research which will bring considerable benefit to Wales in the years to come.

Since I became Secretary of State, the Welsh Office has greatly increased its emphasis on helping business in Wales to export. This initiative has been highlighted by three successful export missions led by myself and by the Minister of State to the Soviet Union (1988), Spain and Portugal (1989) and Saudi Arabia (1990). The last of these alone netted orders worth £7·5 million for the Welsh companies participating.

At £150 million the Welsh Development Agency's budget for 1990-91 is the highest ever in both cash and real terms and is over 50 per cent. above the 1987 level.

Nearly £99 million at today's prices has been committed to the land reclamation programme in Wales over the past three years. The programme is one of the largest and most sustained in Europe and will see the eradication of almost all visually intrusive dereliction in Wales by the mid-1990s.

Expenditure on the Welsh Development Agency's property development activities has also more than doubled since 1987 to £72 million in 1990-91. Over 1 million sq ft of new factory floor space has been provided in each of the last three years capable of accommodating up to 9,000 jobs. Factory lettings have also been at record levels with over 2 million sq ft let each year. Over the same period the private sector has also provided 715,000 sq ft of development on agency sites.

Welsh businesses have responded extremely well to Enterprise Wales, since its launch in January 1988. The consultancy grants available under the initiative have proved particularly popular with nearly 1,800 projects commissioned so far.

In addition, a number of other initiatives have been taken to strengthen Welsh industry. These include the craft initiative and the "Wales Land of Quality" emblem to promote a coherent image of Wales and its products at home and abroad. To date more than 100 companies have adopted the emblem.

Since Cardiff Bay development corporation was established in 1987 to regenerate the former commercial centre of the city the Government have made available, or

have announced, over £150 million of grant in aid to enable the corporation to achieve its task. To date the corporation has acquired over 500 acres of land; completed detailed area planning briefs for key locations; commissioned detailed design of the barrage across the harbour mouth; made available a prestigious 120 acre site for business, industrial and leisure-related development and undertaken a large number of environmental, infrastructure and community schemes.

In June 1988 I launched a massive three-year programme of action designed to improve economic, environmental and social conditions in the south Wales valleys. Expenditure in key activities involving the promotion of investment, the creation of jobs and environmental improvement in the valleys is expected to total some £500 million over the first three years of the programme. This is expected to stimulate private sector investment of up to £1 billion. I can confirm that unemployment in the valleys fell by some 10,600 between June 1988 and March 1990, at a faster rate than in Wales or the United Kingdom as a whole. In June 1989 I announced the extension of the valleys programme for a further two years until the end of 1992-93.

As work progresses in completing the £550 million project to dual the A55 from Bangor to Chester, major opportunities for growth and development are emerging. I highlighted this in the document "A55—The Road of Opportunity", published in December 1989, which set out the framework for a whole range of policies and proposals that will further benefit north Wales. The Government will continue to encourage a positive response from the public and private sectors to ensure that the development opportunities are taken to enhance economic, social and cultural life in north Wales.

Since 1987-88 there have been 34 approvals totalling £14·123 million of urban development grant throughout Wales. This represents some £66·309 million of private investment and is expected to create a total of 2,300 permanent and 1,180 temporary jobs. In addition, around 448 residential units will be provided.

Since April 1989 there have been 14 urban investment grant approvals totalling £7·631 million of grant. This represents some £24·065 million of private investment and is expected to create 935 new permanent jobs together with 455 temporary construction jobs. Some 200 residential units will also be provided.

The £29·187 million allocated under the urban programme for the current financial year represents a 26 per cent. increase over that allocated in 1987-88 (£23·1 million) and 19 per cent. above the £24·5 million allocated in 1988-89.

A £33 million European regional development fund (ERDF) programme for mid-Glamorgan has been successfully completed and another worth £108 million for Dyfed, Gwynedd and Powys is well under way. Two further integrated development operation programmes (ERDF and European social fund) for Clwyd and industrial south Wales worth £23 million and £59 million respectively have recently been approved by the Commission and are now being implemented.

Recently, 11 areas in south Wales were accepted by the European Commission as eligible for the RECHAR initiative, which is to provide £225 million across the Community over four years to aid areas with recent large numbers of job losses in coal mining. The list of eligible areas, which was announced on 19 April, includes the majority of the Welsh candidate areas the Department initially proposed.

Grants totalling some £1·4 million have been awarded to firms in Wales for the marketing and processing of agricultural produce under European Community regulations 355/77.

On 1 January 1988 the designated Cambrian mountains environmentally sensitive area (ESA) was extended by some 80,000 hectares and some 39,700 hectares of the Lleyn peninsula was designated as an ESA. The scheme aims to promote the co-existence of conservation and efficient farming in areas of national environmental significance perceived to be at risk from increasingly intensive methods of production.

The reform of the sheepmeat regime agreed at the July 1989 Agricultural Council represented a good deal for Welsh sheep producers. The new regime provides them with a clear basis for the future and improves their competitive position with their continental counterparts and prospects for exporting.

In 1989 we took full advantage of devaluation of the green pound and paid the suckler cow premium at the highest permissible rate, including the maximum top-up from national funds. As a result, the rate was increased from £33·40 to £47·43 per cow (42 per cent.). This was worth £7·7 million to producers in Wales in the 1989-90 scheme year.

Over 50,300 home improvement grant schemes for private sector dwellings have been completed since June 1987 with a value of £160 million. In the same period £246 million has been spent on the renovation of local authority housing stock.

Since June 1987 more than 7,800 dwellings in Wales have been improved under enveloping schemes at a cost in excess of £62 million.

Since the valleys action programme was launched in June 1988 targets for the number of homes in enveloping and block schemes have been exceeded—2,656 in 1988-89 against a target of 2,000 and 2,749 in 1989-90 against a target of 2,500.

The new renovation grant regime arrangements which I have introduced will ensure that assistance goes to those in greatest need. To get the new system off to a good start I have already announced that £75 million has been allocated and that additional resources will be made available to district councils in Wales should that be necessary.

I have now incorporated our very successful priority estates programme in our new housing options Wales (HOW) programme which was announced in January. It is a package of measures designed to support improvements in local authority housing management, to focus upon service improvement and customer care, and to provide new opportunities for tenants' groups. It includes a new small grants scheme to fund people and projects developing better service delivery; a training and information service, and, prospectively, the re-establishment, with a new remit and better support, of the housing management advisory panel for Wales.

At the end of last year I launched, through the Development Board for Rural Wales, an experimental flexi-ownership scheme, which enables the board's tenants to buy their homes at a weekly outlay broadly the same as their existing rent. On 11 April the first two families in Wales bought their homes under this scheme.

Tenants' choice is now in force in Wales, providing an important new right for council tenants. Housing for Wales will work to ensure that those who wish to exercise this right have every opportunity to do so.

The National Health Service in Wales is treating more patients than ever before. The successful introduction of general management into the National Health Service in Wales has now been completed and effective mechanisms for manpower resource planning, education, training and management have been established.

In 1988 a corporate management programme for the National Health Service in Wales was produced and published and the Welsh health planning forum was set up. The forum has produced a "Statement of Strategic Intent and Direction for the National Health Service in Wales".

Two treatment centres have been established to shorten hospital waiting times; one at Bridgend for hernias and varicose veins, and one near Cardiff for hip and knee replacements.

The new Prince Philip hospital, Llanelli, has been completed along with major development schemes at the Llandough, Morriston, and Royal Gwent hospitals, at a capital cost of £55 million (cash prices).

Improvements in regional services have included a new bone marrow tissue typing laboratory in Cardiff; a new paediatric cardiac unit at the University Hospital of Wales (to be completed this year); two new subsidiary renal units at Cardiff and Merthyr Tydfil; and the provision of computerised tomography scanners in various locations throughout Wales.

Substantial progress has been made under the all-Wales strategy for the development of services for people with a mental handicap, supported by significant increases in funding.

In June 1989 the mental illness strategy was launched to promote a more responsive, locally and community-based service for treating and supporting mental illness sufferers.

Significant progress has also been made under the initiative on the care of the elderly in Wales in stimulating service providers to review their methods. Approval has been given for the funding of 60 demonstration projects, a number of which involve partnership between the statutory and voluntary sectors.

Current expenditure on education, excluding school meals and milk, was 13·6 per cent. more in real terms in 1987-88 than in 1979-80. In the same period pupil numbers fell by 14·6 per cent. and the pupil:teacher ratio improved by 5·7 per cent.

Expenditure per pupil thus rose overall from £910 to £1,216—34 per cent. Local authority capital expenditure on education has increased in real terms by 18·9 per cent. This is a significant increase at a time when pupil numbers have been falling and thus the basic need for new schools has been at a very low level.

I have strengthened financial support for the Welsh language. Direct Government financial support has increased by 75 per cent. since 1987 to £5·9 million. In 1988 I established the Welsh Language Board to find practical solutions to the everyday problems facing Welsh speakers.

The Welsh language now has, for the first time, a firm statutory place in the school curriculum for pupils from five to 16 in Wales within the national curriculum. I believe that the decision to include Welsh as part of the national curriculum will have a significant impact on the language for many years to come.

The national curriculum is being introduced progressively into the schools of Wales. Mathematics, science and English have already begun. Welsh and technology will be introduced from September 1990; other subjects in 1991 and 1992.

I have undertaken that the national curriculum should be responsive to the distinctive history and culture of Wales. All national curriculum documentation is being provided in Welsh and English. Separate orders will be made to ensure that children in Wales study Welsh as well as British history.

I have developed an initiative to introduce the teaching of the Japanese language into secondary schools in Wales.

I have had meetings with local education authorities in the valleys programme area to discuss ways of improving links between schools and industry, to ensure that pupils learn about the wide range of employment opportunities available to them.

Schemes for the local management of schools have been formally approved for each of the LEAs in Wales.

The number of students on courses of higher education in the Welsh public sector institutions has risen by 5 per cent. from 14,700 in 1987 to 15,500 today. During the same period the number of students on courses of initial teacher training in Wales rose by 20 per cent. from 2,621 in 1987 to 3,140 today.

I have initiated measures to simplify and improve the planning system and to speed up its operation, while ensuring that it continues to protect and enhance the environment. These have brought about reductions in the time taken for handling inspectors' appeals of nine weeks (inquiries) and five weeks (written representations).

Cadw: Welsh Historic Monuments has increased revenue by 41 per cent. and attendance by 8·5 per cent. at ancient monuments in my care during the three-year period ending March 1990.

"Roads in Wales 1989—Progress and Plans for the 1990s", which I published in April, demonstrates that a high level of investment is continuing in roads in Wales. Thirteen trunk road schemes have been completed since June 1987, totalling over 28 miles. Work is in progress on a further 11 schemes comprising about 25 miles. Work has started on four new schemes under transport grant arrangements; three new schemes, all in west Glamorgan, were accepted for start in 1989-90 and the Newbridge/Maesycymmer improvement in Gwent has been approved for start in 1990-91.

Agricultural Diversification

Mr. Geraint Howells: To ask the Secretary of State for Wales if he has any plans to revise the planning powers of the national park authorities in Wales to help farmers to diversify; and if he will make a statement.

Mr. Grist: My right hon. Friend, the Secretary of State for the Environment and I are reviewing planning policy guidance note No. 7, which describes the contribution that the planning system can make to the rural environment by providing a mechanism for balancing the requirements of development—including fostering the diversification of the rural economy—and the continuing need to protect the countryside in the national parks and elsewhere.

Uniform Business Rate

Mr. Nicholas Bennett: To ask the Secretary of State for Wales what representations he has received about the fact that empty properties lent to charities for short periods without charge result in the owner of the property being assessed for the full uniform business rate for the financial year; and if he will make a statement.

Mr. Grist: I have received no such representations.

The owners of unoccupied property are, unless the property is exempt, required to pay rates at 50 per cent. of the liability that would apply if the property were occupied. If a property subject to empty property rates is temporarily occupied for fewer than six weeks, and then again becomes unoccupied, the owners' liability at the concessionary empty property rate continues to apply.

Pembroke Dock

Mr. Nicholas Bennett: To ask the Secretary of State for Wales if he will make a statement on the financial assistance provided to Pembroke dock by the Welsh Office since 1979.

Mr. Roberts *[holding answer 24 April 1990]:* The total financial assistance provided by the Welsh Office and non-departmental public bodies funded by the Department is £19,325,203 made up as follows:

	£
Welsh Office:	
Urban Development Grant	725,000
Urban Programme	254,594
Coast Protection Act Grants	35,155
Industrial Development Act:	
(i) provision of sewage	7,529
(ii) roadworks	41,546
Regional Selective Assistance—offers accepted	396,000
Regional Development Grant (II)—offers made	4,135,000
Regional Enterprise Grants:	
Investment Grants—offers made	66,000
Innovation Grants—offers made	15,000
Payments made to South Pembrokeshire District Council for lost rate revenue foregone in the Pembroke Dock sites of the Milford Haven Enterprise Zone	1,737,490
European Regional Development Fund	3,025,080
Funding for Projects of Regional or National Importance	2,450,000
Sports Council for Wales	50,065
Housing Corporation/Housing for Wales/Tai Cymru	1,857,744
Wales Tourist Board	25,000
Welsh Development Agency:	
Land Reclamation Schemes—Public Sector	1,336,000
Land Reclamation Schemes—Private Sector	721,000
Environmental Improvement	30,000
Urban Renewal	40,000
Rural Conversion Grant	46,000
Factory construction	1,953,000
Investments	378,000
Total	19,325,203

ENVIRONMENT

Short Outfalls

Ms. Walley: To ask the Secretary of State for the Environment, pursuant to his answer of 3 April, *Official Report*, column *565*, if he will list the 344 short outfalls which discharge to coastal or estuarial waters, together with the local authority environmental health department responsible for each.

Mr. Heathcoat-Amory: Detailed information on the 344 outfalls referred to in my answer of 3 April to the hon. Member for Gower (Mr. Wardell), *Official Report*, column *565*, is not held centrally.

EC Environment Ministers

Dr. Thomas: To ask the Secretary of State for the Environment what matters were discussed at the meeting of European Community Environment Ministers at Ashford castle on 20 to 21 April.

Mr. Trippier: I represented the United Kingdom at this informal conference.

Ministers discussed the implications for the environment of the completion of the internal market and related issues. These included the implications of economic growth, the avoidance of trade barriers, the integration of environmental considerations into other areas of Community policy, and the scope for using economic and fiscal measures as instruments of environmental policy.

Community relations with eastern European countries and with EFTA were also discussed. Ministers considered information from the European Commission about the state of the environment in eastern and central Europe, and identified a number of areas for discussion at a meeting with their counterparts from those countries to be held in Dublin on 16 June.

Industrial Waste

Dr. Thomas: To ask the Secretary of State for the Environment if his Department will be represented at the conference on industrial waste water treatment, to be held in London on 7 to 8 June.

Mr. Trippier: Yes.

Hazardous Substances

Dr. Thomas: To ask the Secretary of State for the Environment what response he has made to the European Commission proposal for a Council directive amending directive 76/464/EFC on pollution caused by certain dangerous substances discharged into the aquatic environment of the Community (COM[909], final) issued on 8 February.

Mr. Heathcoat-Amory: The Government's response was set out in an explanatory memorandum which was placed in the Vote Office on 19 March.

Local Government Legislation

Mr. Gould: To ask the Secretary of State for the Environment what further plans he has to introduce local government legislation in this Session; what that legislation will cover; how much of it will be retrospective in effect; and if he will make a statement.

Mr. Chris Patten: I refer the hon. Member to the answer by my hon. Friend the Parliamentary Under-Secretary of State for the Environment of 30 March to my hon. Friend the Member for Isle of Wight (Mr. Field), *Official Report*, Vol. 170, column *346*.

UN Youth Forum on the Environment

Dr. Thomas: To ask the Secretary of State for the Environment what involvement his Department will have in the special youth forum on the environment at the United Nations in New York on 11 May.

Mr. Trippier: The Department of the Environment is not involved in the special youth forum. However, this is a United Nations environment programme event and therefore my Department fully supports it.

Environment Conference, York

Dr. Thomas: To ask the Secretary of State for the Environment if he, or any Ministers or officials of his Department, attended the conference on the state of the environment in Yorkshire and Humberside held at York university on 2 April.

Mr. Trippier: The conference was in fact held on 20 April. The Department was not represented. However, my officials are being kept informed of developments by the conference organisers.

Local Government Finance

Mr. Nicholas Bennett: To ask the Secretary of State for the Environment if he will make a statement on the practice of local authorities charging a double standard community charge for owners of second homes; and whether he will consider extending transitional relief to these charge payers who would have been eligible had they been paying a personal community charge.

Mr. David Hunt: Charging authorities are required to set a multiplier for the standard charge of either 0, 0·5, 1, 1·5 or 2 times the personal community charge for the area. We have prescribed nine classes of property where no standard charge is payable and two classes of property where the multiplier may not exceed one times the personal charge. In addition local authorities have wide discretion to specify further classes of property in respect of which a different multiplier from the one generally applied may be set. Many authorities have made good use of this discretion. I am concerned, however, that other authorities have not and, if necessary, we will consider further central prescription for 1991-92. I do not think it necessary to extend transitional relief to standard charge properties. However, individuals who are subject to the standard charge may be eligible to receive transitional relief on their personal community charge by virtue of their sole or main residence.

Atmospheric Conditions (Monitoring)

Mr. Dobson: To ask the Secretary of State for the Environment if he will give figures for each region's estimated methane emissions in 1988 by emission source consistent with the United Kingdom figures given in table 2·12 of the latest "Digest of Environmental Protection and Water Statistics."

Mr. Trippier: This information is not available.

Mr. Dobson: To ask the Secretary of State for the Environment (1) if he will give figures for nitrogen dioxide concentrations recorded at each of Warren Spring laboratory's 11 sites in the latest available year;

(2) if he will give the number of occasions hourly average tropospheric ozone concentrations in excess of 60ppb were recorded by each of his Department's 19 sites in the latest available year;

(3) if he will give figures on the acidity of rain recorded at each of his Department's 32 sites for the latest available year.

Mr. Trippier: United Kingdom monitoring network data for 1989 are given in tables A (NO_2), B (ozone) and C (acidity of rain). Of the NO_2 sites, all except Cromwell road and Stevenage are in the EC NO_2 directive monitoring network set up to meet the requirements of EC directive 85/203/EEC.

WSL also operates three rural NO_2 monitoring sites. Results for a full year are not yet available. Measurements made so far indicate concentrations are of the order of 10 to 15 parts per billion by volume (ppb) annual average and 30 to 50 ppb 98th percentile of hourly averages.

The locations of the sites are described in the digest of environmental protection statistics, No. 12, 1989 and in the second report of the United Kingdom review group on acid rain, 1987, copies of which have been placed in the Library of the House.

Table A—NO_2:

Site	*Annual average (ppb)*	*98th percentile (ppb)*
Central London	37	81
West London	42	112
Glasgow	26	61
Manchester	25	61
Walsall	29	58
Billingham	21	57
Cromwell Road	43	100
Stevenage	24	55

Table B—ozone:

Site	*Exceedances of 60 ppb hourly means*
Stevenage	85
Central London	74
Sibton	212
Aston Hill	143
Lullington Heath	401
Strath Vaich	28
High Muffles	184
Lough Navar	74
Yarder Wood	360
Ladybower	173
Harwell	170
Bottesford	82
Bush	63
Eskdalemuir	99
Great Dun Fell	204
Glazebury	129

Table C—acidity of rain—acidity of deposited rain adjusted for rainfall amount

Site	*Precipitation weighted mean acidity (microgramme equivalents per litre)*
Achanarras	25
Strath Vaigh Dam	13
River Mharcaidh	20
Glen Dye	36
Balquhidder	20
Whiteadder	35

Site	Precipitation weighted mean acidity (microgramme equivalents per litre)
Eskdalemuir	20
Redesdale	32
Loch Dee	15
Cow Green Reservoir	23
Bannisdale	24
High Muffles	55
Thorganby	84
Jenny Hurn	64
Driby	47
Wardlow Hay Cop	37
Beddgelert	15
Bottesford	48
Plynlimon	14
Stoke Ferry	40
Preston Montford	36
Llyn Brianne	19
Tycanol Wood	18
Woburn	37
Flatford Mill	35
Compton	25
Barcombe Mills	15
Yarner Wood	20
Goonhilly	19
Lough Navar	10
Hillsborough Forest	13
Isle of Man	24

Mr. Dobson: To ask the Secretary of State for the Environment if he will give figures for each region's estimated carbon dioxide emissions in 1988 by emission source consistent with the United Kingdom figures given in table 2.11 of the latest "Digest of Environmental Protection and Water Statistics".

Mr. Trippier: This information is not available.

Mr. Dobson: To ask the Secretary of State for the Environment if he will give figures for sulphur dioxide concentrations in each region in the latest available year.

Mr. Trippier: The basic urban monitoring network data, for April 1988 to March 1989, analysed by region, are given in the table:

Region	Number of sites with valid results	Concentration—micrograms per standard cubic metre of air	
		SO_2	Smoke
Scotland	13	27	12
North	12	30	16
North West	25	39	14
Yorkshire-Humberside	21	43	21
East Midlands	11	43	20
West Midlands	8	37	20
Wales	6	19	11
East Anglia	2	28	12
London	11	41	17
South East	9	31	12
South West	5	23	11
Northern Ireland	4	46	27
United Kingdom	126	36	16

Mr. Dobson: To ask the Secretary of State for the Environment if he will give figures for each region's estimated nitrogen oxides emissions in 1988 by emission source consistent with the United Kingdom figures given in table 2.6 of the latest "Digest of Environmental Protection and Water Statistics."

Mr. Trippier: Estimates of emissions of nitrogen oxides are not made by region.

Mr. Dobson: To ask the Secretary of State for the Environment if he will give figures for each region's estimated sulphur dioxide emissions in 1988 by emission source consistent with the United Kingdom figures given in table 2.3 of the latest "Digest of Environmental Protection and Water Statistics."

Mr. Trippier: Estimates of emissions of sulphur dioxide are not made by region.

Mr. Dobson: To ask the Secretary of State for the Environment if he will give figures for each region and each county for the estimated *(a)* acidity of rain and *(b)* wet deposited acidity in 1988, consistent with figures given in tables 2.5 and 2.6 of the latest "Digest of Environmental Protection and Water Statistics."

Mr. Trippier: This information is not available.

Ivory

Mr. Tony Banks: To ask the Secretary of State for the Environment what measures he is taking to monitor the impact in the United Kingdom of the CITES ban on ivory trade.

Mr. Trippier: Records of trade in ivory are being maintained by the Department in accordance with article VIII.6 of the convention on international trade in endangered species of wild fauna and flora.

Mr. Tony Banks: To ask the Secretary of State for the Environment what information he has on the amount of tradeable ivory currently in the United Kingdom.

Mr. Trippier: The Department does not have comprehensive details of tradeable ivory currently in the United Kingdom. Such information as we have is not held centrally and could be provided only at disproportionate cost.

Mr. Tony Banks: To ask the Secretary of State for the Environment, pursuant to his answer of 23 April, *Official Report*, column *11*, if he will make it his policy to establish the total amount of ivory currently held at United Kingdom ports of entry and which is not accompanied by CITES documentation; and if he will make a statement.

Mr. Trippier: No. Enforcement of CITES controls at ports of entry is primarily the responsibility of Her Majesty's Customs and Excise.

Mr. Tony Banks: To ask the Secretary of State for the Environment if he will make a statement about the current controls relating to internal trade in ivory among EEC countries.

Mr. Trippier: Internal trade in ivory among EC countries is controlled under EC regulations 3626/82 and 3418/83. Ivory which has been legally imported into one Community country may be moved to other Community countries provided that it is accompanied by a copy of the original import permit, or an EC CITES certificate granted by the Community country from which it is being moved.

Nature Conservancy

Mr. Summerson: To ask the Secretary of State for the Environment what arrangements have been made for designating the United Kingdom's scientific authority for

animals under the convention on international trade in endangered species of wild fauna and flora resulting from his proposals to reorganise the Nature Conservancy Council.

Mr. Trippier: All the functions and responsibilities of the existing Nature Conservancy Council will continue under the new organisational arrangements. Those with a clear international and Great Britain dimension, including that of acting as the scientific authority for animals under the convention on the international trade in endangered species, will be exercised under the auspices of the joint committee of the councils, within the terms of clause 109 of the Environmental Protection Bill.

Mr. Summerson: To ask the Secretary of State for the Environment whether the Nature Conservancy Council has estimated the additional funding which will be required as a result of the Government's reorganisation proposals in order to maintain its existing functions and work programmes.

Mr. Trippier: We are discussing with the Nature Conservancy Council the resources needed by the successor bodies to the existing Nature Conservancy Council to carry forward the work of nature conservation and this work will continue throughout the summer. The Government expect to announce the grant in aid to be made available to each of the three new councils within the normal timetable for the public expenditure survey.

CITES

Mr. Tony Banks: To ask the Secretary of State for the Environment if he intends to grant any exemptions under article 6 paragraph 1*(a)* of Council regulations (EEC) No. 3626/82 on the implications in the Community of CITES; and if he will make a statement.

Mr. Trippier: Applications for exemptions under article 6.1*(a)* of EC regulation 3626/82 are considered on their individual merits at the time they are made, having regard to the objectives of CITES, and any other relevant considerations.

Sellafield

Mr. Simon Hughes: To ask the Secretary of State for the Environment to what factors he ascribes the substantial increases in discharges of Krypton-85 to the air from Sellafield in 1986; and if he will make a statement.

Mr. Trippier *[holding answer 30 April 1990]:* I refer the hon. Member to the British Nuclear Fuels annual report on radioactive discharges and monitoring of the environment 1986, a copy of which is in the Library of the House.

Pollution

Mr. Simon Hughes: To ask the Secretary of State for the Environment what targets his Department has identified as desirable in respect of cuts in the supply of *(a)* CFCs, *(b)* halons, *(c)* carbon tetrachloride and *(d)* methyl chloroform.

Mr. Trippier *[holding answer 30 April 1990]:* We must reduce production and consumption of all ozone-depleting substances as quickly as possible. In international negotiations we are pressing for: CFCs and carbon tetrachloride to be cut by 85 per cent. by 1995-96, and 100 per cent. by 2000; halons to be cut by 50 per cent. by 1995, and 100 per cent. by 2000 with exceptions for some essential uses; and methyl chloroform to be cut by 25 per cent. by 1994 with decisions to be made then on further cuts. We are considering whether we can go further and faster on methyl chloroform and carbon tetrachloride.

Ministerial Visit, Leeds

Mr. Fatchett: To ask the Secretary of State for the Environment what steps were taken by the Minister for Local Government and Inner Cities to inform Leeds city council of his visit to the city on Wednesday 4 April.

Mr. David Hunt *[holding answer 18 April 1990]:* My visit to Leeds on 4 April was on party business.

Storm Damage

Mr. Mans: To ask the Secretary of State for the Environment when he will announce the special financial assistance under the Bellwin scheme to be given to those local authorities whose coasts suffered damage as a result of the severe storms during 25 and 26 February.

Mr. David Hunt *[pursuant to his reply, 20 April 1990, c. 1034]:* I am pleased to announce that the Bellwin scheme for special financial assistance to local authorities in emergencies has been activated for the severe flooding in the Maidenhead area in early February 1990, and the storms of the period 26 to 28 February in England. My officials will be writing to local authorities shortly with the details.

Grant under the scheme will be given to those authorities whose eligible expenditure in coping with the

HOUSE OF COMMONS

Wheelchair Access

Mr. Flynn: To ask the Lord President of the Council what facilities are currently available, or will be made available in future for hon. Members who are confined to wheelchairs to take their place and to speak in the Chamber.

Sir Geoffrey Howe: No special facilities are available in the Chamber, but I am confident that hon. Members and staff of the House would give every assistance to a Member unfortunate enough to be confined to a wheelchair in order that he or she might take a full part in our proceedings.

Parliamentary Questions

Mr. Tony Banks: To ask the Lord President of the Council what is the current disproportionate cost threshold for answering a parliamentary question; who determines the level; why it was introduced; and if there are any proposals to change it in line with inflation.

Sir Geoffrey Howe: The disproportionate cost threshold currently stands at £250. The figure is calculated by the Treasury and is set at a level to identify and draw to ministerial attention those questions which are likely to be particularly expensive to answer. This does not alter the discretion of individual Ministers to decide that a particular question should be answered, partially or in full, regardless of cost.

The threshold figure is kept under regular review and a further increase will be proposed when thought necessary.

SCOTLAND

Local Government Finance

Mr. Menzies Campbell: To ask the Secretary of State for Scotland if he has any plans to introduce further concessions to the community charge legislation to allow local authorities to waive payment where there is clear evidence of poverty.

Lord James Douglas-Hamilton: The collection of the community charge is the responsibility of local authorities. The community charge benefit scheme is available to assist people on low incomes with their community charge payments. My right hon. and learned Friend has no plans to make changes to the present collection arrangements.

Quality Assurance (Surveying)

Mr. Kennedy: To ask the Secretary of State for Scotland (1) what evidence he has with reference to the issuing of quality assurance certification within the surveying profession of the effect of certification charges on incentives to secure quality assurance certification;

(2) what analysis he has made of the impact of the level of certification charges across Scotland on the willingness of smaller size surveying businesses to seek certification; and if he will make a statement,

Lord James Douglas-Hamilton: The number of professional firms on the Department of Trade and Industry quality assurance register is currently very small and no specific monitoring has so far been carried out. However, based on experience with the many manufacturers now registered, steps to help small firms are being taken. More certifying bodies are being approved, and this will increase competition and reduce costs to those seeking quality assurance certification.

Miss Gail Sutherland

Mr. Kennedy: To ask the Secretary of State for Scotland if he will make a statement on progress in the handling of the claim of Miss Gail Sutherland, Rosshire about which he last wrote to the hon. Member for Ross, Cromarty and Skye on 5 January; and if he will make a statement.

Lord James Douglas-Hamilton: Since I last wrote to the hon. Member regarding Miss Gail Sutherland's damages claim, the Office of the Solicitor for the Secretary of State has been pursuing the information required to enable an assessment of liability to be made. The claimant will be advised of the decision shortly and, indeed, as soon as possible.

Multiple Births

Mr. Wigley: To ask the Secretary of State for Scotland what information he has as to the number of *(a)* twins, *(b)* triplets, *(c)* quadruplets, *(d)* quintuplets and *(e)* sextuplets, born in Scotland in 1989; and what was the total number of maternities in that year.

Mr. Michael Forsyth: The information is as follows:

Multiple births, (live and still) and maternities leading to live or stillbirths, Scotland 1989, provisional figures

	Number
Twins	677
Triplets	13
Quadruplets	2
Quintuplets	0
Sextuplets	0
Total maternities	63,090

Hip Replacements

Mrs. Margaret Ewing: To ask the Secretary of State for Scotland how many operations for the insertion of an artificial hip are carried out on United Kingdom citizens in *(a)* National Health Service hospitals, and *(b)* private hospitals in Scotland annually.

Mr. Michael Forsyth: The information is available centrally only for National Health Service hospitals. The numbers of United Kingdom patients receiving total or partial hip replacement in National Health Service hospitals in Scotland in each of the last three years are as follows:

Year	*Total hip replacement*	*Other arthroplasty of hip*	*Total*
1986	3,236	1,630	4,866
1987	3,485	1,709	5,194
1988	3,798	1,786	5,584

Nursing Staff

Mrs. Margaret Ewing: To ask the Secretary of State for Scotland what is the total number of nursing staff employed in private hospitals in Scotland.

Mr. Michael Forsyth: The total number of nursing staff employed in private nursing homes and hospitals subject to the Nursing Homes Registration (Scotland) Act 1938 or the Mental Health Acts 1960 and 1984 in Scotland at 31 March 1989 was 8,435 (3,189 whole-time and 5,246 part-time).

Health Boards

Mr. Salmond: To ask the Secretary of State for Scotland if he will give details of the amount of money which health boards were required to find from their own resources to meet centrally agreed pay awards from 1979 to 1989, by health board, on an annual basis.

Mr. Michael Forsyth: The amounts included in health board revenue allocations to meet the cost of pay and salaries are not separately identified. However additional resources have been made available towards the cost of pay review body awards.

Mr. Salmond: To ask the Secretary of State for Scotland if he will give details of the amount of money which has accrued to individual health boards from the sale of hospital land and buildings; and if he will make a statement on how this money is treated for the hospital board's capital allocation.

Mr. Michael Forsyth: Details of the receipts for NHS property sales retained by health boards are as follows:

Health Board	1987-88 £	1988-89 £	1989-90 £
Argyll and Clyde	749,664	1,352,562	3,079,594
Ayrshire and Arran	115,324	49,530	5,814,154
Borders	94,091	832,197	753,430
Dumfries and Galloway	172,272	213,761	500
Fife	283,559	619,124	247,756
Forth Valley	429,108	659,414	577,385
Grampian	507,060	719,537	712,196
Greater Glasgow	1,633,038	1,398,410	6,061,349
Highland	556,902	560,331	690,557
Lanarkshire	194,665	153,050	380,532
Lothian	1,018,969	2,033,405	1,870,490
Orkney	23,475	90,826	51,500
Shetland	55,099	79,152	21,900
Tayside	581,126	1,163,484	637,291
Western Isles	—	—	—
Total receipts retained by boards	6,414,359	9,924,788	20,898,639

Since November 1988, boards have retained the total proceeds from the disposal of land and property and will continue to do so until March 1991. I refer the hon. Gentleman to the reply that I gave to my hon. Friend the Member for Eastwood (Mr. Stewart) on 11 November 1988 at column *345*. These arrangements replaced the previous rules allowing boards to retain only the first £250,000 proceeds of a single sale; the remainder was distributed to all the health boards.

Capital allocations to boards have regard to their expected income from capital receipts.

Mrs. Margaret Ewing: To ask the Secretary of State for Scotland what is the current total of psychogeriatric beds available in each Scottish health board area; and what are the relevant Scottish health authorities revenue equalisation targets.

Mr. Michael Forsyth *[holding answer 25 April 1990]:* The average numbers of available staffed beds in the psychogeriatric specialty in NHS hospitals in Scotland are set out in the table. Targets are a matter for individual health boards; the service has top priority among the SHARPEN recommendations which the Government have accepted.

Health board	Average available staffed beds[1]
Argyll and Clyde	529
Ayrshire and Arran	411
Borders	162
Dumfries and Galloway	211
Fife	528
Forth Valley	390
Grampian	635
Greater Glasgow	711
Highland	11
Lanarkshire	741
Lothian	1024
Orkney	—
Shetland	—
Tayside	609
Western Isles	—
SCOTLAND	5,963

[1] Year ending 30 September 1989.

Mrs. Margaret Ewing: To ask the Secretary of State for Scotland if he will list the total amount of development funds allocated to each Scottish health board for the next financial year; and if he will detail allowances made for the current rate of inflation.

Mr. Michael Forsyth *[holding answer 25 April 1990]:* The percentage increase in the 1990-91 gross revenue allocation over the 1989-90 gross revenue allocation for each health board in Scotland was as follows:

Health board	Percentage Increase
Argyll and Clyde	8·10
Ayrshire and Arran	8·88
Borders	10·13
Dumfries and Galloway	9·72
Fife	8·97
Forth Valley	8·24
Grampian	8·09
Greater Glasgow	5·86
Highland	8·40
Lanarkshire	8·21
Lothian	7·94
Orkney	9·73
Shetland	9·66
Tayside	7·75
Western Isles	7·46

Further sums totalling 1·54 per cent. of the all Scotland 1989-90 allocations mainly representing resources for systems implementation, and breast cancer screening, will be allocated in the course of the year.

Resources released by cost improvement programmes are expected to release an average of a further 1 per cent. in the current financial year.

Boards receive an overall cash allocation and are expected to manage their expenditure within that amount. Allocations contain no specific allowance for inflation.

Mrs. Margaret Ewing: To ask the Secretary of State for Scotland what is the current waiting list for psychogeriatric beds in each of the Scottish health board areas; and what is the current average length of time between application for a full-time bed and allocation of beds.

Mr. Michael Forsyth *[holding answer 25 April 1990]:* Information on waiting lists for psychogeriatric beds as at 30 September 1989 (the latest data available) is set out in the table. Information on average length of time between application and allocation of psychogeriatric beds is not held centrally.

Health board	Number on waiting list
Argyll and Clyde	25
Ayrshire and Arran	25
Borders	16
Dumfries and Galloway	—
Fife	59
Forth Valley	33
Grampian	212
Greater Glasgow	193
Highland	5
Lanarkshire	70
Lothian	125
Orkney	—
Shetland	—
Tayside	27
Western Isles	—
Scotland	790

Radioactive Substances Act

Dr. Thomas: To ask the Secretary of State for Scotland how many firms or organisations have been successfully prosecuted in each year since 1979 under the Radioactive Substances Act 1960; and what penalty was incurred in each case.

Lord James Douglas-Hamilton: There have been successful prosecutions under the Radioactive Substances Act 1960 in Scotland on two charges in each of the years 1982 and 1989 and on one charge in 1990. The convictions in 1982 led to fines of £50 and £300, those in 1989 to fines of £200 and £500 and that in 1990 to a fine of £250.

Firearms

Mr. Wilson: To ask the Secretary of State for Scotland if he will state the number of firearms licensed, by category, held in Scotland in each of the past 10 years.

Lord James Douglas-Hamilton: The number of firearm and shotgun certificates in force in Scotland at 31 December is shown in the following table:

Year	*Firearm*	*Shotgun*
1980	38,752	85,126
1981	38,548	84,847
1982	38,115	84,183
1983	37,825	84,306
1984	37,750	84,606
1985	38,165	86,198
1986	38,295	87,528
1987	38,465	89,104
1988	38,341	89,493
1989	33,540	87,049

Note: A certificate may authorise the holding of more than one firearm or shotgun. Figures for the total number of firearms and shotguns authorised to be held are not available.

Mr. Wilson: To ask the Secretary of State for Scotland if he will bring forward proposals to further restrict the availability of shotguns.

Lord James Douglas-Hamilton: The Firearms (Amendment) Act 1988 introduced stricter controls on the acquisition and possession of shotguns. There are no present plans to introduce further legislation, but the matter is kept under continuing review.

Mr. Wilson: To ask the Secretary of State for Scotland if he will list, by area, the number of reported offences involving the use of firearms, by category, in each of the past 10 years.

Lord James Douglas-Hamilton: The information is given in the table. Data for 1989 are not yet available.

Crimes and Offences in Scotland recorded by the police in which a firearm was alleged to have been used, by main firearm used and police force area

	Shotgun	*Rifle*	*Pistol/ Revolver*	*Airweapon*	*Imitation/ Other*[1]	*Total*	*Total (excluding airweapons)*
Northern							
1980	6	2	1	0	1	10	10
1981	9	0	1	26	0	36	10
1982	11	2	0	19	0	32	13
1983	4	1	1	15	0	21	6
1984	9	0	0	19	1	29	10
1985	6	2	2	13	0	23	10
1986	4	0	2	12	0	18	6
1987	11	2	0	11	0	24	13
1988	7	4	0	14	2	27	13
Grampian							
1980	22	6	0	144	4	176	32
1981	4	1	0	123	3	131	8
1982	7	0	0	106	0	113	7
1983	5	0	1	105	3	114	9
1984	8	5	0	79	2	94	15
1985	3	1	3	93	2	102	9
1986	2	1	0	86	0	89	3
1987	2	3	0	122	4	131	9
1988	3	2	0	120	3	128	8
Tayside							
1980	4	0	8	22	2	36	14
1981	9	4	4	74	2	93	19
1982	9	2	1	80	4	96	16
1983	11	4	1	94	3	113	19
1984	7	2	4	57	0	70	13
1985	4	0	0	78	4	86	8
1986	13	0	2	84	9	108	24
1987	8	1	1	60	6	76	16
1988	5	0	1	32	3	41	9
Fife							
1980	0	0	0	29	0	29	0
1981	0	0	1	13	0	14	1
1982	0	0	0	24	1	25	1
1983	2	0	1	26	1	30	4
1984	3	0	0	19	0	22	3
1985	2	0	3	30	1	36	6
1986	4	0	0	48	1	53	5

	Shotgun	Rifle	Pistol/ Revolver	Airweapon	Imitation/ Other[1]	Total	Total (excluding airweapons)
1987	5	0	0	50	1	56	6
1988	3	0	0	35	3	41	6
Lothian and Borders							
1980	5	7	3	162	2	179	17
1981	8	4	10	125	2	149	24
1982	13	16	23	155	11	218	63
1983	16	3	13	121	9	162	41
1984	11	0	14	228	5	258	30
1985	25	1	12	329	23	390	61
1986	19	3	3	282	21	328	46
1987	18	5	10	184	18	235	51
1988	12	1	4	116	9	142	26
Central							
1980	1	0	0	93	6	100	7
1981	4	1	0	89	0	94	5
1982	1	0	1	96	3	101	5
1983	1	1	1	74	0	77	3
1984	1	0	0	68	0	69	1
1985	0	0	1	91	3	95	4
1986	2	0	0	81	0	83	2
1987	0	0	0	69	0	69	0
1988	1	0	0	25	0	26	1
Strathclyde							
1980	24	4	10	474	50	562	88
1981	48	3	10	672	61	794	122
1982	56	3	21	570	45	695	125
1983	81	2	25	645	65	818	173
1984	92	4	5	614	88	803	189
1985	78	0	6	719	114	917	198
1986	109	1	4	605	112	831	226
1987	97	5	13	586	122	823	237
1988	103	0	7	473	151	734	261
Dumfries and Galloway[2]							
1980	0	1	0	0	0	1	1
1981	2	1	0	0	0	3	3
1982	1	1	1	0	0	3	3
1983	0	0	0	1	0	1	0
1984	6	2	0	0	0	8	8
1985	11	4	1	10	0	26	16
1986	4	1	0	8	2	15	7
1987	1	1	0	12	1	15	3
1988	5	2	1	9	2	19	10
Scotland							
1980	62	20	22	924	65	1,093	169
1981	84	14	26	1,122	68	1,314	192
1982	98	24	47	1,050	64	1,283	233
1983	120	11	43	1,081	81	1,336	255
1984	137	13	23	1,084	96	1,353	269
1985	129	8	28	1,363	147	1,675	312
1986	157	6	11	1,206	145	1,525	319
1987	142	17	24	1,094	152	1,429	335
1988	139	9	13	824	173	1,158	334

[1] The rise in the "Other" category of firearm type in 1985 probably reflects the introduction in that year of a new firearm type category, "Unidentified", in the data collection procedures. Previously, unidentified types of firearm would have been forced into one of the specific categories.

[2] Variations in police recording practice can occur between areas and over time. It is known that the introduction of computerised crime logging systems has resulted in improved recording procedures and as such systems come to be more used minor corrections to recorded figures will continue to occur.

Salmon Poaching

Mr. Wilson: To ask the Secretary of State for Scotland if he will make it his policy to revert to the position, as described in Scottish records office document AF 62/1161, that salmon poaching prosecutions should not be taken by procurators fiscal as part of their official duties.

Lord James Douglas-Hamilton: No.

Mr. Wilson: To ask the Secretary of State for Scotland since when, and under what statute, it has been the policy of the Scottish Office that prosecutions for salmon poaching should be instigated by procurators fiscal rather than privately.

Lord James Douglas-Hamilton: Under the Salmon Fisheries (Scotland) Acts 1862 to 1868 prosecutions were usually raised by clerks of district salmon fishery boards. Procurators fiscal were also entitled to prosecute these

offences and did so in appropriate cases according to the practice in the particular district. The Salmon Act 1986 made fresh provision for the administration of salmon fisheries in Scotland and repealed the 19th century legislation. The relevant part of that Act came into effect in January 1987 since when the clerks have had no right to prosecute. Offences under the relevant salmon fisheries legislation—like nearly all other offences—are now prosecuted by procurators fiscal.

Police

Mr. Graham: To ask the Secretary of State for Scotland if he will call for a report from the chief constable of Strathclyde on the number of officers on each relief in *(a)* Linwood, *(b)* Erskine and Inchinnan, *(c)* Bishopton, *(d)* Bridge of Weir, *(e)* Houston, *(f)* Lochwinnoch, *(g)* Johnstone, *(h)* Paisley, *(i)* Howood and *(j)* Renfrew.

Lord James Douglas-Hamilton *[holding answer 26 April 1990]:* I understand from the chief constable of Strathclyde that all these areas lie within the boundaries of K division, the total uniformed strength of which is 399 officers. The number of officers on duty in particular areas at particular times varies according to the policing requirements.

HEALTH

Residential Homes

14. **Mr. Boyes:** To ask the Secretary of State for Health when he expects to bring forward legislation requiring the registration of homes with fewer than four residents.

24. **Mr. Bidwell:** To ask the Secretary of State for Health when he expects to bring forward legislation requiring the registration of homes with fewer than four residents.

87. **Mr. Buckley:** To ask the Secretary of State for Health when he expects to bring forward legislation requiring the registration of homes with fewer than four residents.

133. **Mr. Caborn:** To ask the Secretary of State for Health when he expects to bring forward legislation requiring the registration of homes with fewer than four residents.

Mrs. Virginia Bottomley: As I said on Report of the National Health Service and Community Care Bill, we will seek a legislative opportunity to bring homes with fewer than four residents under control. I cannot at present say when that opportunity may occur.

25. **Mr. John P. Smith:** To ask the Secretary of State for Health if he will bring forward proposals requiring the disclosure of criminal convictions by persons who are, or intend to become, proprietors, managers or care staff in private residential or nursing homes.

62. **Mr. Steinberg:** To ask the Secretary of State for Health if he will bring forward proposals requiring the disclosure of criminal convictions by persons who are, or intend to become, proprietors, managers or care staff in private residential or nursing homes.

Mrs. Virginia Bottomley: I refer the hon. Members to the reply I gave the hon. Members for Wolverhampton, South-East (Mr. Turner) and for Wigan (Mr. Stott) earlier today.

36. **Mr. Andrew Bowden:** To ask the Secretary of State for Health if he has any plans to extend the powers of health authorities to allow them to make top-up payments to residents of private and voluntary nursing homes over retirement age.

Mrs. Virginia Bottomley: We have no such plans. Topping up would be contrary to a basic principle of the National Health Service to meet the full cost of a patient's care unless there is a specific power to charge, for example for prescriptions.

The White Paper "Caring for People" published in November last year proposes the introduction of a new funding structure for those seeking help from public funds for the cost of care. From 1 April 1991 there will be a single budget to cover the cost of such care, whether in a person's own home or in a residential or nursing home. We propose that local authorities should, subject to qualification, assume responsibility for meeting the cost of care, making the best use of those funds available in the light of an assessment of an individual's needs.

Internal Contracts

16. **Mr. Hague:** To ask the Secretary of State for Health whether any assessments have been made of how internal contracts in the National Health Service would work.

131. **Mr. Stevens:** To ask the Secretary of State for Health whether any pilot schemes have been carried out in the National Health Service on internal contracts.

Mr. Kenneth Clarke: I refer my hon. Friends to the reply I gave my hon. Friends the Members for Shrewsbury and Atcham (Mr. Conway) and for Hertfordshire, South-West (Mr. Page) earlier today.

Health Service (Collaboration)

17. **Mr. Janman:** To ask the Secretary of State for Health if he will make a statement on collaboration between the National Health Service and the private sector.

Mr. Freeman: Our policy is to encourage collaboration between the National Health Service and the independent sector. We expect all district health authorities to consider the opportunity for co-operative ventures as part of their regular reviews of performance.

27. **Mr. Neil Hamilton:** To ask the Secretary of State for Health how collaboration between the National Health Service and the private sector affects services to patients.

Mrs. Virginia Bottomley: Cost-effective collaboration releases National Health Service resources for further improvement to health services for all. We expect district health authorities to consider the opportunity for co-operative ventures as part of their regular reviews of performance.

Private Hospitals

19. **Mr. Worthington:** To ask the Secretary of State for Health if he will bring forward proposals to require private hospitals and clinics to ensure that patients are in a position to pay for treatment before such treatment is given.

100. **Mr. Hinchliffe:** To ask the Secretary of State for Health if he will bring forward proposals to require private hospitals and clinics to ensure that patients are in a position to pay for treatment before such treatment is given.

107. **Mr. David Young:** To ask the Secretary of State for Health if he will bring forward proposals to require private hospitals and clinics to ensure that patients are in a position to pay for treatment before such treatment is given.

124. **Mrs. Wise:** To ask the Secretary of State for Health if he will bring forward proposals to require private hospitals and clinics to ensure that patients are in a position to pay for treatment before such treatment is given.

Mr. Freeman: No. Payment for private medical treatment is a matter for the parties concerned. The National Health Service continues to provide a high quality comprehensive service, available to all regardless of means.

General Practitioners

20. **Mr. Lambie:** To ask the Secretary of State for Health if he will make a statement on the operation of the new general practitioner contracts.

Mr. Kenneth Clarke: The GPs' new contract was introduced on 1 April 1990. The new contract will raise standards of care, extend services and promote greater choice for patients in the family doctor services. First indications are that GPs are responding positively to the new arrangements.

Laboratories are already reporting a significant increase in the number of cervical smear tests as GPs aim to meet the targets. More GPs are applying to attend training courses in order to qualify for the new postgraduate education allowance. Some FPCs are also reporting that well over half of all GPs in their areas are applying for a place on the child health surveillance and minor surgery lists, demonstrating their wish to take advantage of the new opportunities offered by the contract.

We are supporting the changes being made by the new contract with very substantial additional sums to enable GPs to recruit more practice staff and to improve their premises. Between 1988-89 and 1990-91 expenditure on staff and practice premises has increased from £232 million to £359 million, an increase of 36 per cent. in real terms. I also expect to add to the £359 million for 1990-91 in the summer in order to meet the cost of commitments entered into before the start of this financial year and which are not yet fully reflected in the current allocation.

23. **Mr. Lofthouse:** To ask the Secretary of State for Health if he will make a statement on the operation of the new general practitioner contracts.

58. **Mr. Loyden:** To ask the Secretary of State for Health if he will make a statement on the operation of the new general practitioner contracts.

72. **Mr. Tony Lloyd:** To ask the Secretary of State for Health if he will make a statement on the operation of the new general practitioner contracts.

Mrs. Virginia Bottomley: The GPs' new contract came into operation on 1 April. The changes that have been introduced will raise standards of care, extend services and offer greater consumer choice in the family doctor services.

44. **Dr. Michael Clark:** To ask the Secretary of State for Health what effect the new general practitioners' contract will have on general practitioner list sizes.

98. **Mr. Brazier:** To ask the Secretary of State for Health how the new general practitioner contract will affect doctors' lists.

Mrs. Virginia Bottomley: Average list size has fallen steadily over the past decade. This should continue as the population is almost static and the number of GPs is increasing each year. There are no grounds for supposing that the GPs' new contract will affect this trend.

52. **Mr. Cash:** To ask the Secretary of State for Health what was the average list size of a family doctor in 1979 and 1989.

112. **Mr. Pawsey:** To ask the Secretary of State for Health how many people on average a general practitioner currently has on his or her list; and what was the equivalent figure in 1979.

Mr. Freeman: I refer my hon. Friends to the reply I gave to my hon. Friend the Member for Wimbledon (Dr. Goodson-Wickes) on 20 February at column *717*.

56. **Mr. Yeo:** To ask the Secretary of State for Health what assessment he has made of the effect of the new general practitioner contract on services to patients.

Mrs. Virginia Bottomley: I refer my hon. Friend to the reply I gave my hon. Friends the Members for Twickenham (Mr. Jessel) and for Sherwood (Mr. Stewart) on 20 March at column *549*.

59. **Mr. Butler:** To ask the Secretary of State for Health if he will make a statement on the progress of the general budget-holding scheme.

Mrs. Virginia Bottomley: Progress on the general practice scheme remains very encouraging. As my right hon. and learned Friend the Secretary of State announced on 14 March at column *280*, over 850 practices in England have expressed an interest in the scheme. These practices are now in discussion with regional health authorities to determine whether they are likely to meet the eligibility criteria for participation in the scheme from 1 April 1991, subject to parliamentary approval of the relevant provisions of the National Health Service and Community Care Bill.

64. **Mr. Gerald Bowden:** To ask the Secretary of State for Health whether any extra assistance will be available to general practioners' practices which choose to become fund-holding.

Mrs. Virginia Bottomley: Subject to parliamentary approval of the necessary legislation, practices which

volunteer to join the general practice funding scheme will be able to claim an annual management allowance of up to £32,000 to meet expenses legitimately incurred in running a fund. In 1990-91 an allowance of half that level will be available in recognition of the preparatory work which practices will need to undertake before entering the scheme. Furthermore, practices which commit themselves formally to participating in the scheme will be able to claim an additional 25 per cent, over and above the 50 per cent. which all GPs can claim, of their computer purchasing, leasing and upgrading costs according to a scale to be published in the statement of fees and allowances.

84. **Mr. Knapman:** To ask the Secretary of State for Health what resources are being allocated for 1990-91 to family practitioner committees in England to enable them to fund the direct reimbursement to general practitioners for the cost of employing a wider range of practice and support staff.

Mr. Freeman: Family practitioner committees (FPCs) in England have been given a preliminary allocation of £359 million to fund the direct reimbursement of general medical practitioners' practice staff and premises improvement costs in 1990-91. Within this total, FPCs have been allocated £256 million to reimburse the costs of practice staff, including new types of staff. Within their overall cash limit, FPCs are free to reapportion funds between practice staff and premises improvement costs in the light of local priorities. FPC allocations for 1990-91 will not be finalised until FPCs have reported their actual level of commitments for practice staff reimbursement and premises improvements as at 31 March 1990. A further allocation will be made in June or July to meet any difference between the preliminary allocation for 1990-91 to fund existing commitments, and the actual level of commitments.

86. **Mr. Moss:** To ask the Secretary of State for Health what is the number of practice staff in the average general practitioner's practice now; and what was the number in 1979.

Mrs. Virginia Bottomley: The average number of practice staff per partnership employed under the direct reimbursement scheme increased by 66 per cent. from 3·8 (2·3 whole-time equivalents) in 1979 to 6·3 (3·7 whole-time equivalents) in 1988.

92. **Mr. Harris:** To ask the Secretary of State for Health how many general practitioners' practices have expressed an interest in becoming fund-holding practices.

Mrs. Virginia Bottomley: I refer my hon. Friend to the reply my right hon. and learned Friend the Secretary of State gave my hon. Friend the Member for Wyre Forest (Mr. Coombs) on 14 March at column *280*.

94. **Mr. Barry Field:** To ask the Secretary of State for Health how many general practitioners' practices in England and Wales have now registered their interest in becoming fund-holding practices.

Mrs. Virginia Bottomley: Over 850 practices in England have registered their interest in the practice funding scheme. Fund-holding practices in Wales are a matter for my right hon. Friend the Secretary of State for Wales, but I refer my hon. Friend to the reply my hon. Friend the Parliamentary Under-Secretary of State for Wales gave the hon. Member for Cardiff, South and Penarth (Mr. Michael) on 20 April at column *1056*. While not all of these practices are likely to meet the full eligibility criteria and opt to take part in the scheme, we are clearly on course to meet our target of a few hundred practices choosing to participate from April 1991.

Mr. Michael Morris: To ask the Secretary of State for Health, pursuant to his answer to the hon. Member for Uxbridge (Mr. Shersby) on 20 April, at column *1048*, what factors were taken into consideration in determining to make a modification to the operation of screening targets after the commencement of the new contract for general medical practitioners; what steps have been taken to minimise any disruption resulting from this change; and if he will make a statement.

Mrs. Virginia Bottomley: The change made to the target payment system followed representations from the general medical services committee of the British Medical Association. The Government have accepted the GMSC's argument and new arrangements are being implemented. There should be no associated disruptive effects. The first target payments will not be made until the end of September giving sufficient time to implement the change and to ensure payments are made on time.

National Health Service Trusts

21. **Mr. Mans:** To ask the Secretary of State for Health what benefits there are for hospitals which choose to become National Health Service hospital trusts.

Mr. Kenneth Clarke: National Health Service trusts will have substantial freedom to manage their own affairs. In particular, they will be free to determine the terms and conditions of service of the staff they employ, to acquire, own and dispose of assets, to borrow money and to retain surpluses. These freedoms will enable trusts to improve the quality of the health care services which they provide and to respond flexibly and effectively to the needs of National Health Service patients.

68. **Mr. David Nicholson:** To ask the Secretary of State for Health how services to patients will be affected in those hospitals which choose to become National Health Service hospital trusts.

Mrs. Virginia Bottomley: National Health Service trusts will remain fully part of the National Health Service, but will be given substantial freedom to manage their own affairs. We intend that they should use their powers to improve the quality of the health care which they provide and to respond flexibly and effectively to the needs of general practitioners and National Health Service patients.

Patient Care

26. **Mr. Gale:** To ask the Secretary of State for Health what steps are being taken to promote the quality of care for patients.

53. **Mr. John Greenway:** To ask the Secretary of State for Health what initiatives are being taken to promote a better quality of care for patients.

Mrs. Virginia Bottomley: The White Paper reforms aim to provide a better National Health Service with more

attention to quality of care and customer service flowing from greater devolution, the separation of purchaser and provider functions and the introduction of contracts, wider choice and the extension of medical and clinical audit. These proposals are being reinforced by a £10 million programme of project-based initiatives to make the consumers' interest more central to the management and delivery of health care. The Government have also initiated talks with the royal colleges and other statutory bodies with an interest on assessing clinical standards in the National Health Service after implementation of the reforms. A first meeting took place on 4 April, when broad agreement was reached on the need to adopt a multi-professional approach by setting up a national clinical standards advisory group.

Junior Doctors

22. **Mr. Cousins:** To ask the Secretary of State for Health what new proposals he has to reduce the hours worked by junior doctors.

28. **Mr. Michael:** To ask the Secretary of State for Health what steps he intends to take to limit and to progressively reduce the hours of junior hospital doctors *(a)* in National Health Service hospitals and *(b)* in trust hospitals.

Mrs. Virginia Bottomley: I recently met with representatives of all the key parties including the profession to discuss this matter.

The talks were both productive and encouraging. A working group has been established to explore the main issues. It has been asked to make an initial report by the early summer.

Self-governing hospitals will be expected to comply with Government policy relating to the number of hours for which junior doctors may be employed.

NHS and Community Care Bill

29. **Mr. Dickens:** To ask the Secretary of State for Health whether any pilot studies are being undertaken on proposals in the National Health Service and Community Care Bill.

Mrs. Virginia Bottomley: Although no specific "pilot studies" are being undertaken, the Health Service, frequently supported and funded by the Department of Health, is undertaking a wide range of projects designed to inform the future implementation of the proposals contained in the National Health Service and Community Care Bill.

66. **Mr. Sims:** To ask the Secretary of State for Health what role he envisages for the voluntary sector in implementing the community care proposals in the National Health Service and Community Care Bill.

Mrs. Virginia Bottomley: We envisage a substantial and significant role for the voluntary sector in implementing proposals on community care and as set out in the White Paper "Caring for People". The voluntary sector will continue directly to provide services, represent user and carer interests, be active consultees in the care planning process and continue to respond to new and changed needs through innovative service developments. The precise role in each area will, of course, depend upon local expertise and needs.

75. **Mr. Marland:** To ask the Secretary of State for Health how quality of care for patients will be affected by the proposals in the National Health Service and Community Care Bill.

126. **Sir Fergus Montgomery:** To ask the Secretary of State for Health how the National Health Service and Community Care Bill will affect the quality of service to patients.

Mrs. Virginia Bottomley: Our proposals aim to raise the level of services in all parts of the Health Service closer to the standards already achieved by the best and so produce an improved quality of care for patients. District health authorities will have the specific responsibility of ensuring the availability of a full range of services for all people living within their boundaries. They will use contracts to specify both the nature and quality of the services to be provided. Hospitals will have much more freedom to manage their own affairs and will be able to respond more effectively to the needs of patients. The service on admission to hospital will improve by providing:

—more reliable appointment times;
—better facilities for waiting and counselling;
—more information about the services which are available and on clinical matters; and
—a wide range of optional extras and amenities.

The introduction of the GP practice fund scheme will give family doctors the opportunity to decide for themselves which hospital will offer the best quality treatment for their patients.

The effect of these, and of our other proposals, will be to make the NHS more patient conscious and better able to provide high quality care.

Mr. Harry Greenway: To ask the Secretary of State for Health if he will make a statement on steps being taken to implement the National Health Service and Community Care Bill.

93. **Mr. Summerson:** To ask the Secretary of State for Health what progress is being made on the implementation of the National Health Service and Community Care Bill.

Mrs. Virginia Bottomley: Implementation of the Bill itself will follow from the completion of its parliamentary passage. Regional and district health authorities are well advanced in planning for implementation to ensure the delivery of improved services to patients. The Bill has been considered in detail for 147 hours in this House and is now being considered by a Committee of the House of Lords.

For a detailed explanation of all the progress we have made in putting into action the changes outlined in the White Paper "Working for Patients" I refer my hon. Friends to the reply I gave my hon. Friend the Member for Beaconsfield (Mr. Smith) on 20 March at column *546*.

Regional Health Authorities

30. **Mr. Ken Hargreaves:** To ask the Secretary of State for Health if he will make a further statement on funding for regional health authorities in 1990-91.

Mr. Freeman: Cash allocations for regional health authorities were announced on 14 December 1989. Total planned revenue spending on hospital and community health services in England for 1990-91 rose by £1·3 billion to £15·4 billion gross.

NHS Staff

31. **Mr. Michael Brown:** To ask the Secretary of State for Health by how much the number of front-line doctors, dentists, nurses and professional and technical staff has changed since 1979.

Mrs. Virginia Bottomley: The information required is shown in the table:

NHS Staff in post at 30 September of each year
Whole-time equivalent[1]

	1979	*1988*	*WTE Change*
Medical and Dental Staff[2]	39,000	44,700	5,800
Nursing and Midwifery Staff[3]	358,400	403,900	45,400
Professional and Technical Staff	60,100	79,800	19,600

Source: Department of Health (SM13) Annual Censuses of NHS Medical and Non-Medical Manpower.
[1] All figures independently rounded to the nearest one hundred (100) whole-time equivalent.
[2] Includes all permanent paid, honorary and locum staff in hospitals and primary health care services, hospital practitioners and part-time medical/dental officers.
[3] Includes agency staff. Not adjusted for the reduction in nurses working hours during 1980-81 from 40 to 37·5 hours per week.

NHS Chief Executive

32. **Mr. Macdonald:** To ask the Secretary of State for Health when he next expects to meet the chief executive of the National Health Service; and what matters are to be discussed.

Mr. Kenneth Clarke: I refer the hon. Member to the answer I gave to the hon. Member for Oxford, East (Mr. Smith) on 20 March at columns *998-99*.

District Health Authorities

33. **Mr. Clelland:** To ask the Secretary of State for Health how many district health authorities were in deficit at the end of the last financial year.

35. **Mr. Clay:** To ask the Secretary of State for Health how many district health authorities were in deficit at the end of the last financial year.

111. **Mr. Ronnie Campbell:** To ask the Secretary of State for Health how many district health authorities were in deficit at the end of the last financial year.

Mr. Kenneth Clarke: Information about the income and expenditure position of district health authorities in 1989-90 will be available when their accounts are submitted later in the year.

43. **Mr. Jack:** To ask the Secretary of State for Health what representations he has received about the hospitalisation rate currently achieved by the Blackpool, Wyre and Fylde district health authority.

Mr. Freeman: My hon. Friend the Member for Fylde (Mr. Jack) raised the subject of hospitalisation rates in Blackpool, Wyre and Fylde health authority in his Adjournment debate on 22 November 1989 about funding of that authority.

Hospital Building

34. **Mr. Brandon-Bravo:** To ask the Secretary of State for Health how many hospital building schemes worth over £1 million are planned or under construction.

Mr. Freeman: From information held centrally, in the National Health Service in England there are currently 527 schemes each costing over £1 million at various stages of planning, design and construction; this represents the largest sustained building programme ever. Of these schemes, 149 are currently under construction.

Day Care and Domiciliary Services

37. **Mr. Wall:** To ask the Secretary of State for Health if he will bring forward legislation to require the inspection and registration of day care and domiciliary services.

88. **Mr. Watson:** To ask the Secretary of State for Health if he will bring forward legislation to require the inspection and registration of day care and domiciliary services.

123. **Mr. Alan W. Williams:** To ask the Secretary of State for Health if he will bring forward legislation to require the inspection and registration of day care and domiciliary services.

Mrs. Virginia Bottomley: We have no plans to introduce legislation for the registration and inspection of day care and domiciliary services for elderly and other dependent people.

In-patients

38. **Mr. David Martin:** To ask the Secretary of State for Health how many in-patient cases were treated per available bed in 1978 and in 1989.

Mr. Freeman: Between 1978 and 1988-89, the number of in-patient cases treated per available bed rose from 14·5 to 23·3; an increase of 61 per cent.

Leicestershire Health Authority

39. **Mr. Latham:** To ask the Secretary of State for Health what representations he has received about the financial problems of Leicestershire health authority.

Mr. Freeman: My ministerial colleagues and I have had a number of conversations with my hon. Friend. We have received a number of letters from members of the public also.

Eye Tests

Mr. Battle: To ask the Secretary of State for Health what is his Department's latest estimate of the reduction in the number of eye tests since the introduction of charges.

40. **Mr. Bell:** To ask the Secretary of State for Health what is his Department's latest estimate of the reduction in the number of eye tests since the introduction of charges.

114. **Mr. Bradley:** To ask the Secretary of State for Health what is his Department's latest estimate of the reduction in the number of eye tests since the introduction of charges.

Mrs. Virginia Bottomley: I refer the hon. Members to the reply I gave the hon. Member for Derbyshire, North-East (Mr. Barnes) on 20 April at column *1048*.

109. **Dame Jill Knight:** To ask the Secretary of State for Health if he will make it his policy to base the proposed

survey of the number of people having sight tests over the last 12 months on records kept by ophthalmic opticians and ophthalmic medical practitioners rather than on the recollections of patients.

Mrs. Virginia Bottomley: The survey recently commissioned by the Government is of the number of sight tests during the first quarter of 1990. It is being carried out by a market research company and is based on information obtained from patients, in order to ensure that the results are clearly independent.

121. **Mr. David Davis:** To ask the Secretary of State for Health if he has any proposals to assist housebound people in need of eye tests.

Mrs. Virginia Bottomley: I am pleased to announce that regulations are to be laid before Parliament shortly, introducing a free domiciliary visiting service for housebound patients requiring an NHS sight test. The scheme will be available for those patients who are entitled to an NHS sight test but because of illness or disability are unable to travel to an optician. In future, such patients will be eligible to receive an NHS sight test in their own home. The service will benefit many housebound people, particularly the elderly for whom good eye care is so important. Opticians will receive a fee from the family practitioner committee for providing this service. It will be in addition to the NHS sight test fee. The service will come into force in June 1990.

Mr. John Evans: To ask the Secretary of State for Health if he has any plans to introduce free eye tests for all.

Mrs. Virginia Bottomley: There are no plans to introduce universal entitlement to a free NHS sight test. It is right that those who can afford to do so should pay for their optical care. Provision exists for the more vulnerable in the community who continue to receive free NHS sight tests.

Plans have been announced to lay regulations for a free domiciliary visiting scheme for housebound patients requiring an NHS sight test.

Private Patients

Mr. Cummings: To ask the Secretary of State for Health how much is owing to the Durham, Sunderland and Hartlepool health authorities from private patients; and how much debt has been written off over the last five years.

Mr. Freeman: The annual accounts for the four-year period 1985-86 to 1988-89 (inclusive) of the Hartlepool, Durham and Sunderland health authorities record sums written off in respect of private patients' debts totalling £2,493, £334 and £1,852 respectively. The amounts written off in each year (which may include sums due for earlier years) were in general significantly less than 1 per cent. of the relevant annual income. Prior to 1985-86 the annual accounts of health authorities did not provide for the separate identification of these sums.

Information on the total amounts due to health authorities from private patients is not specifically identified in their annual accounts or otherwise collected centrally. For the health authorities concerned, I would refer the hon. Member to the chairman of the Northern regional health authority who may be able to assist.

Mental Handicap

41. **Mr. McLeish:** To ask the Secretary of State for Health if he will bring forward proposals to improve the availability and quality of day care services for the mentally handicapped.

96. **Mr. Pendry:** To ask the Secretary of State for Health if he will bring forward proposals to improve the availability and quality of day care services for the mentally handicapped.

108. **Mr. Patchett:** To ask the Secretary of State for Health if he will bring forward proposals to improve the availability and quality of day care services for the mentally handicapped.

Mr. Freeman: I refer the hon. Members to the reply I gave the hon. Member for Normanton (Mr. O'Brien) earlier today.

Hospital Doctors

42. **Mr. Paice:** To ask the Secretary of State for Health how the pay and conditions of hospital doctors in the National Health Service have changed since 1979.

Mrs. Virginia Bottomley: I refer my hon. Friend to the reply I gave my hon. Friend the Member for Newark (Mr. Alexander) on 20 April at column *1047*.

101. **Mr. Bowis:** To ask the Secretary of State for Health how many hospital doctors there are in the National Health Service; and how many there were in 1979.

102. **Mr. Wilshire:** To ask the Secretary of State for Health what has been the change in the number of hospital doctors in the National Health Service since 1979.

Mrs. Virginia Bottomley: The number of hospital doctors has risen from 39,859 at 30 September 1979 to 45,574 at 30 September 1988, an increase of 5,715 (14 per cent). These figures include permanent paid and honorary staff.

Capital Expenditure

45. **Mr. Leadbitter:** To ask the Secretary of State for Health if he has any proposals to revise his Department's capital expenditure plans for the 1990-91 financial year.

48. **Mr. John Hughes:** To ask the Secretary of State for Health if he has any proposals to revise his Department's capital expenditure plans for the 1990-91 financial year.

61. **Mr. Illsley:** To ask the Secretary of State for Health if he has any proposals to revise his Department's capital expenditure plans for the 1990-91 financial year.

70. **Mr. James Lamond:** To ask the Secretary of State for Health if he has any proposals to revise his Department's capital expenditure plans for the 1990-91 financial year.

Mr. Freeman: They remain as set out in this year's public expenditure White Paper.

Food Poisoning

46. **Mrs. Gorman:** To ask the Secretary of State for Health if he has recently received representations regarding the causes of food poisoning.

Mr. Freeman: We have received a number of questions and comments about food safety and related matters. If my hon. Friend can be more specific, I will endeavour to reply further.

NHS Reform

47. **Mr. Andrew Smith:** To ask the Secretary of State for Health what representations he has received in favour of pilot schemes before implementing his National Health Service proposals in full.

Mrs. Virginia Bottomley: Some of those commenting on the proposals in the White Paper "Working for Patients" and the National Health Service and Community Care Bill have proposed "pilot studies" though it is seldom clear what is meant by that or whether this novel approach to management change would be practicable. The Government approach to implementation is one of determined but considered progress, learning and sharing the practical lessons of experience and assisted by enthusiastic volunteers. This approach has the merit of speed and sensitivity without damage to morale and the blight on development that would be the inevitable result of "piloting".

Maternity Services

Mrs. Mahon: To ask the Secretary of State for Health when he expects to be in a position to respond to the National Audit Office report on maternity services.

49. **Mrs. Fyfe:** To ask the Secretary of State for Health when he expects to be in a position to respond to the National Audit Office report on maternity services.

110. **Ms. Gordon:** To ask the Secretary of State for Health when he expects to be in a position to respond to the National Audit Office report on maternity services.

117. **Mr. Terry Fields:** To ask the Secretary of State for Health when he expects to be in a position to respond to the National Audit Office report on maternity services.

Mrs. Virginia Bottomley: The Public Accounts Committee took evidence from the chief executive of the National Health Service management executive on 25 April. In due course we expect the Committee to publish a report on its findings to which the Government will in the usual way publish a response.

Community Care

50. **Mr. Rees:** To ask the Secretary of State for Health if he will now bring forward proposals for users of community care services to be consulted regarding local authority care plans.

60. **Ms. Short:** To ask the Secretary of State for Health if he will now bring forward proposals for users of community care services to be consulted regarding local authority care plans.

77. **Ms. Primarolo:** To ask the Secretary of State for Health if he will now bring forward proposals for users of community care services to be consulted regarding local authority care plans.

104. **Mr. Rogers:** To ask the Secretary of State for Health if he will now bring forward proposals for users of community care services to be consulted regarding local authority care plans.

Mrs. Virginia Bottomley: The White Paper "Caring for People" lays stress on both users of services and those who care for them being consulted and involved in the care plans process. The guidance which the Department is preparing to assist local authorities and other agencies will reinforce the responsibility to consult.

79. **Mr. Martlew:** To ask the Secretary of State for Health what representations he has received regarding the funding arrangements for local authority community care.

83. **Mr. Morgan:** To ask the Secretary of State for Health what representations he has received regarding the funding arrangements for local authority community care.

Mrs. Virginia Bottomley: I refer the hon. Members to the reply I gave the hon. Member for Glanford and Scunthorpe (Mr. Morley) earlier today.

122. **Mr. Carttiss:** To ask the Secretary of State for Health what is being done to improve financial management information systems for the implementation of community care.

Mrs. Virginia Bottomley: It is predominantly for local authorities to determine the financial information systems they need to develop in order to implement community care policies in the way best suited to local needs and circumstances. Many authorities are working with the Audit Commission, and other advisers to develop their strategies and systems to support them. In addition, the Department of Health is supporting a joint project between the Association of Directors of Social Services and the Chartered Institute of Public Finance and Accountancy with the objective of producing guidance on financial management.

NHS Management

51. **Mr. Irvine:** To ask the Secretary of State for Health what steps are being taken to streamline management in the National Health Service.

99. **Mr. Gregory:** To ask the Secretary of State for Health what progress is being made in the streamlining of management within the National Health Service.

Mrs. Virginia Bottomley: The NHS management executive, whose central role was proposed in the White Paper "Working for Patients", has now been set up. The management executive is in close contact with regional health authorities as they take forward proposals for the delegation of functions and other management aspects of the White Paper.

Copies of the report, "Developing Districts", which was published yesterday and which provides advice to district health authorities to help them adapt to their new role, have been placed in the Library.

Progress overall is good and we remain confident that management arrangements will be in place to enable the reforms contained in the National Health Service and Community Care Bill to be implemented next year.

Mr. Winnick: To ask the Secretary of State for Health what further representations he has received regarding balloting prior to any hospital coming out of the existing National Health Service management structure.

106. **Mr. Fearn:** To ask the Secretary of State for Health what representations he has received on the need for balloting before hospitals opt out of the existing National Health Service management structure.

Mrs. Virginia Bottomley: We have received representations on this subject from a number of hon. Members, representative organisations and from individual members of the public since the beginning of the year. Regions will make arrangements for consulting on any proposals which are brought forward for the establishment of NHS trusts.

Nurses and Midwives

Mr. Colvin: To ask the Secretary of State for Health by how much nurses' pay has increased in the last four years.

54. **Mr. Burns:** To ask the Secretary of State for Health what has been the change in the pay and conditions of nurses and midwives employed by the National Health Service since 1979.

132. **Mr. David Porter:** To ask the Secretary of State for Health how the pay and conditions of nurses and midwives in the National Health Service have changed since 1979.

Mrs. Virginia Bottomley: Pay for nursing and midwifery staff has risen by more than 43 per cent. on average in real terms since 1979, and over 22 per cent. since 1985. Pay levels are higher in real terms than those recommended in the Halsbury report (1974) and the Clegg report (1979).

In 1983 the Government established an independent pay review body to recommend levels of pay for nursing and midwifery staff. All seven review body reports have been implemented in full, with staging in three cases.

Hours of work were reduced from 40 to 37·5 a week during 1980-81 without loss of pay. This was equivalent to a 6·5 per cent. increase in pay.

New clinical and education grading structures were introduced in 1988 and 1989 respectively, which provide better and more flexible career opportunities for those staff engaged in clinical and teaching practice. A new pay structure for senior nurse managers is currently being discussed in the nursing and midwifery staffs negotiating council.

71. **Mr. Livsey:** To ask the Secretary of State for Health when he last met representatives of the midwifery profession to discuss their grading.

Mrs. Virginia Bottomley: Ministerial colleagues and I have met representatives of midwives on a number of occasions to discuss a range of matters. The issue of grading was specifically raised most recently when the Royal College of Midwives met my right hon. and learned Friend the Secretary of State in December 1988.

90. **Mr. Flannery:** To ask the Secretary of State for Health if he will review the current levels of nurse staffing.

103. **Mr. Graham:** To ask the Secretary of State for Health if he will review the current levels of nurse staffing.

Mrs. Virginia Bottomley: I refer the hon. Members to my reply to the hon. Member for Bridgend (Mr. Griffiths) on 18 April at column *875*.

Indicative Budgets

55. **Mr. Sumberg:** To ask the Secretary of State for Health what representations he has received in response to his recently published further working paper on indicative prescribing budgets.

Mrs. Virginia Bottomley: We expect to publish this month a further working paper on indicative prescribing which reflects the outcome of extensive consultation on the original working paper.

Asthma

57. **Dr. Twinn:** To ask the Secretary of State for Health what steps he proposes to take to assist asthmatics.

Mrs. Virginia Bottomley: It is for district health authorities to ensure that a comprehensive range of services is provided for their resident populations, including asthmatics. As announced on 21 March, we intend to make peak flow meters available on prescription by general practitioners. Suppliers of these meters are being consulted and the date from which they will become available from general practitioners will depend upon the discussions between the Department and interested parties, including suppliers. A further announcement will be made as soon as a firm date can be established.

Medway Health Authority

63. **Mr. Rowe:** To ask the Secretary of State for Health what information he has on the date by which Medway health authority will achieve 100 per cent. of its funding entitlement from the South East Thames regional health authority.

Mr. Freeman: South East Thames regional health authority's funding policy currently proposes that all districts should be within 98 per cent.-102 per cent. of their weighted capitation target by 1996-97.

Heart Attacks

65. **Mr. French:** To ask the Secretary of State for Health whether his Department has issued any guidelines to local health authorities about the resuscitation of elderly heart attack victims.

Mr. Freeman: No. The treatment of an individual patient is a matter for the clinician responsible for his or her care.

Centre for Applied Microbiology and Research

67. **Mr. Fatchett:** To ask the Secretary of State for Health if he will make a statement on the future of the Centre for Applied Microbiology and Research.

89. **Mr. Cunliffe:** To ask the Secretary of State for Health if he will make a statement on the future of the Centre for Applied Microbiology and Research.

115. **Mr. Dunnachie:** To ask the Secretary of State for Health if he will make a statement on the future of the Centre for Applied Microbiology and Research.

Mr. Freeman: I refer the hon. Members to the reply I gave my hon. Friend the Member for Salisbury (Mr. Key) on 19 April at column *990*.

HIV

69. **Mr. Maclennan:** To ask the Secretary of State for Health when he anticipates making financial support available to those individuals who contracted the HIV virus through blood supplied by the National Health Service during surgery.

Mrs. Virginia Bottomley: There are no plans to do so.

Royal College of Nursing

73. **Mr. Malcolm Bruce:** To ask the Secretary of State for Health when he last met the general secretary of the Royal College of Nursing; and what matters were discussed.

Mrs. Virginia Bottomley: My right hon. and learned Friend the Secretary of State last met the general secretary of the Royal College of Nursing on 4 April at a meeting of the royal colleges and other statutory bodies to discuss the NHS review and clinical standards.

Hospital Performance

74. **Mr. Hardy:** To ask the Secretary of State for Health what assessment is made by his Department of the *(a)* financial performance and *(b)* clinical success of hospitals.

Mr. Freeman: The Department does not carry out assessments centrally of the financial performance or clinical success of individual hospitals. It is for health authorities to make such assessments as they consider necessary within the framework of their processes for planning, monitoring and review of hospital performance.

Abortion Drugs

76. **Mr. Amos:** To ask the Secretary of State for Health what recent representations he has received on the licensing of RU486 in Britain; and if he will make a statement.

Mrs. Virginia Bottomley: In the past six months we have received 41 representations about the licensing of the drug RU486 in Britain.

Out-patients

78. **Mr. Anthony Coombs:** To ask the Secretary of State for Health what steps are being taken to improve services for out-patients.

Mrs. Virginia Bottomley: Specific measures taken to improve services for out-patients include—

(i) issue of a report to health authorities in December 1989 on "Reducing Waiting Time in Out-Patients"; this work is being followed up by development of a visual simulation package for use in improving out-patient appointment systems;

(ii) issue to health authorities in March 1990 of a departmental study report on "The Role of Nurses and Other Non-Medical Staff in Out-patient Departments"; this report contains advice on changing the skill mix of qualified and non-qualified staff better to reflect the tasks required and to make best use of available resources;

(iii) a series of six demonstration projects has been initiated by the Department at a cost of £750,000 to encourage improvements to the quality of services including upgrading of the physical environment, to complement improvement in services for patients including more efficient appointment systems. The results will be disseminated as good practice advice to the Health Service later this year. A further series of projects are being planned in 1990-91.

British Medical Association

80. **Mr. Menzies Campbell:** To ask the Secretary of State for Health when he last met representatives of the British Medical Association; and what matters were discussed.

95. **Mr. Strang:** To ask the Secretary of State for Health when he last met representatives of the British Medical Association; and what matters were discussed.

Mrs. Virginia Bottomley: My right hon. and learned Friend the Secretary of State met with members of the general medical services committee on 14 February when the report of the doctors and dentists review body and the pay of doctors and dentists were discussed.

I met representatives of the joint consultants committee, which includes the royal colleges, the British Medical Association and NHS management, on 10 April to discuss the way forward on junior doctors' hours of work.

129. **Mr. McKelvey:** To ask the Secretary of State for Health when he next expects to meet the president of the British Medical Association; and what he intends to discuss.

130. **Mr. McCartney:** To ask the Secretary of State for Health when he next expects to meet the president of the British Medical Association; and what he intends to discuss.

Mrs. Virginia Bottomley: My right hon. and learned Friend the Secretary of State has no present plans to meet the president of the British Medical Association.

Children (Illegal Employment)

81. **Mr. Norman Hogg:** To ask the Secretary of State for Health what is the latest official estimate of the number of children illegally employed in Great Britain; and if he will make a statement.

82. **Dr. Reid:** To ask the Secretary of State for Health what is the latest official estimate of the number of children illegally employed in Great Britain; and if he will make a statement.

113. **Mr. McAllion:** To ask the Secretary of State for Health what is the latest official estimate of the number of children illegally employed in Great Britain; and if he will make a statement.

120. **Mr. Hood:** To ask the Secretary of State for Health when he intends to publish official statistics on the number of children illegally employed in Great Britain; and if he will make a statement.

Mrs. Virginia Bottomley: I refer the hon. Members to the reply I gave the hon. Members for Glasgow, Pollok (Mr. Dunnachie) and for Sunderland, South (Mr. Mullin) on 9 March at columns *893-94*.

Family Practitioner Services

85. **Mr. Ashby:** To ask the Secretary of State for Health what has been the change in expenditure on family practitioner services in the past 10 years.

Mr. Freeman: The change in net expenditure on the family practitioner services in England, excluding administration, between 1978-79 and 1988-89 is shown in the table:

	Expenditure (£ million)
1988-89	4,293
1978-79	1,329
[1]1978-79	2,922

[1]expenditure adjusted to 1988-89 prices using the GDP deflator

Expenditure between 1978-79 and 1988-89 increased by 223 per cent. in cash terms, and by 47 per cent. in real terms.

Family Welfare Association

91. **Mr. Amess:** To ask the Secretary of State for Health what further support he proposes to give to the Family Welfare Association.

Mrs. Virginia Bottomley: I am pleased to announce that I have agreed a renewal of the grant made by the Department under the section 64 scheme to the Family Welfare Association of £106,000 a year for the next three years. This represents a 10 per cent. increase in funding. In addition, I have agreed a capital grant of £30,000 for the current year.

Waiting Lists, West Norfolk

97. **Mr. Bellingham:** To ask the Secretary of State for Health what recent representations he has received in respect of waiting lists in west Norfolk.

Mrs. Virginia Bottomley: My hon. Friend wrote in January of this year to which I replied in February.

Royal Colleges

105. **Mr. Henderson:** To ask the Secretary of State for Health when he next expects to meet the presidents of the royal colleges; and what subjects will be discussed.

118. **Mr. Win Griffiths:** To ask the Secretary of State for Health when he next intends to meet representatives of the royal colleges; and what matters will be discussed.

128. **Mr. George Howarth:** To ask the Secretary of State for Health when he next expects to meet the presidents of the royal colleges; and what subjects will be discussed.

Mrs. Virginia Bottomley: I refer the hon. Members to the reply I gave the hon. Members for Clydesdale (Mr. Hood) and for Cumbernauld and Kilsyth (Mr. Hogg) on 18 April at column *874*.

Speech Therapy

116. **Mr. Wareing:** To ask the Secretary of State for Health what representations he has received from local health authorities about problems in recruiting speech therapists.

Mrs. Virginia Bottomley: None.

Staff-Patient Ratios

119. **Mr. Favell:** To ask the Secretary of State for Health what recent representations he has received on nurse/patient and doctor/patient ratios.

Mrs. Virginia Bottomley: We have received no such recent representations.

Patient Choice

125. **Mrs. Peacock:** To ask the Secretary of State for Health in what ways the National Health Service reforms will affect patient choice.

Mrs. Virginia Bottomley: A fundamental aim of the Government's proposals to improve the Health Service is to put patients first by providing choice and responding sensitively to individual needs. The proposals will stimulate better services and greater choice by delegating responsibility to local level, by encouraging competent and willing hospitals to seek NHS trust status and by making it easier for patients to obtain early and effective treatment. The new GP practice fund scheme will offer participating doctors greater ability to decide with their patients which hospital will offer the best treatment with the least waiting time for their particular illness.

Mental Patients

127. **Mr. Alexander:** To ask the Secretary of State for Health what steps he is taking in the move to care in the community for mental patients to give recognition to the role and skills of nurses qualified to care for them.

Mrs. Virginia Bottomley: I refer my hon. Friend to the reply I gave him on 23 January at column *664*. The key functions and responsibilities of Health Service staff remain essentially unaltered by the proposals in "Caring for People". There are two key health care initiatives in which psychiatric nurses will be involved—continuing health care flowing from the requirement which will be placed on health authorities to ensure that discharge of patients into the community is more effective; and the production of a multi-disciplinary document following the recently produced report by the Royal College of Psychiatrists on "Discharge and After-Care Procedures for Patients Discharged from In-Patient Psychiatric Treatment".

Deprivation

134. **Mrs. Maureen Hicks:** To ask the Secretary of State for Health what assessment he has made of the recent recommendations by Professor Jarman about relevant deprivation of health authority areas.

Mrs. Virginia Bottomley: Professor Jarman wrote to the Department of Health on 9 March 1990 suggesting that the trigger point on his index for deprivation payments to GPs should be reduced from 30 to 16 or 20 points. A trigger point of 16 would extend coverage to some 25 per cent. of the population. We have considered this proposal carefully and the issue has since been debated in the House on 4 April at columns 1313-20. The Government's view remains that our policy objective of targeting payments on practices that serve areas of highest deprivation is best achieved at the present level of 30 points or more. By this means 9 per cent. of the population will attract a deprivation payment for their GPs in some 5 per cent. of the wards. The introduction of this payment is an important primary health care initiative and recognises for the first time the additional work that GPs working in areas of deprivation undertake.

Ordnance Survey

Mr. Michael Morris: To ask the Secretary of State for Health when he expects to conclude the negotiations with Ordnance Survey concerning the terms on which general practitioners will be able to reproduce Ordnance Survey maps in their practice leaflets.

Mrs. Virginia Bottomley: The Department expects to conclude its discussions with Ordnance Survey shortly.

Computerised Tomography Scans

Mr. Steinberg: To ask the Secretary of State for Health what arrangements exist for patients of Durham district health authority to have CAT scans.

Mrs. Virginia Bottomley: I understand that patients of the Durham district health authority needing this service are scanned in Newcastle.

Prostate Gland Removals and Hysterectomies

Mr. Steinberg: To ask the Secretary of State for Health what was the average time spent in hospital in each year since 1980 for *(a)* prostate gland removals and *(b)* hysterectomies.

Mr. Freeman: The information available centrally is shown in the table:

Mean duration of stay (days)

Year	*Prostatectomies*	*Hysterectomies*
1980	14	12
1981	13	11
1982	13	11
1983	13	11
1984	12	10
1985	11	10

Source: Hospital in-patient inquiries 1980-85.

Information is not available for 1986 or 1987 because the NHS was introducing a new data coding system. Data for 1988-89 should be available shortly.

Hospital Re-admissions

Mr. Steinberg: To ask the Secretary of State for Health how many patients in each year since 1980 have been re-admitted to hospital in the following month to receive treatment for their original illness.

Mr. Freeman: The information requested is not collected centrally.

Dental Estimates Board

Mrs. Peacock: To ask the Secretary of State for Health (1) what guidance he gives to the Dental Estimates Board regarding the choice between suggesting short-term financially cheaper treatment or long-term slightly more expensive treatment;

(2) what guidance he gives to the Dental Estimates Board regarding due notice that it should take of the treatment plan submitted by the patient's dentist;

(3) what representations he has received about the distress and discomfort caused to many patients by the length of time taken by the Dental Estimates Board to give decisions on dental treatment plans;

(4) what is the average time taken by the Dental Estimates Board to give a decision on a dental treatment plan; and if he will make a statement;

(5) how many complaints he received in each of the years *(a)* 1983, *(b)* 1984, *(c)* 1985, *(d)* 1986, *(e)* 1987, *(f)* 1988 and *(g)* 1989 regarding the length of time taken by the Dental Estimates Board to give decisions on treatment plans;

(6) how often procedures are reviewed by the Dental Estimates Board with regard to the length of time taken to reach decisions on dental treatment plans;

(7) how often the Dental Estimates Board reviews its procedures for the filing and retrieval of dental treatment plans.

Mr. Freeman: The Dental Practice Board (its name was changed from Dental Estimates Board with effect from 1 April 1989) is a statutory body, independent of the Department of Health. The board is required to consider all dental estimate forms submitted to it for approval of treatment or for approval of payment and may give or withhold approval as it thinks fit. Guidance of the type referred to by my hon. Friend is, therefore, not appropriate.

The board keeps all of its internal operating procedures under routine review. For the last complete quarter to 31 March 1990 it responded to requests for approval of treatment in an average time of 14 calendar days. For the same quarter, in 98 per cent. of cases dentists were notified of the decision about payment by the first payment schedule following the request. The average time to notify dentists of a decision about payment was 26 calendar days, which reflects the fact that schedules are issued once each month.

Information concerning representations and complaints about the time taken by the board to give decisions on treatment plans is not readily available. In particular, yearly statistics are not kept. Complaints are, however, very few in number and I am not aware of any specific representations concerning distress or discomfort to patients.

Ambulance Dispute

Mr. Nellist: To ask the Secretary of State for Health, pursuant to the answer of 26 February, *Official Report*, column *42*, if he will make it his policy to collect centrally and report to Parliament the figures in respect of the ambulance dispute referred to, for each regional health authority; and what is his policy on the collection and publication of such figures relating to London.

Mrs. Virginia Bottomley: There are no plans to collect this information centrally. Each health authority was responsible for making its own arrangements for emergency cover during the recent dispute and for ensuring that costs could be met from within existing resources including savings resulting from suspension of normal NHS services.

The costs of military assistance, amounting to £4·8 million to the end of February 1990, which in part resulted from the need to bring services to a state of national preparedness, are being shared between all regional health authorities.

Deaf Children

Mr. Malcolm Bruce: To ask the Secretary of State for Health what powers local health authorities have to require parents of deaf children to take out insurance on commercial hearing aids loaned to them under the National Health Service; and if he will make a statement.

Mr. Freeman: Health authorities have no power to require any patient to insure a hearing aid, whether this be a commercial model or a model from the NHS standard range.

NHS Trade Unions

Mr. Skinner: To ask the Secretary of State for Health what recent meetings he has had with representatives of the National Health Service trade unions; and if he will make a statement.

Mrs. Virginia Bottomley: Since my right hon. and learned Friend the Secretary of State replied to the hon. Member for Bolsover (Mr. Skinner) on 20 March at columns *996-98* I have had one further such meeting.

Written Answers to Questions

Wednesday 2 May 1990

ENVIRONMENT

Hedgerows

Ms. Walley: To ask the Secretary of State for the Environment whether he will place in the Library copies of the two hedgerow surveys he mentioned in his answer to the hon. Member for Liverpool, Mossley Hill (Mr. Alton) on 13 March at columns *185-86*.

Mr. Heathcoat-Amory: Both reports are already in the Library. The survey carried out by Hunting Surveys and Consultants Ltd. was published in 1986 under the title "Monitoring Landscape Change". The Ministry of Agriculture, Fisheries and Food "Survey of Environmental Topics on Farms, England and Wales, 1985" was published under that title as a MAFF statistics release (reference number 244/85) on 30 September 1985.

Sites of Special Scientific Interest

Ms. Walley: To ask the Secretary of State for the Environment if he will list all sites of special scientific interest currently the subject of *(a)* appeals and *(b)* inquiries.

Mr. Trippier: I refer the hon. Member to the answer I gave to the right hon. and learned Member for Warley, West (Mr. Archer) on 21 March 1990, *Official Report*, column *679*.

"Financial Times" Conference

Mr. Flynn: To ask the Secretary of State for the Environment what representatives his Department had at the *Financial Times* conference on industry and the environment, held in London on 23 and 24 April.

Mr. Trippier: The Parliamentary Under-Secretary of State, my hon. Friend the Member for Wells (Mr. Heathcoat-Amory), gave the keynote speech at the conference on 23 April. He was accompanied by two officials.

Local Government Finance

Mr. Ralph Howell: To ask the Secretary of State for the Environment what is the definition of *(a)* a married couple, *(b)* an unmarried couple and *(c)* persons who do not fall into either category *(a)* or *(b)* but who live together, for the purposes of community charge classification; and how many couples of each category there are in (i) the United Kingdom, (ii) England, (iii) Norfolk and (iv) North Norfolk district council areas.

Mr. Chope *[holding answer 30 April 1990]:* The definition of people who are married to each other for the purposes of the community charge is set out in section 16(9) of the Local Government Finance Act 1988 which states that they are those who are married, or those who are not married but living together as husband and wife. The figures requested are not available.

Houses of Parliament (Static Electricity)

Mr. Simon Hughes: To ask the Secretary of State for the Environment if he will make it his policy to instigate a monitoring programme in respect of static electricity levels within the House.

Mr. Chope *[holding answer 30 April 1990]:* I have no plans to do so.

Mr. Simon Hughes: To ask the Secretary of State for the Environment what figures he has to enable a comparison to be made between static electricity levels within the House and those in comparable circumstances elsewhere; and if he will make a statement.

Mr. Chope *[holding answer 30 April 1990]:* There are no figures available.

Heavy Lorries

Mr. Redmond: To ask the Secretary of State for the Environment what *(a)* reviews his Department is carrying out and *(b)* legislation he is planning to introduce to reduce environmental pollution from heavy lorries.

Mr. Atkins: I have been asked to reply.

I refer the hon. Member to the answer I gave to my hon. Friend the Member for Harrow, West (Mr. Hughes) on 7 February at columns *653-54*. Local highway authorities already have wide-ranging powers in respect of heavy lorries using unsuitable roads.

THE ARTS

Natural History Museum

Mr. Alex Carlile: To ask the Minister for the Arts if he will make a statement on the ending of research on fossil birds and plants at the natural history museum in London; and if he has proposals to increase funding to the natural history museum.

Mr. Luce: The day-to-day running of the natural history museum, and decisions on the museum's research programme, are matters for the director and trustees of the museum.

With regard to funding, I announced in November 1989 that the Government were increasing the museum's grant-in-aid for 1990-91 by 16·5 per cent. over 1989-90. Future funding for the national history museum will be considered in conjunction with the funding bids from other national museums and galleries, details of which are contained in their 1990-95 corporate plans which are being submitted to me.

NATIONAL FINANCE

Business Expansion Schemes

Mr. Anthony Coombs: To ask the Chancellor of the Exchequer what compensation is available from the Inland Revenue to an applicant company in the event of excessive delay resulting in the loss of potential business expansion scheme investments and other improvements to finance.

Mr. Lilley: As a general policy, the Inland Revenue will consider reimbursing expenditure which has arisen unnecessarily and is directly attributable to a serious error on the part of its staff. Serious error is defined as something which no responsible person, acting in good faith and with proper care, would reasonably do. Each case is considered on its merits.

Mr. Anthony Coombs: To ask the Chancellor of the Exchequer if he will introduce legislation to amend section 294 of the Income and Corporation Taxes Act 1988 to make explicit that bridges, equipment and track of private railways are to be regarded as plant and machinery.

Mr. Lilley: I have no plans to do so.

Flights (VAT)

Mr. Frank Cook: To ask the Chancellor of the Exchequer (1) which rate of value added tax applies to the carriage of passengers on non scheduled flights, including scenic, pleasure and special passenger transport services in aircraft capable of carrying not fewer than 12 passengers, including pilot and crew; and if he will make a statement;

(2) which rate of value added tax applies to the carriage of passengers by hot air balloons capable of carrying not fewer than 12 passengers, including pilot and crew, on non scheduled scenic, pleasure and special passenger transport flights; and if he will make a statement.

Mr. Ryder: The VAT Act 1983 provides zero-rating for the transport of passengers in aircraft designed or adapted to carry not less than 12 passengers, but, in applying that relief, a distinction has been made between conventional aircraft and hot air balloons. Conventional aircraft are capable of performing the function of conveying passengers with certainty between specified places—the essential characteristic of a supply of transport. However hot air balloons, which are not capable of powered flight, are largely at the mercy of the elements and do not satisfy that criterion. They are, therefore, excluded from the benefit of the relief and flights in them are thus liable to VAT at the standard rate.

Retail Sales

Mr. Butterfill: To ask the Chancellor of the Exchequer if he will list the annual rate of growth for retail sales for the last two years; and if he will make a statement.

Mr. Ryder *[holding answer 1 May 1990]:* The volume of retail sales increased by 6·9 per cent. between 1987 and 1988 and by 2·2 per cent. between 1988 and 1989. Retail sales growth has clearly slowed sharply in response to monetary policy.

EMPLOYMENT

Youth Training

Ms. Short: To ask the Secretary of State for Employment if he will provide details for each YTS in the Birmingham and Solihull and Sandwell and Dudley areas, for each year from April 1986 to the most recent date, of the number of YTS trainees *(a)* in total and *(b)* with disabilities.

Mr. Nicholls: The information can be obtained only at disproportionate cost.

Ms. Short: To ask the Secretary of State for Employment if he will publish details for Great Britain and for the west midlands region for each year from April 1986 to the most recent date, of the total number and percentage of YTS trainees *(a)* who did not complete their full entitlement to YTS and *(b)* with disabilities who did not complete their full entitlement to YTS.

Mr. Nicholls: The information requested is set out in the table.

	All trainees		*Disabled status trainees*	
	Early leavers	*Per cent. all leavers*	*Early leavers*	*Per cent. all disabled leavers*
Great Britain				
1 April 1986—31 March 1987	223,400	52·1	6,770	58·7
1 April 1987—31 March 1988	260,100	79·4	8,510	73·8
1 April 1988—31 March 1988	276,900	66·7	10,880	70·9
1 April 1989—31 March 1990	245,000	63·5	8,560	65·6
West Midlands				
1 April 1986—31 March 1987	31,100	54·2	630	54·7
1 April 1987—31 March 1988	36,300	80·0	920	73·0
1 April 1988—31 March 1989	37,300	69·7	1,120	69·0
1 April 1989—31 March 1990	28,900	65·1	840	65·6

Ms. Short: To ask the Secretary of State for Employment if he will publish details for Great Britain and for the west midlands region, for each year from April 1986 to the most recent date, of the number of YTS leavers entering part-time employment *(a)* in total and *(b)* with disabilities.

Mr. Nicholls: The number of YTS leavers for Great Britain and for the west midlands region for each year from April 1986 to the most recent date entering part-time employment *(a)* in total and *(b)* with disabilities are as follows:

	All Leavers		*Disabled Leavers*	
	West Midlands	*Great Britain*	*West Midlands*	*Great Britain*
April 1986—March 1987	359	2,723	3	66
April 1987—March 1988	812	6,050	21	182
April 1988—March 1989	849	6,811	26	226
April 1989—November 1989[1]	622	4,873	20	171

[1] Subject to revision.

Ms. Short: To ask the Secretary of State for Employment if he will publish details for Great Britain and for the west midlands region, for each year from April 1986 to the most recent date, of the number and percentage of YTS leavers gaining a qualification *(a)* in total and *(b)* with a disability.

Mr. Nicholls: The number and percentage of YTS leavers for Great Britain and for the west midlands region for each year from April 1986 to the most recent date gaining a qualification *(a)* in total and *(b)* with a disability in Great Britain and the west midlands are as follows:

	All Leavers		*Disabled Leavers*	
	West Midlands	*Great Britain*	*West Midlands*	*Great Britain*
April 1986—March 1987	1,403 11·8 per cent.	8,963 10·9 per cent.	13 6·8 per cent.	159 7·5 per cent.
April 1987—March 1988	7,160 29·6 per cent.	49,675 28·7 per cent.	79 14·7 per cent.	790 16·2 per cent.
April 1988—March 1989	9,980 40·7 per cent.	79,315 40·6 per cent.	133 22·5 per cent.	1,284 22·6 per cent.
April 1989—November 1989[1]	8,636 48·1 per cent.	70,869 47·2 per cent.	112 25·7 per cent.	1,090 27·3 per cent.

[1] Subject to revision.

Ms. Short: To ask the Secretary of State for Employment if he will publish details for Great Britain and for the west midlands region, for each year from April 1986 to the most recent date, of the number of YTS leavers entering full-time employment *(a)* in total and *(b)* with disabilities.

Mr. Nicholls: The number of YTS leavers for Great Britain and for the west midlands region for each year from April 1986 to the most recent date entering full-time employment *(a)* in total and *(b)* with disabilities are as follows:

	West Midlands	*Great Britain*	*West Midlands*	*Great Britain*
	All leavers		*Disabled leavers*	
April 1986-March 1987	5,174	37,442	38	473
April 1987-March 1988	13,976	97,649	154	1,516
April 1988-March 1989	16,278	123,869	211	1,979
April 1989-November 1989[1]	11,984	97,206	174	1,533

[1] Subject to revision.

Government Training Programmes

Mr. Kilfedder: To ask the Secretary of State for Employment how many persons on work-related Government training programmes in 1989 were nationals of other countries, showing European Community countries separately.

Mr. Eggar: The information requested is not available.

Staff Qualifications

Mr. John Garrett: To ask the Secretary of State for Employment if he will publish in the *Official Report* the numbers and percentages of his staff in grades 1 to 7 who have each *(a)* arts, *(b)* science and *(c)* technical degrees, *(d)* who are qualified accountants, *(e)* have postgraduate qualifications in management and *(f)* who were educated in (i) local authority and (ii) private schools.

Mr. Eggar: There are 817 grades 1 to 7 and equivalents who hold one or more degree-level qualifications. This equates to 50 per cent. of total staff in post for these grades. A detailed breakdown by subject of qualifications held and type of education cannot be provided other than at disproportionate cost.

Skills Training Agency

Mr. Janman: To ask the Secretary of State for Employment whether he will make a further statement about the sale of the Skills Training Agency.

Mr. Eggar: The sale of the majority of the businesses to Astra Training Services Limited was completed on 30 April. As a result 42 skill centre businesses, the STA head office, mobile training service, sales teams, and colleges, and the staff employed in them, have transferred to the private sector. The sale of the gas and water safety training business at Letchworth skill centre to Mr. James was also completed on 30 April. The sales to Astra of the businesses of four other centres, and the sales to other successful bidders, are planned for completion shortly.

Mr. Andrew Mitchell: To ask the Secretary of State for Employment how he is financing any expenditure in connection with the privatisation of the Skills Training Agency.

Mr. Howard: The full expenses will be covered by receipts from the sale. Some of the payments by the Government to training business purchasers need to be made before the arrival of receipts from the sale of assets not included in the business packages. Parliamentary approval for this new expenditure will be sought in a supplementary estimate for the privatisation of the Skills Training Agency (class VI, vote 5). Pending the necessary approval, urgent expenditure estimated at up to £16·324 million is being met by repayable advances from the Contingencies Fund.

Employment Service

Ms. Armstrong: To ask the Secretary of State for Employment which unemployment benefit offices and jobcentres *(a)* are to be closed and *(b)* have been closed following the announcement of the reorganisation of the employment service in December 1989.

Mr. Eggar *[holding answer 30 April 1990]:* The employment service, which is responsible for jobcentres and unemployment benefit offices, became an executive agency on 2 April 1990. Mr. Mike Fogden, the Employment Service Agency's chief executive, will be replying in writing to the hon. Lady.

CIVIL SERVICE

Permanent Secretaries

Mr. John Garrett: To ask the Minister for the Civil Service what information he has on the number and percentage of present permanent secretaries in the civil service who were educated at *(a)* public schools, *(b)* Oxford university and *(c)* Cambridge university.

Mr. Luce: The number and percentage of present permanent secretaries in the home civil service who were educated at *(a)* public schools, *(b)* Oxford university and *(c)* Cambridge university are:

		Per cent.
(a)	17	49
(b)	13	37
(c)	9	26

HEALTH

Hip Replacements

Mrs. Margaret Ewing: To ask the Secretary of State for Health how many operations for the insertion of an artificial hip are carried out on United Kingdom citizens in *(a)* National Health Service hospitals, and *(b)* private hospitals in England annually.

Mr. Freeman: Health authorities in England reported 45,600 hip replacement operations in 1988-89.

Information is not collected centrally on surgical operations carried out in private hospitals. However, a report "The Role of the Private Sector in Elective Surgery in England and Wales in 1986" by J. P. Nicholl, M. R. Beeby and B. T. Williams, published in the 28 January 1989 issue of the *British Medical Journal*, copies of which are available in the Library, showed that 7,066 total hip replacement operations were performed in private hospitals in 1986.

Child Abuse

Mr. Allen: To ask the Secretary of State for Health what investigations his Department is *(a)* funding and *(b)* co-operating on in respect of (i) the sexual abuse of children and (ii) the ritual abuse of children.

Mrs. Virginia Bottomley: The Department funds a programme of research into child sexual abuse. An interdepartmental group on child abuse meets regularly to discuss a number of cross-sector policy issues in relation to child protection. The Department also regularly meets those voluntary organisations that it funds. On the issue of ritual abuse, the Department is aware of a number of child sexual abuse networks that have been investigated by social services departments and the police. The Department arranged a meeting in November 1989 with representatives from the NSPCC, Childline, the Children's Society and the Association of Directors of Social Services. A further meeting is to be arranged. The social services inspectorate is continuing to monitor the situation in order to assess the scale and nature of child abuse networks and ritual abuse.

Mr. Maclennan: To ask the Secretary of State for Health what monitoring arrangements he has in place to ensure that all guidelines issued to those social workers involved in cases of alleged child abuse incorporate the recommendations of the Butler-Sloss report.

Mrs. Virginia Bottomley: Guidance issued by the Department in relation to child protection takes account of the recommendations of the Butler-Sloss report. The Department's social services inspectorate provide advice and support to local authorities, and as part of their inspection work look at practice in the light of local guidance issued to social workers.

Mr. Maclennan: To ask the Secretary of State for Health what directives he has given to directors of social services arising from the recommendations of the report of the inquiry into child abuse in Cleveland in 1987.

Mrs. Virginia Bottomley: Simultaneously with the publication of the report of the inquiry into child abuse in Cleveland in 1987 the Department of Health issued copies of the document "Working Together: a guide to arrangements for inter-agency co-operation for the protection of children from abuse", under cover of circular LAC(88)10/HC(88)38, copies of which are available in the Library, to statutory agencies in England with responsibilities for child protection. The Home Office and the Department of Education and Science issued complementary ciculars to the police and school service respectively. The guidance document and the circulars took account of the recommendations in the inquiry report.

Mr. Maclennan: To ask the Secretary of State for Health what representations he has received from local authorities about the need for additional funding required for the purpose of training social workers involved in cases of alleged child abuse.

Mrs. Virginia Bottomley: The Department's training support programme has, since 1989-90, included an element for training local authority staff who provide social services for children and their families, including staff who deal with cases of alleged child abuse. All local authority social services departments receive grant aid under the programme in response to bids made to the Department.

Airborne Emissions

Mr. Redmond: To ask the Secretary of State for Health if he will list by year for the last five years, the percentage of people who have suffered health problems from airborne emissions of *(a)* lead, *(b)* carbon monoxide and *(c)* particulates.

Mr. Freeman: Except for instances of massive accidental exposure or deliberate self-exposure to carbon monoxide the informaton is not available. The effects of airborne emissions of lead, carbon monoxide or particulates currently experienced cannot be isolated from many other factors unrelated to air contaminants but contributing to health problems. Concentrations of these pollutants in the air are monitored at critical sites and, in general, they fall within the limit values prescribed under EC directives or the guidelines proposed by the World Health Organisation. Where these limit values or guidelines are exceeded occasionally, the measured levels have been within the recognised safety margins.

Recycling

Mr. Andrew F. Bennett: To ask the Secretary of State for Health what discussion Ministers had with suppliers of disposable equipment for hospitals, in drawing up the guide lines for the campaign, towards a greener NHS, to assess the degree to which materials used would be recycled, or disposed of with minimum environmental damage.

Mr. Freeman: Departmental officials have been in touch with glass manufacturers and the Aluminium Can Recycling Association to assess the degree to which these materials, as used in hospitals, can be recycled or otherwise safely disposed of with minimum environmental damage. A review is in progress within the NHS procurement directorate on the potential costs and benefits of using recycled paper more widely in the NHS and this will involve discussions with industry representatives. A number of health authorities have also taken helpful initiatives in this area. The only safe way of disposing of much single use or otherwise disposable equipment after use in hospitals is via incineration. The Department's estates directorate is in regular touch with incinerator manufacturers to ensure that the best possible advice is always readily available to the NHS.

Pesticides

Mr. Ron Davies: To ask the Secretary of State for Health what facilities currently exist to test for the effects of exposure to pesticides; whether he has any plans to improve diagnostic and treatment facilities; and if he will make a statement.

Mr. Freeman: Doctors have access to the whole range of NHS testing facilities to assist them in diagnosis and treatment of people who may have been exposed to pesticides. They can seek advice from national poisons units and can arrange for special tests if necessary at pathology laboratories. There are no plans to make improvements specifically to pesticide testing facilities.

All doctors receive training in the diagnosis of acute poisoning, including that from exposure to pesticides. In addition, all general practitioners and hospital accident and emergency departments have been issued with a copy of the book "Pesticide Poisoning", a copy of which is available in the Library. This gives guidance on the diagnosis and treatment where acute poisoning from pesticides is suspected, but not on exposure to the very low levels of residues in food as these are within the accepted safety limits.

Food Poisoning

Mr. Brandon-Bravo: To ask the Secretary of State for Health when the Government will be in a position to respond to the Social Services Committee's follow-up report on food poisoning, listeria and listeriosis.

Mr. Freeman: The Government have today published their response to this report. Copies have been placed in the Library.

Staff Qualifications

Mr. John Garrett: To ask the Secretary of State for Health if he will publish in the *Official Report* the numbers and percentages of his staff in grades 1 to 7 who have each *(a)* arts, *(b)* science and *(c)* technical degrees, *(d)* who are qualified accountants, *(e)* have postgraduate qualifications in management and *(f)* who were educated in (i) local authority and (ii) private schools.

Mr. Freeman: Full details could be recovered fr0m personal files only at disproportionate cost. But the records held on computer for payroll purposes indicate that some 30 per cent. (164) of those in the relevant grades have arts degrees; 16 per cent. (88) have science and 4 per cent. (21) technical degrees; and there are on these records five qualified accountants and one person with a post graduate qualification in management. Type of school is not recorded, and the reliability of payroll data in respect of qualifications is sufficient only to illustrate orders of magnitude.

Committee on Safety of Medicines

Mr. Ron Davies: To ask the Secretary of State for Health what requirements for the disclosure of interests exist for members of the Committee on Safety of Medicines.

Mrs. Virginia Bottomley: Members of the Committee on Safety of Medicines follow a code of practice on the declaration of interests. Details of the code and of interests declared are published with the annual report of the Medicines Commission. A copy of the 1988 report is in the Library.

Depo-Provera

Mrs. Ann Taylor: To ask the Secretary of State for Health if he will publish the number of women receiving Depo-Provera injections in each of the district health areas of west Yorkshire in each of the last five years.

Mrs. Virginia Bottomley: This information is not held centrally. The hon. Member may like to contact Sir Bryan Askew, chairman of Yorkshire regional health authority for further information.

Mrs. Ann Taylor: To ask the Secretary of State for Health what guidelines are issued to district health authorities with regard to the administration of Depo-Provera to women who have recently given birth.

Mrs. Virginia Bottomley: Information about the use of Depo-Provera is set out in full in a product data sheet supplied to all doctors. The data sheet states that because of the risk of heavy or prolonged bleeding in some women, the drug should be used with caution [redacted] the puerperium

and that if the puerperal woman will be breast feeding, the initial injection of Depo-Provera should be delayed until six weeks post-partum.

Guidance about Depo-Provera is also contained in the "British National Formulary" which is published by the British Medical Association and the Royal Pharmaceutical Society of Great Britain and issued twice yearly to all practising doctors.

TRANSPORT

Heavy Lorries

Mr. Redmond: To ask the Secretary of State for Transport what *(a)* reviews his Department is carrying out and *(b)* legislation he is planning to introduce to reduce environmental pollution from heavy lorries with particular reference to (i) minor and (ii) unclassified roads.

Mr. Atkins: I refer the hon. Member to the answer I gave my hon. Friend the Member for Harrow, West (Mr. Hughes) on 7 February at columns *653-54*. Local highway authorities already have wide-ranging powers in respect of heavy lorries using unsuitable roads.

Shipping

Mr. Spearing: To ask the Secretary of State for Transport what estimate he has made of the proportion of exports from and imports to the United Kingdom, excluding ferry operations, carried in British registered ships; and what approximate proportion of ships engaged in ferry services to and from the continent are registered in United Kingdom ports.

Mr. McLoughlin: Information is not available in the form requested. However the table shows, for 1989, the percentage, by value and by weight, of imports and exports carried in United Kingdom-registered vessels, distinguishing separately trade with Eurpean countries:

Percentage of trade carried in United Kingdom registered vessels: 1989

	European Countries	*Rest of World*	*Total*
By weight			
Imports	21	20	21
Exports	26	9	21
By value			
Imports	40	18	34
Exports	44	20	37

Information on the proportion of ships engaged in ferry services to and from the continent that are United Kingdom registered vessels is not available.

Imports and Exports

Mr. Spearing: To ask the Secretary of State for Transport what estimate he has made of the approximate cost in sterling and other currencies, respectively, of carrying imports and exports of the United Kingdom in the years 1979 and 1989 at actual and weighted prices, together with the percentage of cost in sterling for both years.

Mr. McLoughlin: The actual costs of carrying imports to the United Kingdom in 1979 and 1989 were £2,349 million and £2,992 million respectively. No information is available for the carriage of United Kingdom exports. In 1979 freight costs accounted for 5 per cent. of the value of goods imported as declared to Her Majesty's Customs and Excise. In 1989 the percentage was 2·5 per cent.

London Traffic Director

Sir Barney Hayhoe: To ask the Secretary of State for Transport when he expects to appoint the traffic co-ordinator for London; what will be his powers and terms of reference; what size of secretariat he will control; and where it will be located.

Mr. Atkins: The role of the Traffic Director was outlined in paras 7.34-7.38 of "Traffic in London" published following my right hon. Friend's statement on 14 December last. We shall be consulting the organisations concerned shortly on proposals for legislation. The appointment will depend on the timing of legislation. The director will have a small staff, but its size and location have not yet been decided.

Staff Qualifications

Mr. John Garrett: To ask the Secretary of State for Transport, if he will publish in the *Official Report* the numbers and percentages of his staff in grades 1 to 7 who have *(a)* arts, *(b)* science and *(c)* technical degrees, *(d)* who are qualified accountants, *(e)* have postgraduate qualifications in management and *(f)* who were educated in (i) local authority and (ii) private schools.

Mr. Atkins: The information available from our computerised staff record is as follows:

(a), (b), (c)

115 staff in my Department in grades 1 to 7 have an arts degree, representing 12 per cent. of the total in these grades.

334 staff in these grades have a science or technical degree, representing 36 per cent. of the total.

(d) Nine staff in these grades are qualified accountants, 1 per cent. of the total.

(e) No staff in these grades have postgraduate qualifications in management.

(f) Information about types of school is not available.

King's Cross

Mr. Gerald Bowden: To ask the Secretary of State for Transport what assessment he has made of the implications of the contractual agreement between British Rail and the developers of the King's Cross site for national transport requirements.

Mr. Parkinson: In its discussions about the development of the King's Cross railway lands, British Rail has sought to preserve the option of desirable improvements to the national and local rail systems.

Drink Driving

Mr. Stern: To ask the Secretary of State for Transport if he will publish in the *Official Report* a list of the blood-alcohol limits enforced on drivers in each country of Europe, including eastern Europe.

Mr. Atkins: The most recent list of which we are aware relates to 1985. It is as follows:

	Blood-alcohol limits	
Austria	80	
Belgium	80	
Bulgaria	0	
Czechoslovakia	0	
Denmark	80	
Finland	50	
France	80	
East Germany	0	
Greece	50	
Hungary	0	
Iceland	50	
Ireland	120	now 100
Italy	not set	now 80
Luxembourg	80	
Netherlands	50	
Norway	50	
Poland	25	
Portugal	not set	now 50
Rumania	0	
Sweden	50	
Switzerland	80	
Spain	80	
United Kingdom	80	
West Germany	80	

PRIME MINISTER

Flooding

Mr. Barry Jones: To ask the Prime Minister (1) if she will receive a deputation from Clwyd county council concerning the impact upon people's property of the north Wales sea inundation;

(2) what plans she has to visit houses flooded by the sea inundation in March on the north Wales coast; and if she will make a statement;

(3) if she proposes to meet business men whose premises were flooded by the sea inundation in March on the north Wales coast.

The Prime Minister: As I told the hon. Member on 5 April at columns *735-36*, my right hon. Friend the Secretary of State for Wales has already visited the area as has the Minister of State. Both Ministers and officials have held meetings with the local authorities most involved. These contacts continue and on 30 April the Secretary of State was able to announce that the Bellwin scheme at the rate of 85 per cent. would be extended to 31 July and that he would be ready to consider a further extension to the scheme in the light of circumstances nearer that date. I know that this continued close contact is the right approach to ensuring that the area returns to normal as soon as possible.

Armed Forces (Medical and Dental Officers)

Mr. Rowe: To ask the Prime Minister if she will make a statement about the pay of medical and dental officers in the armed forces.

The Prime Minister: The armed forces pay review body has submitted to me a supplementary report on the pay of medical and dental officers in the armed forces which recommends increases of between 6 and 10·7 per cent. The Government have decided to accept the recommendations in full, though, in common with the pay awards announced for other review body groups in February, implementation will be staged, with 7 per cent. payable from 1 April 1990 and the balance of the award payable from 1 January 1991.

ENERGY

Local Authorities (Energy Production)

Mr. Redmond: To ask the Secretary of State for Energy if he will list the local authorities that are actively producing energy from waste materials and show for each local authority from what source the material comes.

Mr. Peter Morrison: My Department is aware of the following:

Energy from the combustion of municipal solid waste (MSW)
North London waste disposal authority
Coventry city council
Nottinghamshire county council
Sheffield city council

Energy from land-fill gas
East London waste disposal authority
Merseyside waste disposal authority
Warwickshire county council
Lancashire county council
Cheshire county council

Production of refuse derived fuel from MSW
Isle of Wight county council
East Sussex county council
Birmingham city council
Newcastle city council
Glasgow city council

Offshore Oil Installations

Mr. Wallace: To ask the Secretary of State for Energy whether he is considering any further proposals to enhance safety on offshore oil installations in advance of the report by Lord Cullen into the Piper Alpha disaster; and if he will make a statement.

Mr. Peter Morrison: We are continuously looking to improve offshore safety standards. Regulations requiring emergency shutdown valves on offshore installations were introduced in June 1989, as were regulations requiring the election of offshore safety representatives and safety committees. Regulations relating to revised arrangements for first aid offshore were made in September 1989. Further regulations relating to sub-sea isolation systems are being prepared. Discussion documents have been issued detailing proposals for a review of the requirements for life-saving appliances, work permit procedures and fire and explosion protection on offshore installations, together with proposals requiring formal safety assessments to be applied as a continuous process at all stages of an installation's life cycle. In addition, a number of safety notices have been issued drawing the attention of the industry to specific areas of concern. The Government have made it clear that any improvements to safety recommended by the Piper Alpha public inquiry will be acted upon.

Staff Qualifications

Mr. John Garrett: To ask the Secretary of State for Energy if he will publish in the *Official Report* the numbers and percentages of his staff in grades 1 to 7 who have each *(a)* arts, *(b)* science and *(c)* technical degrees, *(d)* who

are qualified accountants, *(e)* have postgraduate qualifications in management and *(f)* who were educated in (i) local authority and (ii) private schools.

Mr. Wakeham: I regret the information could be provided only at disproportionate cost.

Gas Imports

Mr. Arbuthnot: To ask the Secretary of State for Energy what new imports of gas have been agreed within the last 12 months.

Mr. Wakeham: None. If a purchaser wished to construct a marine pipeline to carry imports, consent would be required under the Petroleum and Submarine Pipe-Lines Act 1975 and a treaty would have to be negotiated with the country from whose territory the pipeline crossed to the United Kingdom. In the case of the pipeline from the Frigg field, which is now in rapid decline, a new treaty or amendment of the existing treaty would be required to govern any new uses of the line. British Gas plc gave an undertakkng in 1986 that it would consult the Government regarding any import plans as these develop. In considering any import proposals, we shall weigh carefully the availability of competitive UKCS gas supplies and the market opportunities open.

NORTHERN IRELAND

Fair Employment

Rev. William McCrea: To ask the Secretary of State for Northern Ireland when a formal hearing will be held by the Fair Employment Commission into a complaint made by Mr. T. Barker in November 1988 against Sean Quinn Quarries Ltd., Derrylin.

Mr. Needham: Investigations into an individual complaint of discrimination under the Fair Employment (NI) Act 1976 are governed by schedule 5 to that Act. The investigation must be conducted in private and it is, therefore, not the commission's policy to confirm that a complaint has been made.

Water Service Properties

Mr. Beggs: To ask the Secretary of State for Northern Ireland (1) whether valuations have been completed in respect of residences occupied by employees of the Department of the Environment (NI) water service; and when occupiers will be offered the opportunity to purchase their homes;

(2) whether all tenants of Department of the Environment (NI) water service homes will have a right to purchase;

(3) what progress has been made to date in the valuation of Department of the Environment (NI) water service tenanted residential properties in the *(a)* Northern division, *(b)* Southern division, *(c)* Eastern division and *(d)* Western division.

Mr. Peter Bottomley: All water service dwellings are being considered for possible disposal. The first group to be offered for sale comprises 35 dwellings, 31 of which have been valued, 10 being in Northern division, nine in Southern division, 11 in Eastern division and one in Western division. The occupants will shortly be offered the opportunity to purchase the dwellings in which they live.

Metric Measures (Spirits)

Mr. Colvin: To ask the Secretary of State for Northern Ireland whom he will consult before he publishes his draft amending legislation on metric measures for spirits; and how long the consultation period will last.

Mr. Needham: As required by article 48(2) of the Weights and Measures (Northern Ireland) Order 1981 the Department of Economic Development will again consult with interested organisations, including those listed in my reply of 9 March, at columns *863-64* before making any order.

The period of consultation is normally between four and six weeks from publication of the proposal for the draft amending legislation.

Farm Dwellings

Mr. Kilfedder: To ask the Secretary of State for Northern Ireland in how many cases in 1988 where application for planning approval was made for an additional farm dwelling evidence was sought from the Department of Agriculture as to the viability of a farm unit and the need for a farm labourer's dwelling.

Mr. Needham: It is the policy of the Department of Environment for Northern Ireland to consult the Department of Agriculture for Northern Ireland on applications for planning permission for farm dwellings in areas where such permission is granted only when a need to live in the countryside can be demonstrated. Consultations with that Department are carried out occasionally on applications affecting sites in other areas. Information on the number of cases is not readily available and could be obtained only at disproportionate cost.

Mr. Kilfedder: To ask the Secretary of State for Northern Ireland how many planning approvals have been given for the building of dwellings for farm labourers in each of the last 10 years; what is the average size of such dwellings and the number of rooms provided; and how many are currently occupied by farm labourers.

Mr. Needham: The information requested could be obtained only at disproportionate cost.

Language Courses

Mr. Kilfedder: To ask the Secretary of State for Northern Ireland whether he will consider funding towards the cost of providing opportunities for secondary school children who are in attendance at grant-aided schools to improve their knowledge of French, German or Spanish by attendance at specially designed residential language courses.

Dr. Mawhinney: As part of its response to the challenge of 1992, the Government wish to encourage greater competence in a wider range of languages among pupils in Northern Ireland. The Department of Education for Northern Ireland has invited education and library boards to put forward proposals for support for programmes of European awareness drawn up by them. The enhancement of foreign language skills by various means, including residential courses provided by boards could form an appropriate part of such programmes.

Employment and Training Schemes

Ms. Short: To ask the Secretary of State for Northern Ireland what have been the number of approved and filled action for community employment projects in each year since 1986, and how they have been distributed between *(a)* district councils; *(b)* other public bodies; *(c)* voluntary bodies and *(d)* the private sector.

Mr. Needham: Details of approved and filled ACE projects 1986-1990 are as follows:

	District councils	*Other public bodies*	*Voluntary bodies*	*Private sector*	*Totals*
March 1986					
Approved	70	104	1,044	4	1,222
Filled	61	91	971	4	1,127
March 1987					
Approved	48	54	540	1	643
Filled	48	52	540	1	641
March 1988					
Approved	15	4	359	—	378
Filled	15	4	359	—	378
March 1989					
Approved	16	4	345	—	365
Filled	16	4	345	—	365
March 1990					
Approved	16	3	315	—	334
Filled	16	3	315	—	334

Ms. Short: To ask the Secretary of State for Northern Ireland which of the flexibilities recently introduced to apply to youth training in Great Britain will be extended to the youth training programme; and if he will make a statement.

Mr. Needham: The new flexibilities which are being introduced into youth training in Great Britain and which will be applied to the youth training programme (YTP) in Northern Ireland are:

a. an emphasis on outputs rather than training processes;
b. flexible design of individual schemes to achieve outputs;
c. all YTP entrants will have the opportunity to train for a national vocational qualification and the targets for level 2 and above are being increased over the next three years;
d. improved assessment and endorsement procedures for special training needs;
e. enhanced training opportunities to help unemployed trainees nearing the end of training to secure jobs;
f. extension of the guarantee to include certain groups whose entry into training has been unavoidably delayed.

Ms. Short: To ask the Secretary of State for Northern Ireland what information he has on the destinations of people leaving action for community employment and the job training programme; how many leavers got jobs, became unemployed or went on to further training, and if he will make a statement.

Mr. Needham: A recent survey showed that three months after leaving the action for community employment programme, 32·1 per cent. of participants had obtained jobs, 58·8 per cent. were unemployed and 0·2 per cent. were receiving further training. The most recent survey information available for the job training programme (JTP) reveals that between May and July 1989 a total of 52 per cent. of participants leaving JTP did not return to the unemployment register, with the destination of 48 per cent. not determined. For the period August to October 1989, a total of 47 per cent. of participants leaving JTP did not return to the unemployment register, with the destination of 53 per cent. not determined.

Ms. Short: To ask the Secretary of State for Northern Ireland what are the eligibility conditions that a person has to satisfy if they are to take up a job or training place on *(a)* action for community employment, *(b)* job training programme, *(c)* youth training programme and *(d)* enterprise allowance scheme; and if he will make a statement.

Mr. Needham: The eligibility conditions that a person has to satisfy if they are to take up a job or training are as follows:—

(a) Action For Community Employment

Applicants must meet three conditions:—

(1) be at least 18 and under 64 years of age;
(2) have been unemployed without a break for at least three months immediately before starting on ACE project;
(3) have been unemployed for at least 12 months out of the last 15 months.

There are exceptions to condition (3) in the case of disabled people, young people who have recently been on the youth training programme and adults who have recently been on the job training programme.

Unemployed 18 to 24-year-olds who are in receipt of unemployment benefit or income support need be unemployed for only six months in order to qualify.

(b) Job Training Programme

Adults between the ages of 18 and 60 who have been continuously registered as unemployed or who have been in receipt of invalidity benefit, sickness benefit or severe disablement allowance for at least six months are eligible for the Programme. Periods spent in prison on a custodial sentence or on remand may be counted in satisfying the six month qualification period. Certain other groups who have not been registered as unemployed are also eligible. These special groups include disabled people, ex-service personnel and lone parents whose youngest dependant child is in statutory full-time education and who have been in receipt of income support on an order book for at least 26 weeks.

(c) Youth Training Programme

Young people, whether employed or unemployed are eligible to join YTP at any time between the date on which they are first entitled to leave full-time education and their

18th birthday. Young people with disabilities are eligible to join the programme at any time between their minimum school leaving date and their 22nd birthday.

(d) Enterprise Allowance Scheme.

Applicants must meet eight conditions:—

(1) they must be receiving unemployment benefit or income support in lieu of unemployment benefit (either personally or through their spouse) on the date of their completed application;
(2) they must have been unemployed and actively seeking work for at least eight weeks prior to the receipt of their application. (Time spent under formal notice of redundancy, or Department of Economic Development training-rehabilitation schemes or in part-time employment for up to eight hours per week will count towards this eight-week period);
(3) they must be aged 18 (or over) but under state pension age;
(4) they must be able to show that they have at least £1,000 available to invest in the business during the first 12 months. (This can be in the form of personal savings, loan or overdraft);
(5) they must agree to work full-time (at least 36 hours per week) in the business;
(6) their proposed business must be approved by the Department of Economic Development;
(7) they must not have participated in the enterprise allowance scheme within the 12 months prior to any second application;
(8) they must have participated in approved enterprise training prior to making their application.

Ms. Short: To ask the Secretary of State for Northern Ireland what information he has on the destination of youth training programme leavers for each year since 1986-87; and of those who found employment, how many were with the employer who provided their training.

Mr. Needham: The information is as follows:

	YTP leavers whose destination is known	*To employment*	*Percentage of total*
1986-87	10,271	5,686	55
1987-88	10,509	5,787	55
1988-89	10,232	6,428	63
1989-90	10,914	6,767	62

No figures are available for YTP leavers who found employment with the employer who provided their training.

	Full time education	*Percentage of total*	*Unemployed*	*Percentage of total*
1986-87	430	4	4,155	41
1987-88	503	5	4,129	40
1988-89	460	5	3,334	33
1989-90	649	6	3,498	32

No figures are available for YTP leavers who found employment with the employer who provided their training.

Unemployment Benefit

Ms. Short: To ask the Secretary of State for Northern Ireland how many unemployed claimants have, since 9 October 1989, *(a)* been issued with warning letters for not actively seeking work, *(b)* had their claims referred to an adjudication officer for not actually seeking work, *(c)* had their claims allowed or disallowed and *(d)* been referred to an adjudication officer for refusing suitable employment; how many of those in *(d)* have had their benefits disqualified; and if he will make a statement.

Mr. Needham: Up to 9 April 1990, just over 5,000 unemployed claimants in Northern Ireland were interviewed specifically about their efforts to find work. As a result, 67 claims were referred to the adjudication officer and of these 25 were allowed and 42 disallowed. In addition, a further five claims were referred to the adjudication officer on grounds of refusing employment and of these two were disallowed. Given the difference in administrative arrangements as compared with those in Great Britain, the actively seeking work condition has been introduced in Northern Ireland in a sensible and sensitive manner.

Upper Bann

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland whether he has any plans to visit the constituency of Upper Bann before 17 May.

Mr. Brooke *[holding answer 27 April 1990]:* It is not the custom to give details of ministerial programmes in advance.

Road Deaths

Mr. Boyes: To ask the Secretary of State for Northern Ireland if he will publish a table showing the number of road fatalities since 1 October 1989 and for each year from 1980 to 1990.

Mr. Peter Bottomley *[holding answer 30 April 1990]:* Royal Ulster Constabulary road traffic accident statistics show the following figures:

Month and year	*Fatalities*
October 1989	13
November 1989	12
December 1989	15
January 1990	18
February 1990	21
March 1990	12[1]
April 1990	8[1]
1980	229
1981	223
1982	216
1983	173
1984	189
1985	177
1986	236
1987	214
1988	178
1989	181

[1] Provisional.

Since the road casualty reduction campaign started on 1 November, the preliminary provincial number of deaths is 13 per cent. down on the same six months over the previous two years.

Exports

Mr. McNamara: To ask the Secretary of State for Northern Ireland what steps the Industrial Development Board and the Local Enterprise Development unit are taking to monitor the export performance of their client companies.

Mr. Needham *[holding answer 1 May 1990]:* Companies in receipt of assistance from the Industrial Development Board (IDB) and the Local Enterprise Development Unit (LEDU) are required to submit annual accounts as a condition of this assistance. These accounts assist the agencies to monitor the performance of these

companies including their overall sales performance both domestic and export. Both agencies are currently in the process of introducing new computing systems which will further facilitate the monitoring process.

SOCIAL SECURITY

Community Charge Benefit

52. **Mr. Doran:** To ask the Secretary of State for Social Security how many applications for community charge benefit have been received from individuals qualifying under the new capital limits.

Mrs. Gillian Shephard: Arrangements have been made for the information to be collected by the housing benefit and community charge benefit management information system. The information will not be available until early 1991.

Benefits (Application Forms)

Mr. Kennedy: To ask the Secretary of State for Social Security if he has any plans to review or alter the provision of application forms for *(a)* family credit and *(b)* other Department of Social Services benefits at post offices; and if he will make a statement.

Mrs. Gillian Shephard: There are no plans to alter the provision of the family credit application form, FC1, at post offices. FC1 is the only application form available at post offices.

The facilities offered by the Post Office are used to display leaflets which inform about the whole range of benefits available and advise how claims can be made. The eight leaflets currently displayed include FB2, "Which Benefit?", a general guide to benefits, as well as those concerned with community charge benefit, housing benefit and income support. The leaflet about the new capital limits will shortly be on display.

The leaflets and posters displayed are regularly reviewed to ensure best use of the facilities offered to inform the public.

Disability

Mr. Alfred Morris: To ask the Secretary of State for Social Security (1) in the latest year for which figures are available how many people previously in receipt of severe disablement allowance had their entitlement to that benefit reassessed following the completion of a YTS;

(2) in the latest year for which figures are available how many people previously in receipt of severe disablement allowance have had their entitlement to that benefit reassessed having left a YTS before completing the course.

Mr. Scott: A record is not kept of the number of previous recipients of severe disablement allowance who claim the benefit again after leaving a YTS.

Mr. Alfred Morris: To ask the Secretary of State for Social Security (1) in the latest year for which figures are available how many people previously in receipt of severe disablement allowance lost their entitlement to that benefit having completed a YTS;

(2) in the latest year for which figures are available how many people previously in receipt of severe disablement allowance lost their entitlement to that benefit having left a YTS before completing the course.

Mr. Scott: This information is not available. Trainees who were receiving severe disablement allowance immediately before starting YTS can have it reinstated as a linked claim when they leave the course if they are incapable of work and make the fresh claim within eight weeks of leaving the YTS.

Mr. Alfred Morris: To ask the Secretary of State for Social Security (1) in the latest year for which figures are available how many people previously in receipt of severe disablement allowance had their entitlement to that benefit reassessed following a short period of employment;

(2) in the latest year for which figures are available how many people previously in receipt of severe disablement allowance lost their entitlement to that benefit as a result of a reassessment following a short period of employment.

Mr. Scott: This information is not available. If a break in entitlement to severe disablement allowance lasts no longer than eight weeks, benefit can be reinstated as a linked claim if the person again becomes incapable of work.

EC Pensions

Mr. Speller: To ask the Secretary of State for Social Security if he will list the value, converted into £ sterling, of the basic pension per age paid in each European Community country, including any relevant major supplements.

Mrs. Gillian Shephard: I refer my hon. Friend to the Department's publication "Tables of Social Benefit Systems in the European Communities (Position at 1 January 1989)," a copy of which is in the Library. These tables set out the level of pension in the national currencies together with the sterling equivalent converted according to the OECD's purchasing power parity figures as explained in the introduction to the tables.

War Widows

Sir John Stanley: To ask the Secretary of State for Social Security if he will list the steps that have been taken by his Department to assist war widows since May 1979.

Mrs. Gillian Shephard: The Government have honoured their pledge to maintain the value of war widows pensions. Since 1979 these pensions have been uprated annually in line with the retail prices index. In 1979 the basic pension was £30·20 a week. It is now £60·95.

In 1979 the Government freed war widows pensions from income tax.

In 1984 the Government introduced a new tier of age allowance for war widows aged 80 or over. Age allowances are paid in addition to the basic war widows pension. These age allowances were increased by more than the retail prices index in April 1990; from £6.10 to £7.00 a week for war widows aged 65-69, from £12.20 to £13.50 a week for those aged 70-79 and from £15.30 to £20.00 a week for those 80 or over.

In 1987 the Government significantly improved the help with funeral costs for war pensioners whose death was due to service.

In 1988 the Government increased from £4 to £5 a week the amount of war widows pension which is disregarded for the assessment of entitlement to income related benefits. From April 1990 the disregard was further

increased to £10 a week and arrangements were also made to disregard completely the new special payments of £40 a week to pre-1973 war widows.

HOME DEPARTMENT

Criminal Injuries Compensation Scheme

Mr. Cousins: To ask the Secretary of State for the Home Department what was the number of cases settled under the criminal injuries compensation scheme in the calendar years 1987, 1988 and 1989 together with the average length of time taken to settle such cases; if he will provide a separate similar analysis for cases involving police staff and pensioners settled in those years; and if he will give similar figures for the Northern region.

Mr. John Patten: The number of applications resolved by the Criminal Injuries Compensation Board in the calendar years 1987, 1988 and 1989 were 26,619, 38,016 and 38,484 respectively. Information about the average time taken to resolve applications is not available in the form requested, but the percentage of cases submitted to a single member of the board within certain periods from registration is shown in paragraph 6.1 of the board's 25th annual report (Cm. 900), a copy of which is in the Library. The relevant figures are:

	Year ended 31 March		
	1989 (per cent.)	*1988 (per cent.)*	*1987 (per cent.)*
Up to 3 months	1·0	1·5	1·5
3 to 6 months	2·1	2·6	5·1
6 to 9 months	4·8	6·7	16·4
9 to 12 months	19·0	20·0	26·8
Over 12 months	73·1	69·2	50·2
	100·0	100·0	100·0

The board does not keep separate statistics for applications from police and pensioners; nor are records maintained for separate regions.

Child Abuse

Mr. Maclennan: To ask the Secretary of State for the Home Department what directive he has given to police forces arising from the recommendations of the report of the inquiry into child abuse in Cleveland in 1987.

Mr. Peter Lloyd: Two circulars of guidance to the police have been issued to date. Home Office circular 52/1988, which was issued to coincide with the publication of Lord Justice Butler-Sloss's report into child sexual abuse in Cleveland, establishes the principle that the needs of the child should come first and recommends the joint interviewing of alleged child victims by police officers, social workers and, where necessary, doctors; interviewing in comfortable surroundings; and the video-recording of interviews with child victims.

Home Office circular 67/1989 gives guidance to chief officers about specialist training for police officers who take part in joint interviews with social workers of alleged child victims.

Mr. Maclennan: To ask the Secretary of State for the Home Department (1) what training is being made available to the police to enable the video taping of first disclosures by allegedly abused children for presentation in court;

(2) what training is being made available to police surgeons in the physical examination of children suspected of being the victims of sexual abuse.

Mr. Peter Lloyd: Responsibility for training rests with the chief officer of the force concerned. Home Office circular 67/1989, which gives guidance about the content of joint training courses for police officers and social workers responsible for investigating child sexual abuse, lists training in the video-recording of interviews as one of the essential components of a training course. There is no specific guidance about training for police surgeons.

Mr. Maclennan: To ask the Secretary of State for the Home Department what additional funds he has made available to police forces to enable the early implementation of the recommendations of the report of the inquiry into child abuse in Cleveland in 1987.

Mr. Peter Lloyd: Chief officers have not sought additional funds specifically to deal with child abuse. It is up to them to decide on operational priorities and to allocate funds accordingly. Total police expenditure since the publication of the Cleveland report has risen from £3,643 million in 1988-89 to a projected £4,384 million in 1990-91.

Drink Driving

Mr. Thurnham: To ask the Secretary of State for the Home Department what guidelines on sentencing he gives to magistrates about drink-drive offences; and if he will make a statement.

Mr. John Patten: Sentencing is a matter for the courts within their overall powers as laid down by legislation and in accordance with the guidance given by the Court of Appeal. I understand that the Magistrates Association is revising the guidelines on road traffic sentencing that it issues to its members.

Council of Europe

Mr. Winnick: To ask the Secretary of State for the Home Department if he will make a statement on the British Government's response to the decision of the Committee of Ministers of the Council of Europe on the case involving the hon. Member for Peckham (Ms. Harman) and Ms. Patricia Hewitt.

Mr. Waddington: The Committee of Ministers of the Council of Europe has yet to adopt a resolution in this case. Until it does so, its decision remains confidential and I am unable to comment.

Advisory Council on the Misuse of Drugs

Mr. Rathbone: To ask the Secretary of State for the Home Department when he intends to publish the report of the Advisory Council on the Misuse of Drugs on training; and if he will make a statement.

Mr. Mellor: The advisory council's report "Problem Drug Use: A Review of Training" was published today. Copies have been placed in the Library. The Government welcome this report and are grateful to the council for its

comprehensive study of training. If the Government's strategy for tackling drug misuse is to have the most impact, it is clearly important that all those whose work brings them into contact with problem drug users are properly trained. The training needs of teachers and others involved in prevention programmes must also be considered. The threat of the transmission of HIV infection, which gives rise to AIDS, through the sharing of injecting equipment, highlights the importance of ensuring that all who deal with the treatment or prevention of drug misuse have developed the right skills to deal with the problems.

The council's recommendations are directed at central and local government, health authorities, academic and professional bodies, the police and probation services and other health agencies including non-statutory drug services. The report will, therefore, be widely distributed. The Government will be responding to the report when it has had an opportunity to consider the recommendations fully.

Teletext

Mr. Holt: To ask the Secretary of State for the Home Department how many letters and other representations he has received concerning the continued provision of a teletext service.

Mr. Mellor: We have received a considerable number of representations on this subject. As my hon. Friend will be aware, I announced on 15 March that we intend to amend the Broadcasting Bill to guarantee the continuation of a commercial teletext service.

Green Goddess Vehicles (Maintenance)

Mr. Sheerman: To ask the Secretary of State for the Home Department (1) how many of his Department's staff are involved in monitoring and checking the quality of servicing and maintenance carried out by TNT on Green Goddess vehicles;

(2) how many quality assurance and budgetary officers have been recruited to supervise the servicing and maintenance of the Green Goddess fleet by TNT;

(3) if he is satisfied with the quality and level of servicing and maintenance presently being carried out by TNT on the Green Goddess fleet.

Mr. John Patten: Arrangements are currently in hand for recruiting two quality assurance and budgetary officers. In the meantime, the servicing and maintenance of the Green Goddess fleet by TNT is being overseen by a Home Office official on site to ensure that the work is being carried out to an acceptable level.

Mr. Sheerman: To ask the Secretary of State for the Home Department (1) what is *(a)* the current cost of the TNT contract for servicing the Green Goddess fire appliances and *(b)* the original agreed contract price;

(2) what is the value of contracts entered into by his Department with *(a)* TNT plc and *(b)* C. Walton Ltd. of Bruntingthorpe airfield.

Mr. John Patten: Formal contracts are still under negotiation and it is unlikely that they will be signed until planning permission has been received for the construction of a purpose-built storage facility at Bruntingthorpe airfield. In the meantime, interim arrangements entered into with TNT plc and C. Walton Ltd. for storing and servicing the Green Goddess fire appliances have been given effect through restricted instructions which are limited in both time and value. The details of these arrangements must, necessarily, remain commercially confidential.

Mr. Sheerman: To ask the Secretary of State for the Home Department how long he intends to retain the present level of servicing and maintenance of the fleet of emergency fire service vehicles and equipment.

Mr. John Patten: The current level for servicing and maintaining the fleet of emergency fire service vehicles and equipment will continue for as long as is considered necessary. The proposed contract, which will ensure the maintenance of the fleet to current in-house standards, will be for an initial period of five years with an option for a further period of five years to run consecutively.

Mr. Sheerman: To ask the Secretary of State for the Home Department what was the in-house tender price for the contract to service the Green Goddess fire appliance fleet.

Mr. John Patten: In accordance with Treasury guidelines the in-house organisation did not tender for the contract to service the Green Goddess fire appliance fleet, but provided estimates of costs and service levels as the base line against which the commercial tenders were to be compared and contrasted.

Mr. Sheerman: To ask the Secretary of State for the Home Department (1) what is the extra cost in building, land and plant incurred by his Department as a result of putting the servicing of Green Goddess fire appliances out to private tender;

(2) what extra facilities his Department is supplying in terms of land, buildings and plant to TNT to enable it to carry out the servicing of the Green Goddess fire appliance fleet.

Mr. John Patten: Under the proposed contracts for servicing the Green Goddess fire appliances all necessary buildings and land are to be supplied by the contractors. Minor items of plant, which formed part of the Green Goddess fleet and were used to service the appliances, have been made available to TNT.

Drugs

Mr. Bill Michie: To ask the Secretary of State for the Home Department following the introduction of confiscation of assets following conviction of drug offences, what is the total amount so far confiscated, and what this money has been used for.

Mr. John Patten: The latest figures, which are in respect of confiscation orders made in 1987 and 1988, are given in table 7.25 of "Criminal Statistics England and Wales, 1988," a copy of which is in the Library. These show that over £9 million were ordered to be confiscated in those two years. The current estimate by the national drugs intelligence unit of the cumulative total of confiscation orders made since the Drug Trafficking Offences Act came into force in January 1987 is in excess of £16 million.

Under present public accounting arrangements confiscated money is treated in the same way as fine revenue, and paid directly into the Consolidated Fund from which

Government expenditure generally—including substantial support for drug-related work—is financed. Ministers are considering the detailed arrangements whereby a proportion of the sums confiscated from drug traffickers as a result of international agreements might be used directly to strengthen the United Kingdom's enforcement and other efforts to curb drug misuse.

Emergency Planning

Mr. Sheerman: To ask the Secretary of State for the Home Department (1) what are the costs of national emergency planning provision in Great Britain; and what information he has on comparable costs in *(a)* France, *(b)* Germany, *(c)* Italy, *(d)* Holland, *(e)* Belgium and *(f)* Denmark;

(2) what is the total annual cost of national emergency planning in Great Britain excluding provision for military nuclear disaster;

(3) what is the total annual cost of national emergency planning provision in Great Britain;

(4) what are the costs per head of population of national emergency planning provision in the United Kingdom; and what information he has on comparable costs per head of population in other EEC states.

Mr. John Patten: Expenditure on civil preparedness in the United Kingdom in 1990-91 is estimated at £128,837,000. No figure for total expenditure by central and local Government on emergencies in peacetime is available. Nor are comparable figures for other EC countries.

Assuming a population of 57 million, the cost per head of the civil preparedness programme in 1990-91 is estimated as £2·26.

Mr. Sheerman: To ask the Secretary of State for the Home Department (1) what is the total cost of emergency planning in the Greater London area excluding provision for military nuclear disaster;

(2) what is the total cost of emergency planning provision in the Greater London area.

Mr. John Patten: Civil Defence approved expenditure for the London fire and civil defence authority in the financial year 1990-91 is £2·45 million. Planning for all emergencies in peacetime may be carried out by London boroughs at their own discretion under section 138 of the Local Government Act 1972.

Ethnic Monitoring

Mr. Sheerman: To ask the Secretary of State for the Home Department what is the percentage of black police officers currently serving in British police forces.

Mr. Peter Lloyd: The most recent figures relate to January 1990 when 1,312 officers from ethnic minority communities were serving in police forces in England and Wales. This represents 1·04 per cent. of total strength compared, for example, to 273 officers or 0·24 per cent. of total strength in March 1980.

Mr. Sheerman: To ask the Secretary of State for the Home Department what percentage of probation officers are black.

Mr. John Patten: The results of a survey of probation officers carried out on 31 December 1987 were as follows:

	Per cent.
White	83·7
Afro-Caribbean	1·0
Asian	0·4
Other Black	0·6
Not recorded	14·4
	100

The proportion of ethnic minority recruits to the service is higher than the proportion in post: 13 per cent. of those sponsored by the Home Office in 1988 and 1989 to train as probation officers were from ethnic minority groups. We propose to introduce routine ethnic monitoring of all probation staff and caseloads shortly.

Equal Opportunities Commission

Mr. Leighton: To ask the Secretary of State for the Home Department when the Equal Opportunities Commission letter suggesting amendments to the Sex Discrimination Act was received; and when he intends to reply to it.

Mr. John Patten: The EOC's formal proposals for amending the Sex Discrimination Act 1975 were received in March 1988. The Government are considering the commission's proposals, but we shall not be in a position to reply until we have been able to consider the results of the commission's review of the Equal Pay Act 1970 which we await in due course.

Mr. Leighton: To ask the Secretary of State for the Home Department what would the increase in the grant in aid to the Equal Opportunities Commission over the last six years have needed to be to have kept in line with inflation.

Mr. John Patten: The table sets out the information requested for the last six years and also gives details of the grant in aid the Equal Opportunities Commission will receive in 1990-91, subject to approval by Parliament.

Year	*Equal opportunities commission's grain-in-aid (£)*	*Increase in EOC's grant-in-aid over the previous year (£)*	*Increase needed to keep pace with inflation*[1] *(£)*
1984-85	3,387,000	219,000	157,450
1985-86	3,434,000	47,000	181,543
1986-87	3,538,000	104,000	116,756
1987-88	3,716,000	178,000	189,637
1988-89	3,810,000	94,000	264,580
1989-90	3,894,000	84,000	247,650
1990-91[2]	4,579,000	685,000	253,110

[1] Calculated using the GDP inflators.
[2] Subject to approval by Parliament.

Mr. Leighton: To ask the Secretary of State for the Home Department how many lawyers the law and enforcement divisions of the Equal Opportunities Commission have.

Mr. John Patten: The Equal Opportunities Commission has four lawyers who provide a service to the commission as a whole.

Mr. Leighton: To ask the Secretary of State for the Home Department what powers the Equal Opportunities Commission has to take cases to court directly; and how many they took last year.

Mr. John Patten: The Equal Opportunities Commission has powers to take cases to court directly under sections 71, 72 and 73 of the Sex Discrimination Act 1975. In addition the commission is recognised as having locus to seek judicial review through its duty to work towards the elimination of discrimination.

In the 12 months from January to December 1989 the commission took proceedings in three cases under section 73 and one under section 72. It also applied for judicial review in one case.

International Crime Survey

Mr. Wigley: To ask the Secretary of State for the Home Department what was the cost of the telephone survey undertaken by his Department into crime levels in 14 countries; and if he will make a statement on the benefit which has been obtained from this survey.

Mr. John Patten: The cost to the Home Office of taking part in the international telephone survey in which 14 countries took part was about £33,000, of which one-third was for staff resources from the research and planning unit. Each country paid their own contribution to the survey.

The benefit of the survey is that it gives a comparable measure of the level of a number of offences across different countries—a measure which is independent of offences recorded by the police. It also offers information on other topics such as fear of crime, crime prevention habits, opinions about the police, and attitudes to sentencing.

Cocaine and Crack

Dame Janet Fookes: To ask the Secretary of State for the Home Department what percentage of seizures of cocaine, in the most recent years for which figures are available, was of cocaine entering the United Kingdom from member states of the European Community.

Mr. Patrick Thompson: To ask the Secretary of State for the Home Department what percentage of seizures of cocaine, in the most recent years for which figures are available, was of cocaine entering the United Kingdom from member states of the European Community.

Mr. Mellor *[pursuant to his reply, 25 January 1990, c. 868-69]:* I regret that incorrect information was provided for the percentage of seizures of cocaine by Customs in 1988 which were known to have originated from or arrived in the United Kingdom via other EC countries. The correct figures for that year are 31·5 per cent. by numbers of seizures (35·8 per cent. by weight), corresponding to 102 kg.

HOUSE OF COMMONS

Serjeant at Arms Department

Ms. Walley: To ask the hon. Member for Berwick upon Tweed, as representing the House of Commons Commission, how many of the Officers of the House employed in the Serjeant at Arms Department are women; what measures are in hand to increase these numbers; and if he will make a statement.

Mr. Beith: The only Officers of the House in the Serjeant at Arms Department are the Serjeant at Arms, the Deputy Serjeant at Arms, the Assistant Serjeant at Arms, and the two Deputy Assistant Serjeant at Arms, all of whom are men. The House of Commons Commission is, however, an equal opportunities employer and women are encouraged to apply for vacancies when they occur, on the same basis as men.

WALES

Local Government Finance

Mr. Ron Davies: To ask the Secretary of State for Wales if he has any proposals to reduce the level of the poll tax in Wales.

Mr. Peter Walker: The community charge is set by local authorities and not by the Government. The generous revenue settlement I provided for 1990-91 gave councils a realistic opportunity to budget for an average charge of £173. They chose instead to budget for expenditure increases which have resulted in an average charge of £232. Community charge payers, and particularly those on low and fixed incomes will expect local authorities in 1991-92 to budget in line with my plans and to achieve community charge levels commensurate with those plans.

Mr. Barry Jones: To ask the Secretary of State for Wales, what plans he has to introduce new legislation concerning the poll tax; and if he will make a statement.

Mr. Peter Walker: The Government will review the operation of the community charge system. It is too early to say what changes might be made or whether legislation will be needed.

Afforestation

Mr. Ron Davies: To ask the Secretary of State for Wales what area was approved for afforestation by *(a)* coniferous planting and *(b)* broadleaved planting for each county of Wales for each year since 1980.

Mr. Peter Walker: This information could be provided only at disproportionate cost.

Manor Lane Industrial Estate

Mr. Barry Jones: To ask the Secretary of State for Wales what plans he has to visit residents in Manor lane, Hawarden, to discuss plans concerning changes in the Manor lane industrial estate.

Mr. Peter Walker: None.

FOREIGN AND COMMONWEALTH AFFAIRS

Eastern Europe

Mr. Harry Greenway: To ask the Secretary of State for Foreign and Commonwealth Affairs if he has any plans to increase consular and commercial representation in eastern Europe; and if he will make a statement.

Mr. Sainsbury: I refer my hon. Friend to the reply that I gave him on 5 March 1990 to a question on the same subject.

Since then, an additional three commercial posts have been created at embassies in eastern Europe. Consular and visa staffing levels are being monitored continuously. Reinforcement will be provided where necessary.

Staff Qualifications

Mr. John Garrett: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will publish in the *Official Report* the numbers and percentages of his staff in grades 1 to 7 who have each *(a)* arts, *(b)* science and *(c)* technical degrees, *(d)* who are qualified accountants, *(e)* have post graduate qualifications in management and *(f)* who were educated in (i) local authority and (ii) private schools.

Mr. Sainsbury: The information requested could be provided only at disproportionate cost.

Mr. Paul Ashwell

Mr. Winnick: To ask the Secretary of State for Foreign and Commonwealth Affairs what further representations are being made to the Greek authorities regarding the detention of Mr. Paul Ashwell.

Mr. Sainsbury: We have made a number of representations to the Greek authorities on Mr. Ashwell's behalf. The Prime Minister spoke to the Greek Prime Minister about this in Dublin on 28 April. Her Majesty's Ambassador at Athens has an appointment to see the Greek Minister of Justice on 2 May 1990. We shall continue to follow the case closely and keep under review the possibility of making further representations.

Council of Ministers

Mr. Anthony Coombs: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will publish in the *Official Report* a statement of forthcoming business in the European Community Council of Ministers.

Mr. Maude: The Foreign Affairs Council will meet on 7 and 8 May. The Council will discuss follow up to the special meeting of the European Council in Dublin on 28 April, and prepare for the meeting which member states will hold later in May with the European Parliament on the IGC. The Commission is expected to present views on the institutional aspects of EMU. The Council will discuss the Commission's communication on audiovisual policy, and their proposal for measures to encourage the development of the audiovisual industries (MEDIA) 1990-95. Ministers will discuss a draft negotiating mandate for a trade and co-operation agreement with Romania, and the Tempus programme for eastern Europe and the European training foundation both called for by the Strasbourg European Council. Ministers will also discuss visas for East and Central Europe, and may receive a Commission Statement on Asia and Latin America. Ministers may also discuss preparations for the negotiations with EFTA on a comprehensive EC/EFTA agreement to complete the European Economic Space. The Council will endorse the Community's position for the thirteenth meeting of the EC/Cyprus Association Council, which will take place in the margins. Also in the margins, Ministers will sign trade and cooperation agreements with Czechoslovakia, Bulgaria and the GDR.

At the Internal Market Council on 14-15 May Ministers will discuss a number of measures relevant to completion of the single market, including the motor vehicle insurance directive, computer software, European company statute, pharmaceutical patents and the Third Motor Vehicle Liability Directive which contains further provisions on the level and content of compulsory insurance cover and on procedures for claiming from member states guarantee funds. Barriers to takeovers may also be discussed.

The Health Council will meet on 17 May. Ministers will consider maximum tar yields, the implementation of the Cancer programme and advertising of tobacco products. The Council will also discuss youth and health issues, the fight against AIDS and the use of medicinal products.

At the Culture Council on 18 May Ministers will discuss the circulation of national art treasures, training, the European City of Culture, and co-operation between Libraries on information. The Council is also expected to have a first discussion of cultural aspects of the Commission's communication on audiovisual policy and on the MEDIA programme 1991-95, and may discuss European artists residence.

The Agriculture Council will meet on 21 and 22 May and may discuss non-food uses of agricultural products, organic farming, beef balance sheets, foot and mouth disease, the veterinary fund, trade in live animals, poultry and hatching, and the trade in horses.

The Energy Council will meet on 21 May. Ministers are expected to adopt the resolution on transparency of prices and to reach agreement on gas and electricity transit. The Council will also discuss notification of investments, energy and the environment, Thermie, and the registration of crude oil imports.

At the Industry Council on 28 May the Commission will submit proposals for a replacement for the Council Directive of 28 January 1987 on aid to shipbuilding which expires at the end of this year. Ministers will discuss the impact of developments in eastern Europe on the shipbuilding industry in the EEC. There is general concern about the effect that the state-owned eastern European shipyards could have on the Community market and the work in the OECD to eliminate subsidies. German unification and the absorption of an industry the size of the United Kingdom's into the Community have implications for the new directive. Ministers will be asked to consider a Commission communication on the Community's semi-conductors industry, which is expected to address the economic importance of the industry, as well as the respective roles of producers and users of semi-conductors. The Council is expected to endorse the recommendation for administrative simplification of SME's which has been amended to take into account some of the changes suggested by the European Parliament, in particular a number of issues concerning member states' domestic arrangements for assessing and minimalising the impact of regulations on business, especially SME's. Ministers may also hold a first discussion on industrial aspects of the Commission's communications on audiovisual policy.

The Social Affairs Council will meet on 29 May. In the field of health and safety the Council will discuss draft directives on exposure to biological agents, the manual handling of heavy loads, and visual display units. The Council is expected to consider resolutions on long-term unemployment, racism and xenophobia, and on the protection of the dignity of women and men at work. Action programmes on continuing training and on the elderly are also likely to be discussed.

The Development Council will meet on 29 May when Ministers will adopt conclusions arising from a Commission paper on environment and development and

conclusions on the development aspects of the conservation of tropical forests. The Council may consider a Commission paper on cooperation with the developing countries of Asia and Latin America in the 1990's, and will adopt conclusions on the integration of food aid with other forms of development assistance and multiannual programming, and conclusions on a Commission work programme for the integration of women into the development process. Ministers will also approve conclusions arising from a Commission paper on evaluation of development cooperation.

At the Education Council on 31 May Ministers will be invited to adopt a draft resolution on the integration of children and young people with disabilities into mainstream educational institutions. They will also be invited to agree conclusions on equality of educational opportunity in the initial and in-service training of teachers; meetings of senior officials in the education sector; and on the preparation of a new convention for European schools. There will be discussions about distance education and training and education for enterprise.

Iraq

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs what role was played by the trade section of the British embassy in Baghdad in securing the contract cover for the seized equipment, destined for Iraq.

Mr. Waldegrave *[holding answer 25 April]:* In the light of the arrest of an individual on 25 April, and in the light of the continuing investigations by Customs and Excise, it would be wrong to comment further on these matters.

EDUCATION AND SCIENCE

Office of Technology Assessment

Mr. Flynn: To ask the Secretary of State for Education and Science what contacts his Department has had with the Netherlands Office of Technology Assessment in the Hague.

Mr. Jackson: The Department has not had any official contact with the Netherlands Office of Technology Assessment.

Grant-maintained Schools

Mrs. Gorman: To ask the Secretary of State for Education and Science how many schools have now been given grant-maintained status; and if he will make a statement.

Mrs. Rumbold: My right hon. Friend has so far approved 37 of the 48 proposals for grant-maintained status which have reached him for decision.

Special Needs Education

Mr. Thurnham: To ask the Secretary of State for Education and Science what representations he has received about the provision of education for those with special needs; and if he will make a statement.

Mr. Alan Howarth: Representations have been received recently on a range of subjects relating to the provision of education for those with special educational needs. In particular, representations continue to be received in respect of the Department's draft circular "Staffing for pupils with special educational needs" and on in-service training for teachers specialising in special needs subject areas. The closing date for comments on the circular is 27 July 1990. My right hon. Friend set out in his reply to my hon. Friend the Member for Cambridgeshire South-East (Mr. Paice) on 18 April, *Official Report*, column *850* the funds available for the training of teachers in special needs areas.

School Discipline

Mr. Bowis: To ask the Secretary of State for Education and Science whether he will make a further statement on the recommendations of the committee of inquiry into discipline in schools.

Mr. MacGregor: When the committee's report was published in March last year, my right hon. Friend the Chancellor of the Duchy of Lancaster announced immediately his acceptance in principle of a number of its recommendations. I am now able to report the following developments:

1. The management of pupil behaviour has been designated a national priority area under the local education authority training grants scheme with £1·7 million of expenditure being supported in 1990-91.
2. Two new education support grant categories, to improve support services in respect of difficult pupils and to raise attendance levels in designated schools, were introduced on 1 April. In both categories, expenditure of around £2·5 million is being supported in 1990-91.
3. My Department has introduced a national exclusions reporting system for a two-year period from the beginning of the summer term this year. Heads, governors and local education authorities, as appropriate, are being asked to provide information on the background to cases of permanent exclusion from LEA-maintained primary, secondary and special schools and from grant-maintained schools. Individual pupils will not be identified. In the light of the information provided we shall be deciding on the future of the existing statutory provisions on exclusion.
4. The criteria for the approval of courses of initial teacher training which I published last November give practical effect to the committee's recommendations that such courses include specific training in group management, and that lecturers providing training in teaching skills should regularly update their classroom experience.

The Government have also considered, as the committee recommended, whether legislation should be introduced in respect of the legal basis of teachers' authority and of parental liability for their children's civil wrongs committed while in school. We have concluded, after very careful examination of the issues, that legislative action would not be appropriate in either case.

The Government have now completed their consideration of the report. Its publication, and its circulation by my Department to local education authorities and all maintained schools, have a most useful and important impact on discussion and action by the education service in a difficult area. For its part, and apart from the specific measures my predecessor and I have announced, the Government will continue to take careful account of the committee's advice and recommendations as they develop their education policies, particularly in respect of the implementation of the national curriculum.

SCOTLAND

COSLA

16. **Mr. Malcolm Bruce:** To ask the Secretary of State for Scotland when he last met the president of the Convention of Scottish Local Authorities; and what matters were discussed.

Mr. Rifkind: With my hon. Friend the Minister for Home Affairs and the Environment, I met the president and other senior office-bearers of the convention on 6 April. This was the first of this year's meetings to discuss Government support for local authority current expenditure in 1991-92.

Local Government Finance

17. **Mrs. Fyfe:** To ask the Secretary of State for Scotland how many people he expects to qualify for ex-gratia poll tax rebates covering the year 1989-90 under his recently announced scheme for such payments.

Lord James Douglas-Hamilton: I expect between 15,000 and 20,000 people to qualify for special payments under the scheme.

18. **Mr. Galloway:** To ask the Secretary of State for Scotland what recent representations he has had on the subject of the community charge in Scotland; and if he will make a statement.

Lord James Douglas-Hamilton: My right hon. and learned Friend continues to receive a number of representations on different aspects of the community charge.

25. **Mr. Andrew Welsh:** To ask the Secretary of State for Scotland if he proposes to bring forward any changes to the poll tax legislation in the present Session.

29. **Mrs. Margaret Ewing:** To ask the Secretary of State for Scotland if he proposes to bring forward any changes to the poll tax legislation in the present Session.

Lord James Douglas-Hamilton: My right hon. and learned Friend keeps all aspects of the community charge arrangements under review. He has made it clear that he is prepared to make changes if they are required.

41. **Mr. Nicholas Bennett:** To ask the Secretary of State for Scotland what is the highest and lowest community charge in Scotland in 1990-91; and what were the comparable charges for 1989-90.

Lord James Douglas-Hamilton: The highest and lowest community charges in Scotland in 1990-91, at taxpayer level, excluding the community water charge, are £419 and £87·26. Corresponding figures for 1989-90 are £374 and £100·60.

Mr. Malcolm Bruce: To ask the Secretary of State for Scotland if he will publish in the *Official Report* a list of numbers of Statutory Instruments issued under the Abolition of Domestic Rates (Scotland) Act 1987, the dates on which these came into force and the dates on which any Statutory Instrument referred to above ceased to be in force.

Lord James Douglas-Hamilton *[holding answer 23 April 1990]:* The information requested is as follows:

Statutory instrument	*Statutory instrument number*	*Date of coming into force*
The Abolition of Domestic Rates Etc. (Scotland) Act 1987 Commencement Order 1987	1987/1489	18 August 1987
The Non-Domestic Rates and Community Charges (Timetable) (Scotland) Regulations 1987	1987/2167	7 January 1988
The Non-Domestic Rates and Community Charges (Timetable) (Scotland) Amendment Regulations 1989—these revoked part of Schedule 2 to SI 1987/2167	1989/2436	22 January 1990
The Abolition of Domestic Rates (Domestic and Part Residential Subjects) (Scotland) Regulations 1987—now revoked	1987/2179	8 January 1988
The Abolition of Domestic Rates (Domestic and Part Residential Subjects) (Scotland) Regulations 1988—these revoked and replaced SI 1987/2179	1988/1477	15 September 1988
The Community Charges (Registration) (Scotland) Regulations 1988—now revoked	1988/157	26 February 1988
The Community Charge (Registration) (Scotland) (No. 2) Regulations 1988—these revoked and replaced SI 1988/157	1988/1539	1 October 1988
The Community Charges (Registration) (Scotland) (No. 2) Amendment Regulations 1988	1988/1611	1 October 1988
The Standard and Collective Community Charges (Scotland) Regulations 1988—regulations 3 and 4 now revoked	1988/631	20 April 1988
The Standard and Collective Community Charges (Scotland) (Amendment) Regulations 1988—now revoked	1988/1540	1 October 1988
The Standard and Collective Community Charges (Scotland) Amendment Regulations 1989—now revoked	1989/1004	1 July 1989
The Standard Community Charge (Scotland) Regulations 1989—these revoked and replaced regulation 3 of SI 1988/631, SI 1988/1540 and SI 1989/1004.	1989/2437	22 January 1990

Statutory instrument	Statutory instrument number	Date of coming into force
The Standard and Collective Community Charges (Scotland) Amendment (No. 2) Regulations 1989—these revoked regulation 4 of SI 1988/631	1989/1476	4 September 1989
The Personal Community Charge (Students) (Scotland) Regulations 1988—now revoked	1988/632	20 April 1988
The Personal Community Charge (Students) (Scotland) Regulations 1989—these revoked and replaced SI 1988/632	1989/32	3 February 1989
The Housing Benefit (Social Security Act 1986 Modification) (Scotland) Regulations 1988	1988/1483	21 September 1988
The Community Water Charges (Scotland) Regulations 1988	1988/1538	1 October 1988
The Community Water Charges (Scotland) Amendment Regulations 1989	1989/2362	15 January 1990
The Personal Community Charge (Exemption for the Severely Mentally Impaired) (Scotland) Regulations 1988—now revoked	1988/1541	1 October 1988
The Personal Community Charge (Exemptions) (Scotland) Regulations 1989—these revoked and replaced SI 1988/1541	1989/63	9 February 1989
The Community Charges (Levying, Collection and Payment) (Scotland) Regulations 1988	1988/1880	22 November 1988
The Community Charges (Levying, Collection and Payment) (Scotland) Amendment Regulations 1990	1990/684	18 April 1990
The Community Charges (Information Concerning Social Security) (Scotland) Regulations 1988—these lapsed on 31 March 1990	1988/1889	23 November 1988
The Community Charges (Information Concerning Social Security) (Scotland) Regulations 1989—these replaced SI 1988/1889 on 1 April 1990	1989/476	1 April 1990
The Non-Domestic Rates (Scotland) Regulations 1988	1988/1904	24 November 1988
The Local Government (Non Domestic District Rates and District Community Charge) (Scotland) Regulations 1988	1988/1963	2 December 1988
The Revenue Support Grant (Scotland) Order 1988—now revoked	1989/69	12 January 1989
The Revenue Support Grant (Scotland) Order 1989—this revoked and replaced SI 1989/69	1990/130	26 January 1990
The Abolition of Domestic Rates (Domestic and Part Residential Subjects) (Scotland) Regulations 1989—now revoked	1989/241	20 March 1989
The Abolition of Domestic Rates (Domestic and Part Residential Subjects) (Scotland) Regulations 1990—these revoked and replaced SI 1989/241	1990/630	1 April 1990
The Community Charges (Deductions from Income = Support) (Scotland) Regulations 1989	1989/507	8 April 1989
The Community Charges (Deductions from Income Support) (Scotland) (Amendment) Regulations 1990	1990/113	1 April 1990
The Abolition of Domestic Rates (Domestic and Part Residential Subjects) (No. 2) (Scotland) Regulations 1989	1989/1477	4 September 1989
The Personal Community Charge (Exemption for the Severely Mentally Impaired) (Scotland) Regulations 1989	1989/2234	29 December 1989
The Non-Domestic Rates (Scotland) Regulations 1989	1989/2462	24 January 1990
The Revenue Support Grant (Scotland) Order 1990	1990/131	26 January 1990
The Personal Community Charge (Relief) (Scotland) Regulations 1990	1990/421	28 March 1990
The Personal Community Charge (Relief) (Scotland) Amendment Regulations 1990	1990/625	28 March 1990

Homelessness

19. **Sir David Steel:** To ask the Secretary of State for Scotland what are the current estimates of homelessness in Scotland; what steps he proposes to take to reduce homelessness; and if he will make a statement.

Mr. Rifkind: During 1988-89 local authorities assessed 9,300 households as being homeless and 5,850 as being threatened with homelessness. Local authorities have a good record in finding accommodation for homeless applicants.

EC Regional Fund

20. **Sir Russell Johnston:** To ask the Secretary of State for Scotland what steps he takes to ensure that in regard to European Community regional fund projects in Scotland the additionality rule is applied.

Mr. Lang: The Government ensure compliance with requirements on additionality in the relevant European structural fund regulation throughout the United Kingdom.

Lothian Council Staff (Self-defence Courses)

21. **Mr. Dalyell:** To ask the Secretary of State for Scotland what was his advice to Lothian regional council before that council introduced the offer of self-defence courses in certain martial arts for council employees who have to deal directly with the public in matters affecting the poll-tax; if he will specify which forms of karate were considered; what payments he will offer the council; what lists he has received of cases in which officials have been threatened with violence; what consultation he has had with relevant trade unions on the matter; and what figures of poll-tax-related assault he has received from Sir William Sutherland QPM.

Lord James Douglas-Hamilton: This is entirely a matter for Lothian regional council and my right hon. and learned Friend has neither offered advice nor sought consultation with the trade unions. I understand, however, that the question of self-defence training for certain staff is still under consideration by the council and is not confined to staff dealing with the community charge. Any costs involved would need to be met in the normal way from the resources available to the authority. We have received no lists of cases where officials in Lothian region have been threatened with violence nor have we received from Sir William Sutherland any figures relating to the kind of assault described.

Scottish TUC

23. **Mr. Eadie:** To ask the Secretary of State for Scotland if he received an invitation to address the annual conference of the Scottish Trades Union Congress.

Mr. Lang: No, Sir.

36. **Mr. Ron Brown:** To ask the Secretary of State for Scotland when he last met the Scottish Trades Union Congress: and if he will make a statement.

Mr. Lang: I refer the hon. Member to my reply to him on 20 December 1989.

Councillors (Allowances)

24. **Mr. Norman Hogg:** To ask the Secretary of State for Scotland what progress he has made in determining a new scheme for local authority councillors' allowances; and if he will make a statement.

Lord James Douglas-Hamilton: In a paper issued on 19 December 1989, the Government put proposals for a revised scheme of councillors' allowances to the local authority associations for comment. My right hon. and learned Friend subsequently met COSLA on 9 February when he stressed his willingness to be flexible on the distribution of the Scottish quantum and to consider alternatives for the definition of approved duties. Comments and views have been received from a number of interested parties. These are being carefully considered and my right hon. and learned Friend expects to announce his decisions shortly. The intention is that the revised scheme should operate from 1 July 1990.

Speech Impediments

26. **Mr. Robert Hughes:** To ask the Secretary of State for Scotland if he will make a statement on his policy for the provision of educational facilities for children with speech impediments.

Mr. Lang: Education authorities are statutorily required to make appropriate educational provision for all children of school age in their area. This will include provision for special educational needs, such as those of children who have difficulties with speech.

National Health Service Trusts

27. **Mr. McKelvey:** To ask the Secretary of State for Scotland what representations he has had from hospitals in the Ayrshire and Arran area regarding opting out.

Mr. Michael Forsyth: An expression of interest in self-governing status has recently been made on behalf of the South Ayrshire unit comprising the hospitals at Ayr and Ballochmyle.

A1

28. **Mr. Beith:** To ask the Secretary of State for Scotland what progress he has made in setting up arrangements between his Department and highway authorities to discuss the future of the A1 beyond the proposals in the roads south of Edinburgh study.

Lord James Douglas-Hamilton: Representatives from the roads departments of Lothian and Borders regional councils, and of Northumberland county council, will be invited to join with officials from my Department and the Department of Transport to form the A1 steering group described in our "Routes South of Edinburgh: Report on Public Consultation and the Government's Decisions", copies of which are in the Library. Detailed terms of reference for the group are currently being drafted by my Department in liaison with the Department of Transport.

Primary Schools (Testing)

30. **Dr. Godman:** To ask the Secretary of State for Scotland if he intends to review his plans to introduce testing in Scottish primary schools.

Mr. Lang: No, Sir. It remains the intention to test performance in English and mathematics at P4 and P7, and information about piloting will be issued shortly.

Offensive Weapons

31. **Mr. David Marshall:** To ask the Secretary of State for Scotland if he will introduce legislation to make it an offence to sell or supply knives and other offensive weapons to young persons under 16 years of age; and if he will make a statement.

Lord James Douglas-Hamilton: The sale or hire of flick knives and gravity knives is an offence under the Restriction of Offensive Weapons Act 1959. The sale or hire of a further range of spiked, bladed and other offensive weapons specified in the Offensive Weapons Order 1988 is an offence under the Criminal Justice Act 1988. These provisions apply irrespective of the age of the buyer, and my right hon. and learned Friend sees no need for further legislation.

Steel Industry

32. **Mr. Robertson:** To ask the Secretary of State for Scotland if he intends to meet trade union representatives of the work force in the Scottish steel industry.

Mr. Lang: My right hon. and learned Friend met representatives of the Ravenscraig work force last November. I met representatives of the Clydesdale work force in January and will be meeting representatives of the Dalzell work force in the near future.

50. **Dr. Reid:** To ask the Secretary of State for Scotland what plans he has to meet British Steel to discuss investment in Scottish steel plants; and if he will make a statement.

Mr. Lang: My right hon. and learned Friend expects to meet the chairman of British Steel in the relatively near future to discuss matters of current interest concerning the Scottish steel plants, including the company's investment strategy. At the end of the day, investment decisions are a matter for the commercial judgment of British Steel, in the light of their assessment of market conditions. However, it is clearly important that the company should be in a position to consider carefully all the options, including that of investment in Scotland, before reaching their decisions.

Childhood Immunisation

33. **Dr. Moonie:** To ask the Secretary of State for Scotland what plans he has for improving the uptake of childhood immunisations against infectious diseases.

Mr. Michael Forsyth: I announced on 26 April an accelerated schedule for childhood immunisation against diphtheria, tetanus, whooping cough and poliomyelitis. The new schedule, which will be introduced on 1 October 1990, provides for the course of immunisation against these diseases to be carried out between two months and six months of age as compared with three months and 11 months at present. The shortened programme, to which appropriate publicity will be given, is expected to lead to higher uptake levels.

Violent Crime

34. **Mr. Hood:** To ask the Secretary of State for Scotland if he will give details of the number of violent crimes reported in Scotland each year since 1979 where firearms were involved; and if he will make a statement.

Lord James Douglas-Hamilton: I refer the hon. Member to the reply that I gave him on 5 April.

Nirex

35. **Mrs. Ray Michie:** To ask the Secretary of State for Scotland when he last met the chairman of the nuclear industry radioactive waste executive; and what matters were discussed.

Lord James Douglas-Hamilton: My right hon. and learned Friend and the Secretary of State for the Environment met the then chairman and senior officials of the Executive on 15 March 1989 to discuss its report on sites for investigation for the deep disposal of low and intermediate level radioactive wastes.

Fishing Industry

37. **Mr. Macdonald:** To ask the Secretary of State for Scotland what recent representations he has received regarding the fishing industry on the west coast of Scotland.

Mr. Lang: The Government issued a consultation document on 28 March which discussed a range of additional conservation measures that might be taken in the waters off the west coast of Scotland. Some replies have been received and others are awaited. In addition, my noble Friend the Minister of State met a delegation on 24 April to discuss these issues.

44. **Mr. Wallace:** To ask the Secretary of State for Scotland what representations he has received on the current situation facing the Scottish fishing fleet; and if he will make a statement.

Mr. Lang: A variety of representations have been received. In addition my right hon. and learned Friend met the Scottish Fishermen's Federation on 7 February and will be doing so again very soon. We are continuing to monitor the situation of the industry very carefully. It remains the case that reductions in landings are being substantially offset by increases in prices. Up to the end of March landings by United Kingdom vessels into Scotland of cod, haddock, whiting and saithe have declined by 28 per cent. compared with the same period in 1989, but the value of these landings in that period has declined by only 3 per cent. in cash terms. The total value of all landings into Scotland in the first three months of this year has declined by only 1 per cent. in cash terms compared with the same period last year.

51. **Mr. Buchanan-Smith:** To ask the Secretary of State for Scotland what representation he has received on the proposals for the fishing industry for aggregation of capacity and for transferable quotas; and if he will make a statement.

Mr. Rifkind: The consultation paper on capacity aggregation, which was issued last November, elicited a wide range of responses from the industry. The Government recently announced their intention to proceed with the capacity aggregation proposals. We will, of course, monitor their operation carefully.

The Government are interested in considering individual transferable quotas, but any proposals it may develop will be the subject of full consultation with the industry.

Private Landlords

38. **Mr. McAllion:** To ask the Secretary of State for Scotland what information he has on the proportion of landlords in the private sector in Scotland who reduced combined rent and rate bills in 1989-90 to take account of the abolition of domestic rates.

Lord James Douglas-Hamilton: No information is available centrally.

Apprenticeships

39. **Mr. Michael J. Martin:** To ask the Secretary of State for Scotland what steps he is taking to find more apprenticeship places for young people in Scotland.

Mr. Lang: The provision of apprenticeships is a matter for industry and in particular for industry lead training bodies such as the construction industry training board. In recent years the number of apprenticeships based on time serving has decreased as industry has moved towards flexible training systems for young people. Such schemes

operate in conjunction with youth training and are based on the achievement of standards of competence. This shift of emphasis is welcome as it encourages the rapid attainment of skills by trainees.

Poverty (Church Report)

40. **Mr. Buchan:** To ask the Secretary of State for Scotland when he next intends to meet the Moderator of the Church of Scotland to discuss the report from the church and nation committee of the Church of Scotland entitled, "Scotland's Poor—a challenge to Kirk"; and if he will make a statement.

Lord James Douglas-Hamilton: My right hon. and learned Friend at present has no plans to do so.

Greater Glasgow Health Board (Takare Contract)

42. **Mr. McAvoy:** To ask the Secretary of State for Scotland when Greater Glasgow health board will release details of the Takare contract to the hon. Member for Glasgow, Rutherglen.

Mr. Michael Forsyth: I understand that Greater Glasgow health board will provide further details to the hon. Member shortly.

Pre-school Education

43. **Mr. Graham:** To ask the Secretary of State for Scotland if he has any fresh proposals to increase pre-five education in Scotland.

Mr. Lang: It is for education authorities themselves to determine the level of provision they wish to make in their area for the education of children under five, having regard to available resources, local circumstances and competing priorities.

Health Services (Glasgow)

45. **Mr. Dunnachie:** To ask the Secretary of State for Scotland when he last met representatives of Greater Glasgow health board to discuss health services in Glasgow.

Mr. Michael Forsyth: My right hon. and learned Friend met Greater Glasgow health board representatives in March 1989, when he opened a new 90-bed unit at Woodilee hospital. I regularly meet health board chairmen to discuss a variety of topics.

Health Spending

46. **Mr. Darling:** To ask the Secretary of State for Scotland what is the estimated expenditure by each health board in Scotland in 1990-91.

Mr. Michael Forsyth: Health boards are expected to contain their expenditure within the amounts allocated to them at the beginning of each financial year. The amounts allocated to each health board in Scotland in 1990-91 for gross revenue and capital expenditure are as follows:

Health board	*£ million*[1]
Argyll and Clyde	150·284
Ayrshire and Arran	135·563
Borders	34·965
Dumfries and Galloway	56·547
Fife	111·210
Forth Valley	103·695
Grampian	198·975
Greater Glasgow	535·870
Highland	83·173
Lanarkshire	178·255
Lothian	341·482
Orkney	6·528
Shetland	8·788
Tayside	198·227
Western Isles	19·153

[1] These figures do not include allocations for systems implementation, computers and breast cancer screening services totalling £29·376 million which have still to be notified to Boards.

Ayr Road Route

47. **Mr. Allan Stewart:** To ask the Secretary of State for Scotland what is his latest estimate of the timetable for the construction of the Ayr road route (A77).

Lord James Douglas-Hamilton: The Ayr road route is divided into two sections. That between the M77 and the City of Glasgow district boundary is a regional road scheme promoted by Strathclyde regional council. The remainder of the route to Malletsheugh is a trunk road and the responsibility of the Secretary of State.

A legal challenge has been made by Glasgow district council to the Secretary of State's decision on the regional road section. Prior to the challenge, that section was scheduled for a start during 1991 and it was hoped that the trunk road section would follow on in 1992 subject to the availability of funds and priorities at that time. Advance works for the regional road section, in areas not affected by the legal challenge, have already started.

Flood Damage

48. **Mr. Bill Walker:** To ask the Secretary of State for Scotland if he can give up-to-date details of assistance which has been given to landowners, farmers and householders whose property was damaged in the recent floods in north Tayside.

Lord James Douglas-Hamilton: Twenty-six applications have been received from farmers in Tayside for special assistance for the repair of elevated floodbanks damaged in the recent floods. Engineering specifications have been drawn up for the 20 of these cases and returned to the applicants for them to obtain contractors' estimates. So far, only two applicants have submitted detailed costings.

As to other damage and losses sustained by landowners, farmers and householders, it has been the long-standing policy of successive Governments not to pay compensation for the effects of severe weather, particularly where risks are insurable.

Unemployment

49. **Sir Hector Monro:** To ask the Secretary of State for Scotland when he last discussed unemployment with the Scottish Trades Union Congress.

Mr. Rifkind: I met the general council of the Scottish Trades Union Congress on 10 November 1989 for a discussion of economic issues, including unemployment. I

called attention to the sustained improvement in the Scottish economy in recent years which has seen unemployment fall to its lowest level since 1980.

Arts Provision

Mr. Stern: To ask the Secretary of State for Scotland if he will take steps to encourage other cities in Scotland to emulate Glasgow's emphasis on provision for the arts.

Mr. Lang: I am happy to acknowledge Glasgow's success in developing provision for the arts and in exploiting the valuable contribution made by the arts to the economic life in the city. Glasgow's achievement as this year's European city of culture shows what can be done when local authorities join forces with private and corporate sponsors.

Community Charge

Mr. Beggs: To ask the Secretary of State for Scotland whether a Scottish university student registered for community charge at his or her parents home in Scotland, is also required to register and pay community charge during the period of attendance at university at the address of his or her accommodation in Scotland.

Lord James Douglas-Hamilton: A full-time student in Scotland is not required to pay the personal community charge at more than one address at the same time. He or she is regarded, for community charge purposes, as being resident, and therefore liable for the personal community charge at the reduced rate of 20 per cent. of the full charge, at his or her term-time address for the duration of his or her course, including vacations.

Forestry

Mr. Barry Field: To ask the Secretary of State for Scotland how many vehicles the Forestry Commission operates.

Lord James Douglas-Hamilton: The Forestry Commission is currently operating 1,859 of its own road vehicles and 230 leased road vehicles.

Mr. Ron Davies: To ask the Secretary of State for Scotland if he will give the area of forestry plantations in Scotland which has been killed by pine beauty moth or pine sawfly since 1986; and if he will list the names of the plantations affected, their size, their dates of planting and the dates of the attack leading to the plantation death in each case.

Lord James Douglas-Hamilton: Only two areas of forestry plantations of any size are known to have been killed by pine beauty moth or pine sawfly in Scotland since 1986. These were two hectares at Truderscaig which were planted in 1972-73 and attacked by pine beauty moth in 1987 and 1988, and 12 hectares at Poulary which were planted in 1967-68 and attacked by pine beauty moth in 1986. Both these areas are in Highland region.

Mr. Ron Davies: To ask the Secretary of State for Scotland if he will list the names, locations and areas of any further forestry grant applications since his answer of 22 March 1989, *Official Report*, columns *660-61* in excess of 100 hectares for which the Forestry Commission has not requested an environmental assessment.

Lord James Douglas-Hamilton: The information is given in the following table:

Name and Region	*Area proposed for planting (ha)*
Borders	
North Hurdlaw	164
Heathpool	224
Ladhope	158
Central	
Gartchonzie	171
Gartnafuaran	153
Muirhill	199
Dumfries and Galloway	
Glenquicken	168
Loch Ree	328
Shilling Land	117
Ericstane	168
Grampian	
Pluscarden	110
Tillypronie	200
Ballogie	132
Cowden	128
Christkirk	128
Craigs of Succoth	103
Bisset Moss	278
Smallburn	149
Boghaugh	134
Torry Hillock	136
Wraes	101
Highland	
Coille am Sealbach	122
Coille Buidhe	122
Achlibster	291
Braelangwell	487
Loch Choire	1,396
Tacher	243
Astle	114
Ackron	270
Woodend	251
Greshornish	962
Wyvis	114
Glen Speireig	288
Loubcroy	388
Loubcroy 2	295
Orkney Isles	
Melsetter Hill	215
Strathclyde	
Brackley Hill	304
Cleughearn	186
Dalrazzie	104
Darley	524
Western Isles	
Sollas	520

Mr. Ron Davies: To ask the Secretary of State for Scotland if he will list the names, locations and areas of any plantings carried out by the Forestry Commission since July 1988 which are in excess of 100 hectares; and if he will list any proposed plantings for 1990-91 which are above this threshold.

Lord James Douglas-Hamilton: The information is given in the tables:

Areas planted since July 1988

Forestry Commission Forest District	*Name of forest area*	*Area planted (ha)*
Lorne	Achnafanich	269
Kintyre	Glenskile	168
Perthshire	Camserne	152
Ayrshire and Arran	Auld Craigoch	107
Ayrshire and Arran	Mossdale	236
Newton Stewart	Arecleoch	302
Newton Stewart	Glentrool	327
Nithsdale	Kinharvie	114
Nithsdale	Maidenpap	106
Borders	Priesthill	164
Wester Ross	Glenarroch	151
Wester Ross	Orbost	110
Lochaber	Lochan Dhoire	130
Moray	Blackwater	120
Dornoch	Tannach	231
Dornoch	Cnoc a Mhoid	171
Dornoch	Achormlarie	192
Dornoch	Stroupster	127
Fort Augustus	Phochaicain	134
Strontian	Lochan Dubh	115
Easter Ross	Strathrory	223

Areas proposed for planting in 1990-91

Forestry Commission Forest District	*Name of forest area*	*Area to be planted (ha)*
Kintyre	Invernei	167
Kintyre	Alltmore	108
Perthshire	Rannoch Invercarie	180
Perthshire	Camserne	123
Wester Ross	Braebost	175
Wester Ross	Glenarroch	120
Dornoch	Stroupster	267
Dornoch	Inveroykel	410
Fort Augustus	Phochaicain	238
Ayrshire and Arran	Mossdale	230
Newton Stewart	Gentrool	125
Borders	Langburnshiels	275

Mr. Ron Davies: To ask the Secretary of State for Scotland if he will name the sites, locations and areas for which the Forestry Commission has requested environmental assessments under the Environmental Assessment (Afforestation) Regulations 1988 since their introduction; and if he will state for each site whether an assessment has been presented, or is in progress, and whether the applications for forestry grant have been approved, withdrawn, refused or are still under consideration.

Lord James Douglas-Hamilton: The following table lists all those sites for which the Forestry Commission has requested an environmental statement.

Name	*Region*	*Area Proposed for planting (ha)*	*Current Position*	
			Statement	*Application*
Baillie Whirr	Dumfries and Galloway	40	Not provided	Withdrawn
Glenure Forest Estate	Dumfries and Galloway	28	Presented	Under consideration
Stonehouse Farm	Dumfries and Galloway	19	Being prepared	Under consideration
Gulls Nest	Grampian	298	Not provided	Refused
Ardtornish	Highland	55	Presented	Under consideration
Auchtertyre	Highland	357	Presented	Under consideration
Bhealaich	Highland	280	Presented	Under consideration
Brabster Farm 2	Highland	564	Presented	Approved[1]
Cnoc nan Gall	Highland	231	Presented	Under consideration
Corrielair	Highland	458	Presented	Approved
Forest Farms	Highland	2,310	Being prepared	Under consideration
Gortoneorn	Highland	296	Not provided	Withdrawn
East Halladale	Highland	810	Being prepared	Under consideration
West Halladale	Highland	730	Being prepared	Under consideration
The Hope	Highland	233	Presented	Under consideration
Lochluichart	Highland	218	Being prepared	Under consideration
North Winless	Highland	90	Presented	Withdrawn
South Channain 2	Highland	39	Presented	Under consideration
Auchenroy and Dalcairnie	Strathclyde	419	Presented	Approved[2]
Coull Farm	Strathclyde	77	Not provided	Withdrawn
Gallohoille Farm	Strathclyde	136	Not provided	Withdrawn
Mulea Plantation	Strathclyde	42	Presented	Under consideration
Turbiskill Farm	Strathclyde	207	Presented	Under consideration
Pitcarmick	Tayside	160	Presented	Under consideration
Cragganester	Tayside	135	Being prepared	Under consideration

Notes:
[1] Only 118 hectares of this application were approved; the remainder was withdrawn.
[2] Only 242 hectares of this application were approved; the remainder was withdrawn.

Mr. Ron Davies: To ask the Secretary of State for Scotland if he will list the names, locations and areas which are proposed by the Forestry Commission for aerial spraying with fenitrothion in 1990 to combat forest pests.

Lord James Douglas-Hamilton: The Forestry Commission is not expecting to carry out any aerial spraying with fenitrothion, or other insecticides, in 1990.

Mr. Dalyell: To ask the Secretary of State for Scotland which of the current commissioners of the Forestry Commission was appointed to fulfil both the requirement under section two of the Forestry Act 1967 and section four of the Wildlife and Countryside Act 1985.

Lord James Douglas-Hamilton: Messrs Francis, Bradley, Foot, Woosnam and Strang-Steel fulfil the requirement under section 2 of the Forestry Act 1967 that at least three of the Forestry Commissioners must have special knowledge and experience of forestry; Messrs Francis, Bradley and Foot fulfil the requirement that at least one Commissioner must have scientific attainments

and a technical knowledge of forestry, and Mr. Mallinson the requirement that at least one must have special knowledge and experience of the timber trade. Section 4 of the Wildlife and Countryside (Amendment) Act 1985, which amended the Forestry Act 1967, places a duty on all the Commissioners to endeavour to achieve a reasonable balance between the needs of forestry and those of the environment.

Enterprise Companies (Complaints)

Mr. Watson: To ask the Secretary of State for Scotland what is the basis for his decision that complaints relating to Scottish Enterprise and Highlands and Islands Enterprise should not fall within the jurisdiction of the Parliamentary Commissioner for Administration.

Mr. Lang: Bodies which operate in a predominantly commercial manner are excluded from the jurisdiction of the Parliamentary Commissioner for Administration. Both Scottish Enterprise and Highlands and Islands Enterprise fall into this category.

Mr. Watson: To ask the Secretary of State for Scotland if he will take steps to ensure that people in Scotland who might be aggrieved at the manner in which a local enterprise company has dealt with its affairs will have the same avenues of redress available to them as people in England and Wales who have similar grievances in respect of alleged maladministration by training and enterprise councils.

Mr. Lang: Local enterprise companies will be obliged by the terms of their contracts to operate a complaints procedure, under which an individual with a complaint can be assured that his or her case will be considered by the chief executive of the local enterprise company, and if necessary by the chairman. This obligation is no less than that which will operate in England and Wales.

RENAVAL

Dr. Godman: To ask the Secretary of State for Scotland (1) when he expects the allocation of grants available to Strathclyde region under the European Community's RENAVAL programme to be fully utilised;

(2) if he will list the local authorities and other public bodies involved in submitting applications for financial assistance under the European Community's RENAVAL programme in Strathclyde region.

Mr. Lang: A decision is still awaited from the European Commission on the Government's bid to establish Strathclyde's eligibility under RENAVAL. There are therefore no Strathclyde authorities as yet involved in submitting applications for financial assistance under RENAVAL, and no grants available.

Farm Woodland Scheme

Mr. Maclennan: To ask the Secretary of State for Scotland whether he will bring forward legislation to allow crofters access to the farm woodland scheme through planting on common grazings.

Lord James Douglas-Hamilton: My right hon. and learned Friend is awaiting confirmation that legislation which would allow crofters to participate in the planting of commercial woodlands on common grazings would be acceptable to all crofting interests. It is not possible to say when such legislation might be introduced.

Hospital Closures

Mr. Nigel Griffiths: To ask the Secretary of State for Scotland if he will list the number of hospitals closed in Scotland in the past 10 years.

Mr. Michael Forsyth: Since 1980, 42 hospitals have been closed in Scotland. During the same period 62 major new hospital projects have been completed.

Mental Health Services

Mr. Wray: To ask the Secretary of State for Scotland if he will make a statement on the way the mental health services are operating in Scotland.

Mr. Michael Forsyth: Mental health services in Scotland are designed to ensure that people with mental illness receive appropriate treatment either as in-patients or increasingly as out-patients or through a wide range of services in the community. The recommendations of the SHARPEN report, which the Government have endorsed, accord a high priority to care in the community whenever appropriate for people who are mentally ill. The proposals set out in the White Paper "Caring for People: Community Care in the Next Decade and Beyond" will bring further improvements in community care services for people with mental illness.

Road Deaths

Mr. Boyes: To ask the Secretary of State for Scotland if he will publish a table showing the number of road fatalities since 1 October 1989 and for each year from 1980 to 1990.

Lord James Douglas-Hamilton *[holding answer Monday 30 April 1990]:* The information requested is as follows:

Number of road fatalities in Scotland

Year	*Number*
1980	700
1981	677
1982	701
1983	624
1984	599
1985	602
1986	601
1987	556
1988	554
1989[1]	554
1989 October-December[1]	148

[1] Provisional

TRADE AND INDUSTRY

Kryptrons

Mr. Flynn: To ask the Secretary of State for Trade and Industry what protective rules exist to cover the export from the United Kingdom of kryptrons.

Mr. Redwood: Kryptrons are subject to control under the Export of Goods (Control) Order 1989. A licence is required to export such goods to any destination if the performance parameters are within the scope of entry IL 1542 (b) of group 3 of the order.

Staff Qualifications

Mr. John Garrett: To ask the Secretary of State for Trade and Industry if he will publish in the *Official Report* the number and percentages of his staff in grades one to seven who have *(a)* arts and *(b)* science and technical degrees, who *(c)* are qualified accountants or *(d)* have post-graduate qualifications in management and who were educated in *(e)* local authority and *(f)* private schools.

Mr. Forth: The information is as follows:

The numbers and percentages of Department of Trade and Industry staff in grades 1 to 7 with either graduate or post-graduate level qualifications as shown on the Department's personnel computer system, and by the subject groups in which this information is recorded there, are as follows:

Grade level	Total in grade	Agriculture		Arts		Business studies		Education		Language and literature		Miscellaneous		Professional studies		Science		Social studies		Technology	
		Number	Per cent.	Number	Per cent.	Number	Per cent.	Number	Per cent.	Number	Per cent.	Number	Per cent.	Number	Per cent.	Number	Per cent.	Number	Per cent.	Number	Per cent.
Grade level 1	1	—	—	—	—	—	—	—	—	1	100·0	—	—	—	—	—	—	—	—	—	—
Grade level 2	13	—	—	3	23·0	—	—	—	—	1	7·7	—	—	—	—	2	15·4	4	30·8	—	—
Grade 2	13	—	—	3	23·0	—	—	—	—	1	7·7	—	—	—	—	2	15·4	4	30·8	—	—
Grade level 3	55	—	—	13	24·0	1	1·8	—	—	6	10·9	—	—	—	—	18	32·7	13	23·6	5	9·1
Grade 3	55	—	—	13	24·0	1	1·8	—	—	6	10·9	—	—	—	—	18	32·7	13	23·6	5	9·1
Grade level 4	13	—	—	2	15·4	—	—	—	—	—	—	—	—	—	—	5	38·5	1	7·7	—	—
Grade 4	8	—	—	1	12·5	—	—	—	—	—	—	—	—	—	—	3	37·5	1	12·5	—	—
Deputy Inspector General	3	—	—	1	33·3	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Assistant Comptroller (Patents)	2	—	—	—	—	—	—	—	—	—	—	—	—	—	—	2	100·0	—	—	—	—
Grade level 5	249	—	—	39	15·7	4	1·6	2	0·8	23	9·2	—	—	3	1·2	71	28·5	58	23·3	25	10·0
Grade 5	209	—	—	39	18·7	4	1·9	2	0·9	23	11·0	—	—	3	1·4	43	20·6	57	27·3	19	9·1
Principal Examiner (Patents)	28	—	—	—	—	—	—	—	—	—	—	—	—	—	—	19	67·8	1	3·6	5	17·8
Superintent Examiner (Patents)	10	—	—	—	—	—	—	—	—	—	—	—	—	—	—	9	90·0	—	—	1	10·0
Grade level 6	199	1	0·5	7	3·5	11	5·5	—	—	9	4·5	—	—	—	—	66	33·1	33	16·6	30	15·1
Grade 6	182	1	0·5	7	3·8	9	4·9	—	—	9	4·9	—	—	—	—	66	36·2	32	17·6	30	16·5
Insolvency Grade A	14	—	—	—	—	2	14·3	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Senior Legal Assistant	3	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1	33·3	—	—
Grade level 7	1,187	1	0·1	53	4·5	35	2·9	1	0·1	53	4·5	1	0·1	3	0·2	320	26·9	123	10·4	126	10·6
Grade 7	912	1	0·1	49	5·4	29	3·2	1	0·1	51	5·6	1	0·1	3	0·3	241	26·4	117	12·8	114	12·5
Insolvency Grade B	65	—	—	3	4·6	6	9·2	—	—	1	1·5	—	—	—	—	—	—	4	6·1	1	1·5
Senior Examiner (Patents)	210	—	—	1	0·5	—	—	—	—	1	0·5	—	—	—	—	79	37·6	2	0·9	11	5·2

Only one member of Department of Trade and Industry staff in grades 1 to 7—a grade 7—is shown on the Department's personnel computer system as having a post-graduate qualification in management. This represents 0·10 per cent. of grade 7 staff.

The Department does not record details of the schools attended by its staff on its personnel computer system. Information on the types of schools attended by staff in grades 1 to 7 could, therefore, only be made available at disproportionate cost.

The numbers and percentages of Department of Trade and Industry staff in grades 1 to 7, who are shown on the Department's personnel computer system as being qualified accountants, are as follows:

Grade level	Total in grade	Accountants in grade level	Percentage of total in grade level	Accountants in grade	Percentage of total in grade
Grade level 1	1	—	—	—	—
Grade level 2	13	—	—	—	—
Grade level 3	55	2	3·6	—	—
Grade 3	55	—	—	2	3·6
Grade level 4	13	1	7·6	—	—
Deputy Inspector General	3	—	—	1	33·3
Grade level 5	249	6	2·4	—	—
Grade 5	209	—	—	6	2·9
Grade level 6	199	14	7·0	—	—
Grade 6	182	—	—	11	6·0
Insolvency Grade A	14	—	—	3	21·0
Grade level 7	1,187	42	3·5	—	—
Grade 7	912	—	—	32	3·5
Insolvency Grade B	65	—	—	10	15·4

Enterprise Initiative

Mr. Kennedy: To ask the Secretary of State for Scotland how many firms have received grant assistance, and at what average percentage level, under the quality initiative of the enterprise initiative in Scotland.

Mr. Douglas Hogg: I have been asked to reply.

As at 13 April 1990, 249 firms in Scotland had completed consultancy projects under the quality initiative, for which DTI assistance amounted to 65 per cent. of project costs on average.

Cars

Mr. Teddy Taylor: To ask the Secretary of State for Trade and Industry how many cars were exported to the European Economic Community and imported from the European Economic Community in the most recent annual period for which figures are available; what was the balance of trade figure; and what were the comparable figures in each of the previous five years.

Mr. Redwood *[holding answer 30 April 1990]:* The information is as follows:

United Kingdom trade with EC: passenger cars (SITC 781)

Year	*Exports to EC '000*	*Imports from EC '000*	*Balance '000*	*Balance £ million*
1985	117	705	−588	−2,630
1986	139	782	−643	−3,224
1987	157	784	−627	−3,220
1988	184	1,034	−850	−4,409
1989	256	1,096	−840	−4,583
12 months to February 1989	198	1,060	−862	−4,512
12 months to February 1990	262	1,076	−814	−4,567

Source: Overseas Trade Statistics (MM20).

DEFENCE

Nuclear Warhead Testing

Dr. Thomas: To ask the Secretary of State for Defence what reasons underpinned the decision not to include United Kingdom—United States collaboration on nuclear warhead testing in Nevada in table 2, page 35, of the Statement on the Defence Estimates 1990, volume 1.

Mr. Archie Hamilton: The table lists projects related to the joint development or procurement of equipment. British nuclear warheads are developed and manufactured nationally.

Ballistic Missiles

Dr. Thomas: To ask the Secretary of State for Defence what evidence there is that any country outside the acknowledged nuclear weapons states has developed a nuclear capable re-entry vehicle for use with a ballistic missile system.

Mr. Archie Hamilton: Any country which acquires or develops a ballistic missile for military purposes will also require as part of the missile package a means of delivering its payload. Whether or not this comprises a re-entry vehicle capable of carrying a nuclear warhead will depend on its range and payload.

For an assessment of countries known or believed to have deployed ballistic missiles I refer the hon. Member to the answer given by my right hon. Friend the Minister of State, Foreign and Commonwealth Office to the hon. Member for Western Isles (Mr. MacDonald) on 22 January 1990. We cannot comment on the capabilities of all of these missiles.

Dr. Thomas: To ask the Secretary of State for Defence if the Trident ballistic missile system falls within the remit of ballistic missiles covered by the missile technology control regime outlined on page 13 of the Statement on the Defence Estimates 1990, volume 6.

Mr. Archie Hamilton: The Trident D5 missile system falls within the range and payload parameters covered by the missile technology control regime. However, as the United Kingdom is an existing nuclear weapon state, our acquisition of the Trident system is not inconsistent with the MTCR's aim of preventing ballistic missile proliferation.

Research and Development

Dr. Thomas: To ask the Secretary of State for Defence how many staff are currently employed, respectively, in the royal aerospace establishment's propulsion department, the Admiralty research department, the royal armament research and development establishment and the royal signals and radar establishment; and what changes in *(a)* total and *(b)* sectional employment is expected when the defence research agency replaces these establishments in 1991.

Mr. Neubert: As at 1 April 1990 the staff employed at the establishments named were as follows:

	Staff
Royal Aerospace Establishment	4,878
Admiralty Research Establishment	2,898
Royal Armament Research and Development Establishment	2,365
Royal Signals and Radar Establishment	1,593

It is not our policy to publish figures for individual departments.

Future staffing levels will depend on the development of the defence research agency's business.

Radiation

Mr. McFall: To ask the Secretary of State for Defence what information he has on radiation dose exposures for refit workers involved in the United States nuclear propulsion programme; and if he will make a statement.

Mr. Neubert: Based on information available from the United States, the shipyard work force performing USN nuclear propulsion work during 1989 and involving occupational exposure to ionising radiation, consisted of 24,422 workers. These workers received a total occupational exposure of 29·41 sieverts.

Mr. McFall: To ask the Secretary of State for Defence on what radiation dose records for submarine refit workers at royal dockyards were computerised; and if he will make a statement.

Mr. Neubert: Radiation dose records for employees at the royal dockyards were computerised at the army pay and record centre, RAPC Worthy Down on 1 January 1979. On 1 November 1984 they were transferred to the defence radiological protection service at Gosport.

Mr. McFall: To ask the Secretary of State for Defence what is the total occupational, whole body equivalent, radiation exposure of each individual worker employed in Royal Navy dockyards in the United Kingdom, in milliSieverts, for each year since the onset of the naval nuclear propulsion programme; and if he will make a statement.

Mr. Neubert: It is not considered appropriate to present this detailed personal information to the House. Individual dose records are available to the individuals themselves on request.

Mr. McFall: To ask the Secretary of State for Defence how many women involved in submarine refit operations have received radiation dose exposures greater than 13 mSv in any consecutive three month interval; and if he will make a statement.

Mr. Neubert: None.

Mr. McFall: To ask the Secretary of State for Defence how many pregnant women employed at Royal Navy dockyards have received radiation doses of, or greater than, 10 mSv during their declared term of pregnancy; and if he will make a statement.

Mr. Neubert: None.

Mr. McFall: To ask the Secretary of State for Defence how many Royal Navy dockyard personnel involved in submarine refit and associated work involving exposure to ionising radiations are women of child-bearing age; and if he will make a statement.

Mr. Neubert: There are a total of 31 women, including contractors' personnel, employed in submarine refit and associated work involving exposure to ionising radiations. It is assumed that all women are of reproductive capacity as described in the Ionising Radiations Regulations 1985.

Mr. McFall: To ask the Secretary of State for Defence what register of pregnant women employed at the Royal Navy dockyards is kept in respect of ionising radiation dosage; and if he will make a statement.

Mr. Neubert: None. Legislation does not require such registers to be maintained. However, local administrative procedures at each royal dockyard are such as to ensure that women do not exceed the limits specified in parts IV and V to schedule 1 of the Ionising Radiation Regulations 1985.

Mr. Gordon Brown: To ask the Secretary of State for Defence if he will give a breakdown for Rosyth dockyard of annual individual radiation exposure for workers in the bands of *(a)* 0 to 10, *(b)* 10 to 20, *(c)* 20 to 30, *(d)* 30 to 40, *(e)* greater than 50, *(f)* greater than 70 and *(g)* greater than 100 milliSieverts for all years since the onset of nuclear work.

Mr. Neubert *[holding answer 26 April 1990]:* A breakdown of annual individual radiation does for Rosyth dockyard workers for each of the years 1979-89 is given in the table. The figures shown in brackets are the number of additional employees monitored for exposure to ionising radiation by the local issue of direct reading dosimeters while employed under a written system of work. A more detailed or alternative breakdown of the figures and data for years earlier than 1979 can be produced only at disproportionate cost.

Radiation Dose Statistics—Rosyth Dockyard 1979/1989

	Number of personnel in dose ranges					
Year	*0-15mSv*	*15-20mSv*	*20-30mSv*	*30-40mSv*	*40-50mSv*	*Over 50mSv*
1989	478 (1,200)	20	28	5	1	0
1988	503 (1,142)	18	9	0	0	0
1987	569 (1,439)	4	2	1	0	0
1986	711 (1,002)	6	1	0	0	0
1985	644 (1,018)	28	18	4	0	0
1984	565 (593)	34	56	21	3	1
1983	495 (699)	49	68	31	29	0
1982	580 (539)	44	39	10	6	0
1981	568 (551)	37	49	21	4	0
1980	584 (731)	49	77	35	4	0
1979	510 (577)	39	50	38	48	1

Warsaw Pact

Dr. Thomas: To ask the Secretary of State for Defence what is the source for the figures for Warsaw pact main battle tank production produced in figure 3, page 11, of the Statement on the Defence Estimates 1990, volume 1.

Mr. Archie Hamilton: The figures for Warsaw pact main battle tank production are provided by the defence intelligence staff whose responsibilities include the assessment of Warsaw pact arms production levels.

Dr. Thomas: To ask the Secretary of State for Defence what is the source of his information on the Warsaw pact nuclear forces at the end of 1989, if figure 5, page 15, of the Statement on the Defence Estimates, 1990, volume 1; and how he assesses the reliability of the data reproduced in figure 5.

Mr. Archie Hamilton: As the Warsaw pact countries do not publish comprehensive information on all the forces covered by the figure in question, it is compiled from a variety of material, ranging from published data to information supplied by the defence intelligence staff. The data are considered to be the most reliable that can be presented within existing constraints.

French Defence Minister

Dr. Thomas: To ask the Secretary of State for Defence what matters were discussed during his recent meeting with his counterpart in Paris.

Mr. Archie Hamilton: A range of defence questions were discussed including future European security, arms control, and extended co-operation between the United Kingdom and France on procurement and wider defence activities.

War Widows

Sir John Stanley: To ask the Secretary of State for Defence if he will list the war cemeteries and the countries in which they are located, to which visits have been arranged for war widows under the war widows pilgrimages scheme since the scheme's inception.

Mr. Archie Hamilton: The information requested is as follows:

Thailand
Kanchanaburi
Chungkai

Israel
Ramleh

Burma
Rangoon, Htaukkyan

Gibraltar

France
Abbeville
Calais Martigny
Marquise
West Capol
Oye Plage
Beaurains
Beury
Romeries
Bayeus
Banneville
Secqueville
Ranville
Roques
Hottot-les-Baques
Foistay
Beny-sur-Mer
St. Desire
Bretteville

St. Charles-de-Percy
St. Brieuc
Guidel
Fouesnant
Escoublac
Le Paradis
St. Omer
Morbeque
Boulogne
Dunkirk
Martigny
St. Remy
Etaples
Terlingthun
London Cem Extension
Mondicourt
St. Pierre
La Delivrende
Brouay
Tilly-sur-Seulles
Ryes
Hermanville
Cambes
Le Mans
Jerusalem
St. Manvieu
Fontenay
Guidel
Pornic
Pont du Cens
St. Nazaire
Quinquempoix
Tannay
Lille
Ste. Marie

Algeria
Bone
Le Reunion
El Alia
Deli Ibrahim

Indonesia
Djakarta
Ambon

Belgium
Koersal
Kasterlee
Leopoldsburg
Gent
Brussels
Adegem
Hasselt
Wevelgem
Terdechem
St. Sylvestre
Maldegem
Schoonselhof
Heverlee
Geel
Ostende
Ath
Esquelmes
Dozinghem
Hondeghem

Egypt
El Alamein
Alexandria (Hadra)
Moascar
Tel el Kebir
Ismaila
Fayid
Cairo (Heliopolis)
Cairo (War Memorial Cemetery)
Port Said

Greece
Phaleron

Crete
Suda Bay

Tunisia
Massicault
Beja
Enfidaville
Sfax
Medjez-el-bab
Thibar
Tabarka
Oued Zarga

Singapore
Kranji

Malaysia
Cheras Road
Tai Ping
Terendak
Penang

Labuan
Labuan

India
Madras
Delhi
Bhowanipore
Bombay

NE India (Kohima etc.)
Kohima
Imphal
Guwahati

Hong Kong
Sai Wan

Japan
Yokohama

Cyprus
Waynes Keep
Nicosia
Dhekelia

Kenya
Nairobi
Nakuru

Poland
Cracow
Malbork

Faroe Islands
Klakvik

Spain
Tarifa
Bilbao

Norway
Stavangar
Nesbyan
Kristiansand
Aarendaal

Ethiopia
Addis Ababa

West Germany
Durnback
Soltau
Hamburg
Kiel
Reichswald Forest
Berlin
Munster

Oldenburg
Hanover
Celle
Rheinberg

Italy
Salerno
Cassino
Minturno
Caserta
Sangro River
Bolsena
Ancona
Santerno Valley
Forli
Faenza
Padua
Florence
Assissi
Ravenna
Milan
Naples
Anzio
Orvieto
Rome
Bari
Coriano Ridge
Arezzo
Gradara
Argenta
Udine
Meldola
Foiano deal Chiano
Bologna
Castiglione

Holland
Jonkerbos
Woensal
Arnhem
Nijmegen
Overloon
Milsbeek
Venray
Bergen op Zoom
Rotterdam
St. Oedenrode
Berghoren
Friesen Islands
Groesbeek
Tilburg
Sittard
Uden
Emmen
Mook
Mierlo
Valkenswaard
Eindhoven
Hollandsche
Vlissingen

Sicily
Catania
Syracuse

Malta
Capuccini
Valletta
Pemborke
Bighi
Kalkara
Imtarfa

Madagascar
Diego Suarez

Azores
Terceira

Rhodes
Rhodes

Denmark
Aabenraa

Gulf States
Bahrain

Sir John Stanley: To ask the Secretary of State for Defence if he will list the steps that have been taken by his Department to assist war widows since May 1979.

Mr. Archie Hamilton: In October 1984 a scheme was announced under which financial assistance would be provided to enable war widows to visit their deceased husband's grave overseas. The first visits under the scheme took place in April 1985, and the first main pilgrimage began on 8 May 1985.

In December 1989 it was announced that new special payments of £40 per week would be made to pre-1973 war widows. These payments began in April 1990.

Sir John Stanley: To ask the Secretary of State for Defence what has been the cost of the Government's financial contribution to the war widows pilgrimages scheme since the scheme's inception.

Mr. Archie Hamilton: The Royal British Legion pilgrimages department administers the war widows pilgrimages scheme on our behalf and receives funding through an annual grant in aid paid in quarterly instalments. The annual grants in each year since the scheme's inception have been as follows:

	£
1985-86	157,000
1986-87	187,000
1987-88	207,000
1988-89	167,000
1989-90	101,000

The amount to be paid during 1990-91 will total £196,000.

Sir John Stanley: To ask the Secretary of State for Defence how many war widows and members of their families have received financial help from the Government to visit war cemeteries under the war widows pilgrimages scheme in each year since the scheme's inception.

Mr. Archie Hamilton: Government funding is provided only for war widows' visits. The following numbers of war widows have received assistance under the scheme:

	War widows
1985	376
1986	467
1987	396
1988	216
1989	205

Iraq (Exports)

Mr. O'Neill: To ask the Secretary of State for Defence, pursuant to his reply of 25 April, *Official Report*, column *210*, what was the general nature of the two telephone conversations that took place between Walter Somers Limited and a Ministry of Defence metallurgical expert in 1988.

Mr. Alan Clark: In the light of the charges laid against an individual recently and in the light of continuing investigations by Customs and Excise, it would be inappropriate to give any further information.

Mr. O'Neill: To ask the Secretary of State for Defence what communications have taken place between his Department and the firms *(a)* Matrix Churchill, *(b)* Technology and Development Group and *(c)* TMG Engineering regarding the sale of equipment to Iraq.

Mr. Alan Clark: None.

Space Research Corporation

Mr. O'Neill: To ask the Secretary of State for Defence what assessment his Department has made of the activities of the Space Research Corporation that relate to the actual or possible export of non-lethal defence equipment.

Mr. Alan Clark: In the light of the charges laid against an individual recently and in the light of continuing investigations by Customs and Excise, it would be inappropriate to give any further information.

Iraq (Long-range Gun)

Mr. Rogers: To ask the Secretary of State for Defence if he is satisfied that no military equipment, munitions or materials supplied under any agreement with Jordan, other than the experimental propellant for Iraq's long-range gun programme dispatched as a consignment of chocolates for Jordan, has been dispatched to or reached Iraq under false documentation.

Mr. Alan Clark: I have no knowledge of false documentation in connection with the export of chocolates, or of anything else.

Iraq Defence Industry

Mr. O'Neill: To ask the Secretary of State for Defence what is his assessment of the state of development of the Iraqi defence industry.

Mr. Alan Clark: Iraq is actively engaged in establishing a large industrial infrastructure to support the development of its arms industries. It is pursuing a wide-ranging missile and space programme; it also produces a range of ammunition and small arms and is developing the capacity to produce more sophisticated ground forces equipment.

Defence Equipment (Exports)

Mr. O'Neill: To ask the Secretary of State for Defence (1) what assessment his Department has made of the activities of the company TMG Engineering that relate to the actual or possible export of non-lethal defence equipment;

(2) what assessment his Department has made of the activities of the company Matrix Churchill that relate to the actual or possible export of non-lethal defence equipment;

(3) what assessment his Department has made of the activities of the company Technology and Development Group that relate to the actual or possible export of non-lethal defence equipment.

Mr. Alan Clark: My Department plays its part in assisting checks on commercial firms as appropriate. It would not be right to go into any further specific detail.

Mr. O'Neill: To ask the Secretary of State for Defence how his Department distinguishes between lethal and non-lethal defence equipment for policy purposes.

Mr. Alan Clark: My Department interprets lethal equipment as covering military equipment designed to kill.

Jordan Defence Packages

Mr. Rogers: To ask the Secretary of State for Defence how much of the credit made available under the Jordan defence packages of 1985 and 1986 was taken up by the Jordanian Government to buy British-manufactured equipment and material solely for Jordan's own defence needs.

Mr. Alan Clark: Virtually all the credit made available under the Jordan defence packages of 1986 and 1987 has been committed. All the contracts involved are on behalf of the Jordanian armed forces.

International Military Services Ltd.

Mr. Rogers: To ask the Secretary of State for Defence why the protocol 3 deal between International Military Services Ltd. and the Government of Iraq to supply a military field hospital was not completed; and if he will give details of protocols 1 and 2.

Mr. Alan Clark: I understand the Iraqi Government decided not to proceed with an inquiry for equipment for military hospitals. The protocols referred to are between the Government of Iraq and Her Majesty's Government. They are the responsibility of the Secretary of State for Trade and Industry. However, I can confirm that financial protocols 1 and 2 involved the provision of credit facilities of £275 million and £300 million respectively.

Mr. Rogers: To ask the Secretary of State for Defence if, further to the supply of the propellant for the Iraqi long-range gun programme, Astra plc has been a supplier to foreign countries through International Military Services Ltd.

Mr. Alan Clark: International Military Services Ltd. is a commercial company which is wholly owned by the Ministry of Defence. In its work with many foreign countries it uses the services of a large number of subcontractors including Astra Holdings plc. It is not the practice to comment upon specific defence sales.

AGRICULTURE, FISHERIES AND FOOD

Chicken Breeders

Mrs. Gorman: To ask the Minister of Agriculture, Fisheries and Food what action he has taken to alleviate the fears of small chicken breeders and hatcheries regarding the impact on their business of the fees levied under the Poultry Flocks, Hatcheries and Processed Animal Protein (Fees) Order 1990.

Mr. Maclean: I have agreed to delay the introduction of charges for the registration of poultry breeding flocks and

hatcheries until 1 June 1990. Existing units registered before that date will, therefore, not be charged for their initial registration. I have also sought to minimise the impact on small units by relating the fees for the taking or supervision of taking of samples to the time spent. This will mean that the costs to the producer are generally proportionate to the size of the enterprise.

Pesticide Residues

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food what information he has concerning the level of pesticide residues on foodstuffs imported from Cyprus; and whether he has recently altered the level of monitoring of maximum residue levels on such imports.

Mr. Maclean: The Government continue to monitor Cypriot produce as a part of its regular surveillance programme for pesticide residues. The republic of Cyprus also provides us with the results of its own monitoring. Press reports earlier this year referred mainly to levels of residues on Cypriot strawberries, but none were imported by the United Kingdom in 1988 or 1989.

Veterinary Products Committee

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food what requirements exist for the disclosure of interests of members of the Veterinary Products Committee.

Mr. Maclean: Members of the Veterinary Products Committee comply with a code of conduct on the declaration of interests. The code and the interests declared in accordance with it are included in the VPC annual report which is published and laid before Parliament.

Meat and Livestock Commission

Mr. Geraint Howells: To ask the Minister of Agriculture, Fisheries and Food what is the role of the Meat and Livestock Commission in giving guidance, advice and publicity to its produce; and if he will make a statement.

Mr. Maclean: Under the Agriculture Act 1967, the Meat and Livestock Commission has a general duty to promote greater efficiency in the livestock and livestock products industries in Great Britain. It raises a levy to fund its general expenses including generic marketing and promotion: a species promotion levy funds its promotion of the merits of individual meats. In addition, the commission increasingly provides advice and guidance on a commercial fee-paying basis. In particular, the commission offers advice to all sectors of the industry on the achievement and maintenance of a high-quality product and on the export of meat and meat products to other countries.

Set-aside Land

Mr. Geraint Howells: To ask the Minister of Agriculture, Fisheries and Food if he will introduce legislation to bring forward the latest topping date on set-aside land to 1 August of each year; and if he will make a statement.

Mr. Maclean: We are considering whether there is a case for any change in the set-aside rules, including those relating to the management of land set-aside to fallow. An announcement will be made shortly.

Foot and Mouth Disease

Mr. Onslow: To ask the Minister of Agriculture, Fisheries and Food what information is available to him from international sources concerning the incidence of foot and mouth disease in each of the countries of Eastern Europe.

Mr. Maclean: According to the information available from the Food and Agricultural Organisation and the Office International des Epizooties the last recorded outbreak of foot and mouth disease in the countries of eastern Europe are as follows:

Yugoslavia 1978
USSR 1990[1]
Romania 1973
Poland 1971
Hungary 1973
German Democratic Republic 1982
Czechoslovakia 1975
Bulgaria 1973

[1] Two outbreaks

Employment Opportunities

Mr. Amos: To ask the Minister for Agriculture, Fisheries and Food what steps his Department are taking to aid employment opportunities in the north-east of England.

Mr. Gummer: As announced yesterday, Ministers have approved in principle the intervention board's proposal that a third of the agency's functions, consisting of its external trade work and administrative support, should be relocated in Newcastle, in order to relieve its staff shortages in Reading. About 350 posts will be transferred. In deciding upon Newcastle, where the agency already has facilities, Ministers and the agency were satisfied that there are good recruitment and career prospects, and that satisfactory office accommodation, housing communications and other facilities are available. Subject to the necessary resources being available, the transfer of work will begin as soon as accommodation can be obtained and be made ready and essential data links installed. After a suitable period at this new site, the agency's experience there will be reviewed and further report made to Ministers.

Dimethoate

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food what representations he has received concerning the impact of dimethoate on wildlife; whether this pesticide has been reviewed; and whether he has any proposals to reduce its application.

Mr. Maclean: No formal representations have been received about dimethoate. However, the environmental panel of the Advisory Committee on Pesticides is aware of concern by the Game Conservancy Trust and beekeepers, and is keeping a close watch on the use of dimethoate on field crops.

The Government monitor incidents involving pesticides and honeybees; in 1988, 22 out of 60 such incidents were linked to dimethoate; in 1989 the figures were 15 out of 59.

Last year the ACP reviewed the use of dimethoate on protected lettuce. As a result, the conditions of approval were amended with effect from 1 April 1990 to restrict application to one per crop and to increase the minimum period between application and havest from seven days to four weeks.

Written Answers to Questions

Thursday 3 May 1990

TRANSPORT

Vehicles

Mr. Steinberg: To ask the Secretary of State for Transport what is his latest estimate of the number of private and commercial vehicles expected to be on the roads in 1990, 1995 and 1999.

Mr. Atkins: My Department's low and high forecasts of the number of privately and commercially owned cars on the road are:

	Million
[1]1990	19·9-20·0
1995	22·1-23·1
1999	23·7-25·5

[1] Average for year.

Forecasts are not made for other vehicle types.

Balloon Flights

Mr. Frank Cook: To ask the Secretary of State for Transport whether the carriage of passengers by hot air balloons is a recognised method of carriage as defined and regulated by the Civil Aviation Authority in schedule 1 to the Air Navigation Order 20, November 1989, pursuant to the Civil Aviation Act 1982; and if he will make a statement.

Mr. McLoughlin: Hot air balloons are classified in schedule 1 to the Air Navigation Order as a sub-group of aircraft, so they may be registered in the United Kingdom and flown for purposes specified under the order, including the carriage of passengers.

To carry fare-paying passengers (other than in circumstances defined in the order as being private flights) a balloon must be certificated by the Civil Aviation Authority in the transport category (passenger) as set out in schedule 3 to the order, the operator must hold an air operator's certificate and the pilot must hold a valid professional balloon pilot's licence.

There are currently 43 hot air balloons certificated in the transport category (passenger) in the United Kingdom, and 27 air operator's certificates have been granted.

A6(M) Stockport Bypass

Mr. Tom Arnold: To ask the Secretary of State for Transport whether he will consider using the money saved by providing fewer than eight lanes for the A6(M) Stockport north-south bypass to lower the motorway alignment.

Mr. Atkins: The proposed motorway for much of its length would be significantly lower than the adjacent ground level. A further lowering of the alignment could not be justified. It would require more land, increase considerably the amount of surplus soil to be disposed of and cost some £6 million more.

Radioactive Material

Mr. Simon Hughes: To ask the Secretary of State for Transport, pursuant to the answer to the hon. Member for Southwark and Bermondsey, *Official Report*, 26 April, column *265*, if he will estimate how many flights were carrying *(a)* medical isotopes, *(b)* reactor fuel and *(c)* radioactive material for military purposes; and if he will make a statement.

Mr. McLoughlin: Of the approximately 8,000 flights per year which carry radioactive materials, I understand that over 99 per cent. carry isotopes for medical and industrial use. Radioactive materials transported for military purposes are a matter for the Ministry of Defence.

Mr. Simon Hughes: To ask the Secretary of State for Transport whether the Radioactive Substance (Carriage by Road) (Great Britain) Regulations apply to the transportation of radioactive material for military purposes; and if he will make a statement.

Mr. Atkins: The Secretary of State for Defence is the competent authority in his own right for the transport of radioactive materials for military purposes. The Ministry of Defence uses containers which are designed, manufactured and tested in complete conformity with the appropriate International Atomic Energy Agency (IAEA) transport regulations.

Shipping

Mr. Spearing: To ask the Secretary of State for Transport what estimate he has made of the proportion of exports from and imports to the United Kingdom, excluding ferry operations, carried in British registered ships; and what approximate proportion of ships engaged in ferry services to and from the continent are registered in United Kingdom ports.

Mr. McLoughlin *[pursuant to his reply, 2 May 1990, c. 549]:* About half the ships engaged in ferry services to and from the continent are United Kingdom-registered vessels.

NATIONAL FINANCE

Business Expansion Schemes

Mr. Anthony Coombs: To ask the Chancellor of the Exchequer if he will mount a full investigation into the delays by the Board of Inland Revenue relating to the Swan Valley Railway (Holdings) plc appraisal for a business expansion scheme.

Mr. Lilley: I shall write to my hon. Friend about the case.

DTI Statistics

Mr. Gregory: To ask the Chancellor of the Exchequer (1) how much warning was given to United Kingdom industry of the ending of the quarterly sales inquiry;

(2) what assessment he has made of the value of short-term production statistics to British industry;

(3) what representations he has received from British industry calling for comprehensive replacement of the quarterly sales inquiry statistics;

(4) what information he possesses on differences in the official collection of detailed short-term production statistics in the United Kingdom and in other Group of Seven countries;

(5) what account was taken of the policies developed by the statistical office of the European Community in the decision made on the future of the quarterly sales inquiry;

(6) whether he will now undertake *(a)* an assessment of the burden of form filling faced by British industry and *(b)* a review of the decision to curtail the quarterly sales inquiry.

Mr. Lilley: The outcome of the review of DTI statistics was announced by DTI Ministers on 10 May 1989. The main recommendations included a reduction in the volume of product sales statistics collected in official inquiries and released in the "Business Monitor" series. Most quarterly product inquiries were converted to an annual basis, and the number of headings for which information was collected was substantially reduced. The review also recommended a strengthening of the monthly sales inquiry used for compiling the index of production. Following enlargement of the Central Statistical Office in July 1989 to incorporate statistical inquiry work previously carried out by DTI, ministerial responsibility for implementing the review recommendations on product statistics fell to Treasury Ministers.

The last of the full quarterly sales inquiries related to the second quarter of 1989. Announcements explaining this change were included in the "Business Monitors" appearing during June and July 1989, and a detailed article on the impact of the review appeared in *British Business* on 14 July 1989. Subsequently, explanatory material was sent to 82 interested trade associations. Central Statistical Office staff are aware of 22 complaints relating to the loss of quarterly product statistics. Most of these concern the loss of data for particular industries or individual products.

The Government recognise the value of accurate and timely product statistics to both business men and official users. There is, however, a need to strike a balance between benefits to users of the information and the costs to business of completing statistical forms. The Government will ensure that statistical form filling is kept to a minimum, consistent with the information needs of government and business. Any unnecessary inquiries will be discontinued.

International comparisons are difficult to draw due to differences in institutional structures, roles played by trade bodies, periodicity of inquiries, and so on. The following estimates of product counts for which sales or production information is collected are based on work carried out by the West German Statistical Office in 1987: UK 4,500 (since reduced to 3,000), France 10,000, West Germany 6,400, Italy 1,000, US 11,000 and Canada 3,800.

When the review of DTI statistics was carried out, proposals for developments in EC product statistics, known as PRODCOM, were at an early stage. The first detailed statement of Eurostat proposals is expected in the form of a draft regulation later this year. Views of UK business men and trade bodies on the PRODCOM proposals are being sought to ensure that any resulting scheme takes account of UK industrial needs. Key features of the scheme, including periodicity, variables to be collected, panel sizes and so on, are not yet known. Meanwhile, it would be premature to launch further assessments in this area.

Real Take-home Pay

Ms. Short: To ask the Chancellor of the Exchequer how much average real take-home pay has increased for (i) a single person and (ii) a married couple since 1978-79.

Mr. Lilley: Real take-home pay this year for a single person on average male earnings is estimated to be 40 per cent. higher than in 1978-79. For a married couple with non-earning wife and the husband on average male earnings the increase is estimated to be 38 per cent.

Revaluation, Southwark

Ms. Harman: To ask the Chancellor of the Exchequer if he will place in the Library a complete list of the rateable value, by property, of retail premises in Walworth road and Peckham road *(a)* before and *(b)* after the recent revaluation.

Mr. Lilley: No. Lists containing details of the 1973 and 1990 rateable values of all retail premises in Walworth road and Peckham road are available for inspection, free of charge, at the office of the London borough of Southwark and the Southwark valuation office.

Affinity Credit Cards

Mr. Hanley: To ask the Chancellor of the Exchequer what representations he has received from charitable organisations about the value added tax and corporation tax implications of affinity credit card schemes; and if he will make a statement.

Mr. Ryder: My right hon. Friend has received various representations, including a submission from the Charities' Tax Reform Group (CTRG), since the reply I gave to my hon. Friend the Member for Richmond and Barnes (Mr. Hanley) on 7 December 1989, at columns *308-09*. Customs and Excise and the Inland Revenue have also had discussions with the CTRG about the tax implications of charities' affinity card schemes. It has now been agreed that, with the appropriate contractual arrangements, VAT will be charged on the promotional and other services supplied by the charities, but will not apply to contributions made by the credit card companies for which the beneficiaries are not obliged to do anything in return. The corporation tax treatment of individual schemes will depend on the contractual arrangements, but schemes can be set up in such a way that the charity's income from them qualifies for exemption from corporation tax.

Finance Bill

Mr. Hanley: To ask the Chancellor of the Exchequer if the notes on those clauses of the Finance Bill to be taken in Committee of the whole House will be made available to hon. Members.

Mr. Norman Lamont: Yes. The appropriate notes on clauses were placed in the Vote Office earlier today.

TRADE AND INDUSTRY

Petrol Prices

Mr. Dickens: To ask the Secretary of State for Trade and Industry what consideration he has given to introducing regulations compelling petrol forecourts to display their petrol prices in both gallons and litres; and what representations he has had concerning those presenting high prices per gallon displaying prices only in litres.

Mr. Forth: Following consultation with interested parties, I laid an order in 1988 relaxing the requirements to display the price per gallon in addition to the price per litre. Under the recently adopted EC units of measurements directive, the United Kingdom will be required to phase out the use of the gallon for trade after 31 December 1994 at the latest. Although the gallon continues in the interim to be permitted to be used for trade, I understand that the overwhelming majority of garages already sell petrol by the litre. Accordingly, I do not consider it is now necessary to require petrol forecourts to display petrol prices in both gallons and litres. In the last year I have received four letters of complaint about this matter.

Sea Food

Mr. Ron Davies: To ask the Secretary of State for Trade and Industry whether he has any proposals for the introduction of new labelling laws requiring manufacturers to declare the net defrosted weight of packed sea food.

Mr. Forth: My Department issued a consultation letter earlier this year proposing that legislation be introduced requiring packages of frozen prawns, shrimps and scampi to be marked with the weight net of ice-glaze. There was no opposition to this proposal which has now been notified to the EC Commission under the terms of directive 83/189/EEC. Subject to satisfactory completion of the notification, I intend to lay an order in Parliament to be debated by both Houses under the affirmative resolution procedure.

Financial Services Act

Mr. Tim Smith: To ask the Secretary of State for Trade and Industry, pursuant to his reply to the hon. Member for Beaconsfield of 28 March, *Official Report*, column *209*, which self-regulatory organisations have membership requirements that go further than the vetting of individuals of significance to the shareholdings or management of the business that is making application for authorisation under the Financial Services Act.

Mr. Redwood: I understand that the Securities Association and FIMBRA have membership requirements that go further than those mentioned in my previous reply.

Financial Times Conference

Mr. Flynn: To ask the Secretary of State for Trade and Industry what representation his Department had at the *Financial Times* conference on industry and the environment held in London on 23 and 24 April.

Mr. Douglas Hogg: My Department was not represented at this event, but representatives of the Department of the Environment did attend it.

Weights and Measures

Mr. Andrew Mitchell: To ask the Secretary of State for Trade and Industry whether he proposes to make any changes to the previously announced arrangements for metricating the quantities in which whisky, gin, rum and vodka may be served for consumption on licensed premises; and whether he will make a statement.

Mr. Forth: I announced on 14 December that I intended to lay in draft an order which would permit these spirits to be served in a single round metric quantity of 25 ml from the middle of this year and to end the use of the existing imperial measures by 31 December 1994. Having considered representations on these proposals, it remains my intention to lay an order shortly along the lines previously announced. However, in addition I propose to consult interested parties about the possibility at a later stage of permitting one further round metric quantity of 35 ml and of extending the requirement to use prescribed measures to cover other spirits.

Toxic Waste

Mr. Flynn: To ask the Secretary of State for Trade and Industry what expertise his Department has made available to eastern European countries in toxic waste landfill disposal.

Mr. Forth *[holding answer 1 May 1990]:* My Department has organised bilateral seminars on atmospheric and water pollution control with representatives from Czechoslovakia and Bulgaria respectively. The seminars, which included advice on landfill were designed to identify areas of industrial technology which show potential for bilateral commercial development. Assistance to certain eastern European countries on a range of matters, including environmental problems, is also available under the Government's know-how fund and the European Community's PHARE programme.

ENVIRONMENT

Urban Development Corporations

Mr. Thornton: To ask the Secretary of State for the Environment if he will publish data on urban development corporations showing both for 1988-89 and 1989-90, by individual urban development corporation *(a)* the area of land reclaimed, *(b)* the total area of land bought, *(c)* the area of land bought by compulsory purchase order, *(d)* the number of houses built or refurbished, *(e)* the area of industrial and commercial floorspace built or refurbished, *(f)* the miles of roads constructed or improved, *(g)* the value of public expenditure and *(h)* the value of private investment.

Mr. Moynihan: The latest available information is set out in the tables.

UDCs: 1989-90

UDCs	*Land reclaimed (ha)*	*Total land acquired (ha)*[5]	*Land (ha) acquired by cpo*[6]	*Housing refurbished or built*	*Ind./comm. floorspace (sq m)*	*Roads (km) improved or built*	*EFL (£ million)*	*Private investment (£ million)*
Black Country	71·7	141	0	400	220,000	6·4	38	100
Bristol	5	3·3	0	25	n/a	0	5	n/a
Central Manchester	3·8	3·5	0	115	6,400	0	11	33
Leeds	18	32·7	0	105	82,000	0	10·05	33·65
London Docklands	22·7	35·58	[4]	1,900[1]	290,000	7·21	253·508	1,207
Merseyside	11·9	56·93	0	206	30,000	2·5	23	37
Sheffield	50	28·3	0	0	2,850	0·375	9·5	105
Teesside	94	237	3	30[2] 60[3]	50·800	1·2	35·9	151
Trafford Park	40·3	11·6	0	0	32,983	0·5	13·3	173
Tyne and Wear	27·5	62·7	0	255	22,100	1·6	35·8	36

[1] excludes refurbishment of existing homes.
[2] built or under construction.
[3] refurbished.
[4] not readily available.
[5] includes all land acquired by cpo, vesting or agreement.
[6] excludes land where a cpo has been confirmed but the land has not yet been acquired.

UDCs: 1988-89

UDCs	*Land reclaimed (ha)*	*Total land acquired (ha)*[4]	*Land (ha) acquired by cpo*[5]	*Housing refurb. or built*	*Ind/comm. floorspace (sq m)*	*Roads (km) improved or built*	*EFL (£ m)*	*Private investment (£ m)*
Black Country	42	122	0	288	62,315	5	23·0	95
Bristol	0	0	0	0	0	0	0·283	0
Central Manchester	0	0·2	0	140	0	0	2·5	35
Leeds	5	0	0	0	60,000	0	2,743	25
London Docklands	46	2·07	[3]—	[1]2,695	240,000	12·13	116·415	2,450
Merseyside	43	45·95	0	233	24,000	3·65	21·0	17·5
Sheffield	1	30·3	0	0	50	0·25	7·958	[2]72·65
Teesside	28	36	0	0	8,000	0·6	21·003	34
Trafford Park	8·3	18	0	0	42,372	0·8	15·5	100·6
Tyne & Wear	15·8	141·6	0	0	13,500	0	24·016	40

[1] Excludes refurbishment of existing homes.
[2] Includes Meadowhall development, begun before SDC was set up in June 1988.
[3] Not readily available.
[4] Includes all land acquired by cpo, vesting or agreement.
[5] Excludes land where a cpo has been confirmed but the land has not yet been acquired.

Pollution

Mr. Redmond: To ask the Secretary of State for the Environment what arrangements are made by his Department to record the effects of pollution by aerial reconnaissance.

Mr. Trippier: Satellite and aircraft reconnaissance is used by my Department's contractors according to need. It has many applications but usually in conjunction with ground-based monitoring and surveillance techniques. Examples include surveys of vegetation cover change in the countryside, radiometry, tracking of air pollution plumes and trajectories, and detection of phytoplankton blooms in the seas around the United Kingdom. Applications to record the effects of pollution are more problematical although some experimental work on detection of environmental damage in forests due to air pollution and other stresses, for example, disease and drought, has been undertaken. Similar work is undertaken by other Departments and the Natural Environmental Research Council, according to need. The most notable example of the programme of aerial surveillance of marine oil pollution undertaken by the Department of Transport.

Mr. Redmond: To ask the Secretary of State for the Environment what are the minimum requirements for the National Rivers Authority to *(a)* record and *(b)* publish its investigation into pollution of (i) water and (ii) flood defences.

Mr. Heathcoat-Amory: The duties of the National Rivers Authority in relation to both water pollution and flood defences are set out in the Water Act 1989. The NRA is required to prepare an annual report on its activities which must be laid before both Houses and published. The authority is also required to record information about its regular monitoring of water quality and related matters in public registers which are held in the authority's regional offices. The particulars which are to be contained in the registers are set out in the Control of Pollution (Registers) Regulations 1989.

In addition, the authority publishes, from time to time, reports and other information on matters for which it is responsible.

Rossall Point Sea Outfall

Mr. Pike: To ask the Secretary of State for the Environment if his Department has had any recent consultations with North West Water plc regarding the proposed Rossall Point long sea outfall; and if he will make a statement.

Mr. Heathcoat-Amory: The applications for consent to discharge in connection with the proposed long sea outfall are still before my right hon. Friend, and it would not be proper for me to comment on them at this stage.

Nature Conservancy Council Joint Committee

Mr. Macdonald: To ask the Secretary of State for the Environment what number of staff he expects will be employed by the proposed joint committee for the Nature Conservancy Council for the purposes of carrying out the quinquennial review of protected animals and plants under section 24 of the Wildlife and Countryside Act 1981.

Mr. Trippier: My Department is currently discussing the staffing requirements of the proposed three new country councils—including those of their joint committee—with the chairmen-designate, the NCC and the Countryside Commission. Figures for the number of staff to be allocated to specific functions will not be available until these discussions are complete.

Mr. Macdonald: To ask the Secretary of State for the Environment whether he intends the proposed joint committee for the Nature Conservancy Council to make a report under paragraph 17 of schedule 3 to the Nature Conservancy Council Act 1973 in respect of its functions under section 24 of the Wildlife and Countryside Act 1981.

Mr. Trippier: Provision for the Secretary of State to publish the advice he receives on the quinquennial review is already proposed in paragraph 14(5)(c) of schedule 7 to the Environmental Protection Bill. Recommendation 4.19 of the second report of the Select Committee on Science and Technology of another place (HL Paper 33—I) is also germane to this point. The Government are currently considering that report, and will announce their response shortly.

Mr. William Ross: To ask the Secretary of State for the Environment whether the two assessors appointed to the Nature Conservancy Council's joint committee to represent Northern Ireland's interests will have voting powers in relation to matters of United Kingdom or international importance.

Mr. Trippier: We have always made clear the intention that the interests of nature conservation in Northern Ireland should be represented on the joint committee. There are legal and constitutional considerations which may make it appropriate for the Northern Ireland representatives to be non-voting.

Erasmus Centre

Mr. Flynn: To ask the Secretary of State for the Environment if he has placed, or plans to place, any consultancy contract with the Erasmus centre for environmental studies in Rotterdam.

Mr. Trippier: The Department of the Environment has placed no contracts with the Erasmus centre for environmental studies and has no immediate plans to do so.

Local Government Finance

Mr. Winnick: To ask the Secretary of State for the Environment if he has any plans substantially to amend the poll tax legislation; and if he will make a statement.

Mr. David Hunt: My right hon. Friend will make a statement if and when there is something to announce.

Radiation

Mr. Matthew Taylor: To ask the Secretary of State for the Environment if he will make it his policy to instigate a national survey to establish those properties where radiation levels are above acceptable levels; and if he will make a statement.

Mr. Trippier: A representative national survey of radon in houses has been carried out by the National Radiological Protection Board; the results are given in the publication "Natural Radiation Exposure in UK Dwellings, NRPB—R190, May 1988", a copy of which has been placed in the Library of the House. A further programme of radon surveys by the NRPB is being funded by my Department.

Rainham Marshes

Mr. Simon Hughes: To ask the Secretary of State for the Environment what representations he has received from British Urban Development and Music Corporation of America in respect of the proposed theme park at Rainham marshes in the London borough of Havering; and if he will make a statement.

Mr. Moynihan: Among the numerous representations received either from or against the granting of planning consent for the proposed development my right hon. Friend received letters from both organisations.

Mr. Simon Hughes: To ask the Secretary of State for the Environment (1) why the decision was taken not to call in the application for a theme park and related matters at Rainham marshes in the London borough of Havering;

(2) if he will make a statement on the site of special scientific interest at Rainham marshes in the London borough of Havering.

Mr. Trippier: I can add nothing to what my right hon. Friend said in his announcement on 5 April. A copy of the press notice has been placed in the Library.

Orimulsion

Mr. Morgan: To ask the Secretary of State for the Environment what consultations he has undertaken regarding the environmental side-effects of burning Orimulsion and very heavy residual fuel oils in power stations.

Mr. Heathcoat-Amory: Her Majesty's inspectorate of pollution is in consultation with PowerGen plc concerning the use of Orimulsion and very heavy residual fuel oils in power stations. Trials are to be undertaken this summer to assess the environmental effects and what measures might be needed to minimise such effects.

Waste Paper

Mr. Campbell-Savours: To ask the Secretary of State for the Environment what proposals have been made for the disposal of surplus waste paper from Government Departments which has been collected during the current year.

Mr. Heathcoat-Amory: Each Government Department at present makes its own arrangements for the disposal of

waste in the light of local circumstances and security and other considerations. We are currently reviewing the arrangements made across Departments both for the use of recycled materials and for the disposal of waste with a view to maximising recycling. In the case of Department of the Environment headquarters buildings in Westminister and Lambeth, waste paper and cardboard are collected for recycling by contractors. The Department is at the moment considering ways of separating out a higher proportion of office waste for recycling.

Ministerial Visit

Mr. Fatchett: To ask the Secretary of State for the Environment when he expects to be in a position to give a substantive reply to the question from the hon. Member for Leeds, Central on 18 April about the Minister for Local Government and Inner Cities' visit to Leeds on 4 April.

Mr. David Hunt: I answered the hon. Member's question on Tuesday 1 May at column *506*.

ISS Servisystem

Mr. Cousins: To ask the Secretary of State for the Environment, for how long cleaning services at Wellbar house, Gallowgate, Newcastle, have been provided by ISS Servisystem Ltd.; how many contract terms ISS Servisystem Ltd. has had; and what is the remaining period of the current contract.

Mr. Chope: Cleaning services at Wellbar house have been provided by ISS Servisystem Ltd. since March 1982; three contract terms have been awarded to it after competitive tender; and the current contract has two years to run, expiring in April 1992.

Nature Conservancy

Mr. Andrew Bowden: To ask the Secretary of State for the Environment whether the proposed joint committee for the successors to the Nature Conservancy Council will have responsibility for providing advice to the Government on the conservation implications of trade in endangered species or their products.

Mr. Trippier *[holding answer 27 April 1990]:* Yes.

Mr. Andrew Bowden: To ask the Secretary of State for the Environment what consideration has been given to the future ownership and holding of Great Britain's national nature reserves currently owned by the Nature Conservancy Council.

Mr. Trippier *[holding answer 27 April 1990]:* The Government have no plans to change the ownership of national nature reserves.

Local Government Revenue

Mr. Harry Barnes: To ask the Secretary of State for the Environment what percentages of English local government revenue for 1990-91 he has calculated will be received from *(a)* government grants, *(b)* the uniform business rate and *(c)* community charges.

Mr. Chope: The proportions of total local government revenue, including grants outside AEF and treating community charge rebates as central Government support, which are met from these three sources are as follows:

	Percentage
Government grants	48
Business rates	26
Community charges	26

American Forces

Sir Eldon Griffiths: To ask the Secretary of State for the Environment which Suffolk parish councils have indicated to him that they intend to cease providing certain local services on the grounds that the revenues they expect to receive from their British charge payers, following the cessation of rates from American service men, are insufficient.

Mr. David Hunt *[pursuant to his answer, 19 February 1990, c. 662.]:* I now intend exceptionally to pay extra grant for 1990-91 only to parish councils which face particular difficulties as a result of the exemption from the community charge of United States service personnel living within their area. I understand that in some parishes where United States service men constitute a high proportion of the population, the parish council precept together with contributions to the area safety net has meant that some charge payers are bearing a heavy burden. I hope that this extra grant for 1990-91 will enable these parishes to continue to provide local services without an undue cost falling on charge payers in their area. This additional support will help those parishes most seriously affected by this problem in the first year of the new system.

The grant system provides full compensation at district level for the fact that overseas service men—including those from the United States—are exempt from the community charge. District councils have powers to assist parish councils in meeting the cost of any function which they both may provide. From 1991-92 onwards I would expect district councils to make use of that power to assist parishes with a reduced number of charge payers as a result of the exemption of United States service personnel.

ENERGY

Opencast Coal

Mr. Cummings: To ask the Secretary of State for Energy what percentage of United Kingdom opencast coal is washed.

Mr. Baldry: This is a matter for the British Coal Corporation. However, it is generally true that opencast coal is cleaner than deep mine output and so requires less washing.

Orimulsion

Mr. Morgan: To ask the Secretary of State for Energy if he will impose a condition on the burning of Orimulsion or very heavy residual fuel oil in electricity power stations, that flue gas desulphurisation scrubbers must be installed in that power station.

Mr. Baldry: Control of emissions from power stations is a matter for Her Majesty's inspectorate of pollution.

Mr. Morgan: To ask the Secretary of State for Energy what approaches he has received about the burning of Orimulsion in oil-burning power stations.

Mr. Baldry: PowerGen advised me earlier this year of its intention to burn Orimulsion at the Ince B power station on a trial basis.

Spent Nuclear Fuels (Imports)

Mr. Simon Hughes: To ask the Secretary of State for Energy what quantity of spent nuclear fuel has so far arrived at Sellafield from other countries for the purpose of reprocessing; in how many shipments this has arrived; from what country and on what dates; and if he will make a statement.

Mr. Baldry: Over the past 25 years British Nuclear Fuels plc and its predecessors have received some 4,000 tonnes of uranium as spent fuel from Canada, the Federal Republic of Germany, Italy, Japan, the Netherlands, Spain, Sweden, and Switzerland. The origins, sizes and dates of arrival of individual consignments are matters for the company.

Fluidised Bed Combustion

Mr. Redmond: To ask the Secretary of State for Energy if he will make a statement on progress on the research being carried out at Grimethorpe into the benefits of fluidised bed combustion technology; and when this system is likely to be implemented nationally.

Mr. Peter Morrison: Preparations for the experimental work at Grimethorpe, which forms part of British Coal's topping cycle project, commenced in October 1989 and I understand that design work is progressing. British Coal is seeking alternative industrial funding following Ahlstrom's recent withdrawal from the project and the Department's offer of 50 per cent. support up to a maximum of £8 million remains on the table. The financing of the project will be reviewed when the position on industrial participation is clearer.

Implementation of this technology would depend upon the success of its development programme. Exploitation of the topping cycle concept will also depend on sufficient confidence that it is economically competitive with other means of power generation.

ATTORNEY-GENERAL

Criminal Evidence

Mr. McNamara: To ask the Attorney-General if he will issue a code of practice to Government Departments on measures necessary to avoid prejudice to cases going through the courts; and if he will place a copy in the Library.

The Attorney-General: No. The circumstances which may arise are too diverse for it to be useful to issue more specific guidance than is already available from the general law.

Winchester Three

Mr. Harry Barnes: To ask the Attorney-General what are the total costs of the trial of the Winchester Three.

The Attorney-General: The total amount expended on legal fees in the trial of this case was £215,287·81. To seek to quantify the administrative costs would involve disproportionate expense.

WALES

Caerphilly Castle (Catering)

Mr. Ron Davies: To ask the Secretary of State for Wales if he will review his policy in respect of the catering arrangements at Caerphilly castle in the light of the Monopolies and Mergers Commission report in respect of monopoly services at exhibition halls.

Mr. Peter Walker: The document to which I believe the hon. Gentleman refers, the Monopolies and Mergers Commission report on electrical contracting at exhibition halls in London, concerns the monopoly that existed in favour of restricted practices by electrical contractors tied to the major exhibition halls.

The current catering contract at Caerphilly castle was awarded through open tender for a limited term up to 22 March 1991. Terms of a replacement contract are currently under review.

Engineering Apprenticeships

Mr. Barry Jones: To ask the Secretary of State for Wales what were the numbers of engineering apprenticeships in Wales in 1979, 1984 and in the latest year for which figures are available.

Mr. Peter Walker: This information is not held by the Department.

East Europe (Investment)

Mr. Barry Jones: To ask the Secretary of State for Wales what plans he has to encourage Welsh companies to invest in east European countries.

Mr. Peter Walker: I welcome the emergence of market economies in eastern Europe, which will be to the great benefit of the people of those countries. These developments may also bring investment and exporting opportunities for Welsh companies. But there will inevitably also be risks and uncertainties and these are therefore commercial decisions for Welsh companies themselves to consider.

Deeside ITEC

Mr. Barry Jones: To ask the Secretary of State for Wales if he will make a statement concerning the future of Deeside ITEC.

Mr. Roberts: The future of the Deeside ITEC is a matter for the company itself. When the North East Wales training and enterprise council becomes operational the Deeside ITEC will be able to bid to the council to operate YT and ET schemes as it does with the Training Agency at present.

Mr. Barry Jones: To ask the Secretary of State for Wales if he will meet the employees of Deeside ITEC.

Mr. Roberts: My right hon. Friend has no plans to do so.

Mr. Barry Jones: To ask the Secretary of State for Wales how many young people have been trained in information technology by Deeside ITEC.

Mr. Roberts: This information is not held by the Department.

Mr. Barry Jones: To ask the Secretary of State for Wales if he will visit the premises of Deeside ITEC.

Mr. Roberts: My right hon. Friend has no plans to do so.

Health Service

Mr. Barry Jones: To ask the Secretary of State for Wales what assessment he has made of the number of nurses required and the number expected to be available in the years 1991 to 1993; and if he will make a statement.

Mr. Grist: The aggregation of manpower resource plans submitted by district health authorities in 1989 indicates projected planned staffing levels (PSL) and staff in post (SIP) levels at 30 September 1991 to 1993 at the all-Wales levels as follows:

	1991	*1992*	*1993*
General Nurses			
PSL	9,832	9,829	9,846
SIP	9,744	9,740	9,749
Children's Nurses			
PSL	156	157	157
SIP	137	138	138
Mental Illness Nurses			
PSL	2,592	2,778	2,790
SIP	2,474	2,606	2,665
Mental Handicap Nurses			
PSL	871	849	822
SIP	840	833	809
Midwives			
PSL	1,421	1,475	1,482
SIP	1,339	1,411	1,440

Manpower resource planning is an ongoing management process. These projections may have been revised in the light of developments since the plans were submitted. Revised projections will be available in the manpower resource plans to be submitted by authorities this year.

Mr. Morgan: To ask the Secretary of State for Wales what proposals he has for the funding of a paediatric orthopaedic consultant post in the area of South Glamorgan health authority.

Mr. Grist: The Welsh Office has offered South Glamorgan health authority £170,000 a year to fund an additional orthopaedic consultant under the waiting times initiative. However, it is not currently envisaged that this post should be for a paediatric specialist.

Mr. Morgan: To ask the Secretary of State for Wales what plans he has to visit the Prince of Wales hospital, Rhydlafar, near Cardiff.

Mr. Peter Walker: I have no immediate plans to do so.

Laura Ashley Company

Mr. Barry Jones: To ask the Secretary of State for Wales what amount of Government grant aid he has given annually to the Laura Ashley Company as expressed as a percentage of the moneys he has given to the Mid Wales Development Board for each of the years since 1979; and if he will make a statement.

Mr. Peter Walker: I shall write to the hon. Gentleman as soon as the information is available and I will place a copy of my answer in the Library of the House.

Orimulsion

Mr. Morgan: To ask the Secretary of State for Wales what consultations he has had with Her Majesty's inspectorate of pollution on the environmental side-effects of burning Orimulsion and very heavy residual fuel oil in Pembroke power station, with and without flue gas desulphurisation.

Mr. Grist: I understand that discussions have taken place betwen Her Majesty's inspectorate of pollution and National Power about the possibility of burning heavy residual fuel oil at Pembroke power station. I am told that no changes to the required standards of emissions for particulate matter (including smoke) or sulphur dioxide from those resulting from current fuel would be permitted by the inspectorate. The question of flue gas desulphurisation does not arise under these circumstances.

No proposals to burn Orimulsion have been made to date.

Health and Safety

Mr. Barry Jones: To ask the Secretary of State for Wales what plans he has to improve health and safety in factories in Wales; and if he will make a statement.

Mr. Nicholls: I have been asked to reply.

Responsibility for maintaining and improving health and safety standards, and complying with legal obligations, rests with employers and others concerned at the workplace. The Government have increased financial provision for the Health and Safety Commission and Executive over previously agreed levels again in 1990-91. The additional provision is £7 million excluding money transferred from the Department of Energy for nuclear safety research.

The commission's priorities for improving health and safety at work throughout Great Britain will be set out in its plan of work for 1990-91 and beyond.

PRIME MINISTER

South Africa

Q43. **Mr. Hunter:** To ask the Prime Minister if she will make a further statement on her policies towards South Africa.

The Prime Minister: We want to see the end of apartheid by peaceful means, through negotiations. We shall continue to encourage all parties to take up the opportunity now presented to negotiate a new democratic

constitution for South Africa. Meanwhile, we are stepping up our aid programme to help prepare for the time when all South Africans can play their full part in the political and economic life of their country.

Immigration

Q53. **Mr. Teddy Taylor:** To ask the Prime Minister if she will raise at the next meeting of the European Council the implications for immigration policy of European directives which permit citizens of the overseas territories of European Economic Community nations to settle in the European Economic Community.

The Prime Minister: No. The question of who are to be regarded as its nationals for the purposes of enjoyment of the rights of free movement given in the treaty of Rome, by reason of a connection either with its metropolitan or its overseas territories, is determined by each member of state in accordance with its nationality law.

President Gorbachev

Q97. **Mr. Latham:** To ask the Prime Minister when she next expects to meet President Gorbachev; and what subjects she expects to discuss with him on that occasion.

The Prime Minister: I expect to meet President Gorbachev when I visit the Soviet Union in June and to discuss with him the full range of international and bilateral issues.

Telecommunications

Q107. **Mr. Hood:** To ask the Prime Minister if she will give details of representations she has had from churches, community groups and individuals objecting to the provisions of sexual services via the public telecommunications systems; and if she will make a statement.

The Prime Minister: I have received a number of representations about premium-rate telephone services including a few from church organisations. This is a matter for the Director General of Telecommunications who has already taken firm action to control these services including the closure of two services in the Manchester area. He is keeping the matter under close review.

Turkey (Human Rights)

146. **Mr. Redmond:** To ask the Prime Minister what discussions she had with members of the Turkish Government during her recent visit to Turkey in respect of their human rights abuses.

The Prime Minister: I discussed human rights with President Ozal when I saw him on 25 April. He stressed his Government's determination to eliminate abuses and told me that the Turkish Parliament was now in the process of setting up its own human rights commission.

Policy Unit Staff

Mr. Austin Mitchell: To ask the Prime Minister whether, further to her reply to the hon. Member for Great Grimsby on 1 March, *Official Report*, column *277*, she will provide a list showing the names and business connections of the individuals with accountancy backgrounds who have joined her policy unit since 1979.

The Prime Minister: Those who have accountancy qualifications are Mr. D. C. Hobson, who joined the policy unit from Coopers and Lybrand, Mr. P. T. Warry who joined from Aerospace Engineering plc and Mr. I. Whitehead who joined from the Bank of Montreal Capital Markets Ltd. London.

Mr. Nelson Mandela

Mr. Redmond: To ask the Prime Minister what plans she has to meet Mr. Nelson Mandela in July.

The Prime Minister: I look forward to meeting Mr. Mandela on 4 July for talks on how the process of peaceful change in South Africa can be taken forward. Mr. Mandela will also meet my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs.

India

Mr. Ieuan Wyn Jones: To ask the Prime Minister, pursuant to her reply to the hon. Member for Merionnydd Nant Conwy (Dr. Thomas), of 26 April, *Official Report*, column *279*, concerning her meeting with the Indian Prime Minister, whether any consideration was given to nuclear-proliferation control measures in the Indian subcontinent in the course of the discussions to which she makes reference.

The Prime Minister: The reply referred to by the hon. Member concerned my meeting with the Indian President during his visit to London in April. The subject of nuclear non-proliferation was not discussed.

Lance Missile

Mr. Kaufman: To ask the Prime Minister whether she continues to advocate replacement of the Lance missile.

The Prime Minister: I continue to support the alliance's position that, where necessary, all NATO's weapons, nuclear and conventional, should be kept up to date.

Rainham Marshes

Mr. Simon Hughes: To ask the Prime Minister what representations she has received from British Urban Development or the Music Corporation of America in respect of the proposed theme park at Rainham marshes in the London borough of Havering; and if she will make a statement.

The Prime Minister: I have received recent representations on this subject. My right hon. Friend the Secretary of State for the Environment has received numerous representations for and against the granting of planning consent for the proposed development.

Short-range Nuclear Weapons

Mr. Kaufman: To ask the Prime Minister whether she continues to advocate modernisation of land-based short-range nuclear weapons on the mainland of Europe.

The Prime Minister: I continue to support the position of the alliance that we will continue to need an appropriate mix of adequate and effective conventional and nuclear forces which, where necessary, will need to be kept up to date.

Engagements

Mr. Harry Greenway: To ask the Prime Minister if she will list her official engagements for Thursday 3 May.

Mr. Stern: To ask the Prime Minister if she will list her official engagements for Thursday 3 May.

The Prime Minister: This morning I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

FOREIGN AND COMMONWEALTH AFFAIRS

Poland

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs what matters in regard to *(a)* the nuclear non-proliferation treaty review conference in August and *(b)* the possibilities of environmental assistance to clean up polluted areas were raised during his recent visit to Poland.

Mr. Waldegrave: None.

Iraq

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs if, during the meetings of the working group on nuclear non-proliferation of the European political co-operation committee held during 1990, the matter of the export of nuclear capable technology and technology and equipment usable in launching nuclear weapons to Iraq has been raised; and if he will make a statement.

Mr. Waldegrave: We raised our concern about the incident on 28 March, when a consignment of capacitors bound for Iraq was intercepted at Heathrow, at the meeting of the working group on 3 and 4 April. In subsequent discussion, partners agreed that all possible steps should be taken to ensure that barriers against proliferation are strengthened, and that export controls are adequate. The working group has also discussed the expansion of the missle technology control regime.

Mr. Dalyell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on Her Majesty's Government's knowledge of commercial interest in the Lear Fan factory in Northern Ireland expressed by Iraq or Iraq-backed companies.

Mr. Waldegrave *[holding answer 2 May 1990]:* In the light of the charges laid against individuals, and of the continuing investigations by Customs and Excise, it would be wrong for me to comment on these matters.

Antarctic Bases

Mr. Simon Hughes: To ask the Secretary of State for Foreign and Commonwealth Affairs to what extent the proposed clear-up of abandoned Antarctic bases will be funded from the sale of British Antarctica stamps; and if he will make a statement.

Mr. Sainsbury: There are no plans to finance the clean-up of abandoned British bases in the Antarctic from the sale of British Antarctic Territory stamps. I refer the hon. Member to a reply given by my hon. Friend the Parliamentary Under-Secretary of State for Education and Science on 18 April 1990.

South Georgia

Mr. Simon Hughes: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) why it has been decided to leave in situ the shells of the buildings of the old whaling station in South Georgia; and if he will make a statement;

(2) what steps have been taken to remove wastes from the old whaling station on South Georgia; and if he will make a statement.

Mr. Sainsbury: Following discussions between the Foreign and Commonwealth Office and the leaseholders, Christian Salvesen plc, work is currently under way to clear up one of the stations. Further decisions will be taken following the completion of this year's work programme.

Antarctica

Mr. Simon Hughes: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will obtain for his Department details of the Australian and French proposals to declare Antarctica a wilderness reserve; and if he will make a statement.

Mr. Sainsbury: A joint paper on the French and Australian proposals was delivered to the Foreign and Commonwealth Office at 10·15 am today.

Mr. Simon Hughes: To ask the Secretary of State for Foreign and Commonwealth Affairs if his Department will be represented at the forthcoming meeting of the Antarctic treaty parties to discuss measures to protect the Antarctic environment.

Mr. Sainsbury: No decision has yet been taken by the Government on the composition of the United Kingdom delegation to the special consultative meeting of the Antarctic treaty parties to be held later this year in Chile.

EDUCATION AND SCIENCE

History Teaching

Mr. Stern: To ask the Secretary of State for Education and Science if he will make a statement on the factual basis of history teaching.

Mrs. Rumbold: The study of history at school should be grounded on a thorough knowledge of the past. That is not at issue. The question is how to ensure that children acquire the necessary foundation of historical information. The national curriculum working group on history made its recommendations, and my right hon. Friend is consulting widely on its published report. In the light of responses he will make his proposals for attainment targets and programmes of study for school history, which will then be the subject of the statutory consultation conducted by the National Curriculum Council.

Public Relations

Mr. Grocott: To ask the Secretary of State for Education and Science whether he has any plans to appoint a public relations adviser.

Mr. MacGregor: I have no plans to do so. I already have a very satisfactory head of information at the Department of Education and Science. I have always consulted widely about education policy and presentation and shall continue to do so.

Brighton CTC

Mr. Straw: To ask the Secretary of State for Education and Science, pursuant to his answer to the hon. Member for Blackburn, 30 April 1990, DES 87 and 92, when he was first informed of the discovery by the city technology college trust of the commission of £200,000 charged by Mr. Revere on the purchase of the site of the Brighton city technology college; what is the current valuation of the site; and what will now happen to the site.

Mr. MacGregor: The existence of the commission charged by Mr. Revere was first notified to my Department by the trust in a memorandum dated 8 December. The commission was repaid by Mr. Revere to the CTC trust on 12 December and forwarded to my Department on 13 December. The future of the site and its value are now under consideration.

Academic Research Equipment

Mr. Cousins: To ask the Secretary of State for Education and Science when he proposes to take action on the report of the Advisory Board for the Research Councils on academic research equipment; what representations he has received on the report and from whom; and if he will make a statement.

Mr. Jackson: My right hon. Friend has received a number of representations from hon. Members and a petition organised jointly by the publication "Laboratory News", the Association of University Teachers and the British Laboratory Ware Association. My right hon. Friend announced on 15 November at columns *272-76* that an additional £61 million would be made available for the science budget in 1990-91, together with planning additions for the next two years of £58 million and £59 million. He announced the allocations to the five research councils on 10 January, *Official Report* columns *623-24*. It is for the research councils to determine how to spend the additional funds made available to them. However, in their advice to the Secretary of State on the allocations, the Advisory Board for the Research Councils advised that a high proportion of these funds should be directed to preserving the quality of United Kingdom science. The ABRC also suggested that the research councils should deploy some of these additional funds to increase equipment provision through research grants, and that funding of new research programmes and interdisciplinary research centres would also include some provision for equipment.

University Research

Mr. Hoyle: To ask the Secretary of State for Eduction and Science what is the effect on university research and the conditions of employment of university technicians and support staff of the consultation paper prepared by his Department; what funding will be made available for these purposes; and if the loss of funding to the Universities Funding Council will be replaced.

Mr. Jackson: The Department is considering the responses to the consultative paper. The precise form of any new arrangements resulting from the consultation has yet to be decided. Whatever the decision, there will be no reduction in the total public funding of the dual support system.

HEALTH

Mental Health Tribunals

Mr. Atkinson: To ask the Secretary of State for Health how many mental health review tribunals have been held since the Mental Health Act 1983 came into force, up to the latest available date; and how much they have cost.

Mr. Freeman: The information is not available in precisely the form requested. Between 1 January 1984 and 31 December 1989 17,192 cases were considered by mental health review tribunals. The total cost of the service in the financial year 1989-90, during which period 3,894 cases were considered, was approximately £2,335,000.

Centre for Applied Microbiology and Research

Mr. Morgan: To ask the Secretary of State for Health (1) what representations he has received regarding the privatisation of the centre for applied microbiology and research, Porton Down, Wiltshire;

(2) what consultations he has carried out with the staff of the centre for applied microbiology and research, Porton Down, Wiltshire, regarding the proposal to privatise it.

Mr. Freeman: I met representatives of the staff side when I visited the centre for applied microbiology and research (CAMR) on 22 January, and I subsequently met representatives of the Manufacturing Science and Finance union in London on 21 February. I have also seen the results of a ballot of staff on the question of privatisation.

Children's Spectacle Frames

Mr. Hinchliffe: To ask the Secretary of State for Health (1) if he will take steps to ensure that information regarding free and low-price children's spectacle frames is made more generally available.

(2) if opticians selling spectacles are under any form of obligation to *(a)* stock and *(b)* display free and low-price children's frames.

Mrs. Virginia Bottomley: The sale of spectacles, including children's spectacles, is a private transaction and as a result no requirement is placed on opticians to stock, display or promote information on any particular brand of spectacle frame. In line with normal retail practice it is up to individual opticians to use their commercial judgment and provide a sufficiently wide range of products to meet all needs. Equally, individual patients can shop around for spectacles at the most competitive price which matches their optical prescription. All children under 16 are entitled to an optical voucher to help towards the cost of their spectacles. The voucher value varies depending upon the strength of the optical prescription.

Mr. Hinchliffe: To ask the Secretary of State for Health if his Department monitors what proportion of the cost of

children's spectacle frames goes towards meeting the copyright dues for commercial logos which are featured on them.

Mrs. Virginia Bottomley: No. The sale of spectacles, including children's spectacles, is a private commercial transaction. The Department of Health does not therefore collect this type of information. All children under 16 are entitled to an optical voucher to help towards the cost of their spectacles. The voucher value varies depending upon the strength of the optical prescription.

Hospital Food

Mr. Hinchliffe: To ask the Secretary of State for Health if, pursuant to his answer to the hon. Member for Wakefield of 26 April, *Official Report*, column *295*, he will take steps to require health authorities to record the levels of food wastage within hospitals.

Mr. Freeman: No. Food wastage in hospitals is a matter for health authorities.

Housing (Special Needs)

Mr. Hinchliffe: To ask the Secretary of State for Health (1) if, in the light of the recent High Court ruling in the case of C and G Homes *v.* Bath district health authority, he intends to issue guidance to health authorities and local authorities regarding the future use of private housing for the accommodation of mentally ill and mentally handicapped people;

(2) if, in the light of the recent High Court ruling in the case of C and G Homes *v.* Bath district health authority, he will introduce legislation to prevent discrimination against the mentally handicapped and mentally ill.

Mr. Freeman: We have noted the High Court's ruling, but it would be premature to come to any conclusion about its general effect before the health authority has decided whether or not to appeal.

Public Relations Advisor

Mr. Grocott: To ask the Secretary of State for Health whether he has any plans to appoint a public relations advisor.

Mr. Kenneth Clarke: No. I shall continue to consult widely about health policy and its presentation.

Health Service Funding

Mr. Strang: To ask the Secretary of State for Health what was the (i) capital, (ii) revenue and (iii) total allocation made to the health authorities in England in each of the last five years and the last financial year.

Mr. Freeman: The table shows end-of-year permissible spends for health authorities in England from 1985-86 to 1989-90. These exclude revenue and capital receipts, including land sales.

£000s

	1985-86	*1986-87*	*1987-88*	*1988-89*	*1989-90*
HCHS Capital	810,559	826,339	829,075	823,718	1,051,067
HCHS Revenue	9,477,389	10,165,358	11,235,675	12,440,491	13,294,668
HCHS Total	10,287,948	10,991,697	12,064,750	13,264,209	14,345,735

Mr. Strang: To ask the Secretary of State for Health what was the (i) capital, (ii) revenue and (iii) total expenditure on the National Health Service in England in each of the last five years and the last financial year.

Mr. Freeman: Expenditure information is available only for financial years; figures as requested for the past five years are set out in the table.

£ million

	1985-86	*1986-87*	*1987-88*	*1988-89*	[1]*1989-90*
NHS Capital	928	1,007	1,042	1,130	1,259
NHS Revenue	13,957	15,001	16,574	18,429	19,951
NHS Total	14,885	16,018	17,616	19,559	21,210

[1]Estimated outturn.

Product Licences

Mr. Rowlands: To ask the Secretary of State for Health in what manner applications for product licences to the Medicine Control Agency submitted before the recent changes and regulations will be treated.

Mrs. Virginia Bottomley *[holding answer 5 March 1990]:* The level of fees for product licence applications are determined by the date of receipt of an application at the Medicines Control Agency. Any application, therefore, which was received before 5 March 1990 (the operative date of the Medicines (Fees Relating to Medicinal Products for Human Use) Amendment Regulations 1990 SI 1990 No. 210) would attract the rate of fee previously applicable.

Mr. Rowlands: To ask the Secretary of State for Health what steps were taken to advise applicants to the Medicine Control Agency for product licences of the recent changes in regulations.

Mrs. Virginia Bottomley *[holding answer 5 March 1990]:* Licence holders are notified of changes in regulations by means of Medicines Act information letters (MAIL). The latest issue MAIL 62 was issued in March 1990 and gives details of the changes brought about by the Medicines (Fees Relating to Medicinal Products for Human Use) Amendment Regulations 1990 SI 1990 No. 210. Copies have been placed in the Library.

Companies are also notified of changes via their trade associations.

NORTHERN IRELAND

Sectarianism

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland what assessment he has made of the impact of the constitutional imperative of the Irish Government to work for a united Ireland on sectarianism in Northern Ireland; and if he will make a statement.

Mr. Brooke: The achievement of a united Ireland has been an acknowledged objective of successive Irish Governments. Article 1 of the Anglo-Irish Agreement formally records, however, the acceptance by the Irish Government that such unity would be achieved only with the consent of a majority of the people of Northern Ireland. That position has not been affected by the Irish Supreme Court's judgment in the McGimpsey case. Sectarianism remains as unacceptable after the judgment as before it.

Employment and Training Schemes

Ms. Short: To ask the Secretary of State for Northern Ireland if he will list all the Government employment and training measures previously operated through the DED for young and long-term unemployed, the budget for each of the last three years, and the numbers who were helped each year; and if he will make a statement.

Mr. Needham: Details of the Government employment and training measures previously operated through the DED for young and long-term unemployed are as follows:

Measure	*Budget (£m)*			*Numbers helped*		
	1987-88	*1988-89*	*1989-90*	*1987-88*	*1988-89*	*1989-90*
Measures for the Young Unemployed						
Get Ready for Business Programme	0·046	0·042	0·050	64	43	39
Graduate Attachment Programme	0·120	0·125	0·155	55	30	59
Graduate Enterprise Programme	0·108	0·112	0·118	18	17	17
Industrial Scholarship Scheme	0·167	0·179	0·182	68	68	66
Junior Management Development Programme	0·351	0·378	0·408	108	111	126
New Workers Scheme	0·532	0·240	—	682	307	—
Skills Training Scheme	1·211	1·625	0·994	1,073	1,406	1,842
Training Centre Courses	7·215	7·286	7·531	3,967	4,276	4,420
Youth Training Programme	49·989	54·091	56·062	11,938	12,303	13,416
Measures for the Long Term Unemployed						
Action for Community Employment	28·840	41·064	50·688	6,200	8,600	10,019
Attachment Training Scheme	1·977	1·289	0·493	1,049	658	102
Bridge Programme	0·053	0·064	0·066	78	78	81
Enterprise Allowance Scheme	4·947	4·346	2·548	2,262	1,942	1,161
Enterprise Ulster	8·202	8·584	6·913	1,383	1,346	1,028
Jobclubs	0·046	0·060	0·225	767	1,603	3,250
Jobstart Allowance	0·262	0·164	0·169	648	381	361
Job Training Programme	0·253	1·530	6·418	400	2,165	7,574
Management Retraining Course	0·017	0·018	0·017	12	10	9
Management Extension Programme	0·030	0·076	0·073	9	20	21
New Enterprise Programme (full-time)	0·039	0·070	0·054	11	12	12
New Enterprise Programme (part-time)	0·024	0·051	0·029	24	25	28
Overseas Marketing Programmes	0·087	0·198	0·289	14	27	41
Restart Programme	0·167	0·107	0·053	89,072	83,614	81,794
Sheltered Employment for Disabled People	0·605	0·730	0·666	100	100	100
Sheltered Placement for Disabled People	0·316	0·648	0·821	150	227	301
Training Centre Courses	2·994	2·681	1·882	5,008	3,267	2,472
Vocational Training for Disabled People	0·289	0·223	0·278	29	38	37

Ms. Short: To ask the Secretary of State for Northern Ireland what is the average wage paid to action for community employment participants, excluding supervisors; and what is the average allowance paid to jobs training programme participants.

Mr. Needham: Participants in the action for community employment scheme are paid the accepted rate for the job in the area where the work is carried out. Information on the average wage paid is not readily available and could be obtained only at disproportionate cost.

Peat

Ms. Walley: To ask the Secretary of State for Northern Ireland if he will ban all use of peat by his Department; whether he will formulate a national peatlands conservation policy; and if he will make a statement.

Mr. Peter Bottomley: I have been asked for the use of peat by Northern Ireland Government Departments to be reduced or for some purposes even eliminated. The Department of the Environment for Northern Ireland has a policy of declaring as areas of special scientific interest (ASSI) or of acquiring as nature reserves those peatland areas which are of highest nature conservation interest. To date, six raised bogs have been declared as ASSIs. A composite declaration including three further bogs will be made soon. Five sites are managed as national nature reserves. In Northern Ireland peat is used by domestic consumers, particularly in low-income rural areas, as a cheap fuel source. I shall promote research into alternative sources of material to fulfil some or all of the purposes to which irreplaceable peat is put.

Criminal Evidence

Mr. McNamara: To ask the Secretary of State for Northern Ireland what consideration was given to the progress of the trial of John McCann, Finbarr Cullen and

Martina Shanahan when deciding to lay the Criminal Evidence (Northern Ireland) Order before the House on 20 October 1988.

Mr. Brooke: Ministers decided in the early autumn of 1988 that the law in Northern Ireland relating to the so-called right of silence be urgently amended and that the draft order to which the hon. Member refers should be laid before Parliament as soon as possible after the House of Commons returned from the summer recess. The House returned on Wednesday 19 October 1988 and the draft order was laid on 20 October. At that time it was not appreciated that the three defendants in the trial at Winchester had chosen to exercise their right of silence. It was not intended that the timing of the laying of the draft order before Parliament should be relevant to anything other than the timely introduction of that order into the law in Northern Ireland.

SCOTLAND

Skye Bridge

Mr. Wilson: To ask the Secretary of State for Scotland what planning procedures he intends to adopt in respect of the proposed Skye bridge.

Lord James Douglas-Hamilton: As indicated in "New Roads by New Means" (Cmnd. 698), it is proposed to introduce new procedures for the authorisation of privately financed roads which would, if adopted, amend and supplement the Roads (Scotland) Act 1984. These proposals have been adjusted in the light of comments on the Green Paper which have been received from the private sector and from a wide range of organisations concerned with roads and transport. The adjustments are set out in the Government's response to the consultation. The new procedures will safeguard the environment and uphold the rights of individuals and local councils affected by such privately funded infrastructure developments.

Legal Aid

Mr. Ross: To ask the Secretary of State for Scotland when he intends bringing into force part V of the Legal Aid (Scotland) Act 1986.

Lord James Douglas-Hamilton: I have at present no plans to do so.

Nature Conservation

Mr. Macdonald: To ask the Secretary of State for Scotland whether the 15 national nature reserves in Scotland currently owned by the Nature Conservancy Council are to be owned by the proposed Scottish Natural Heritage Agency on behalf of the Crown; and if he will make a statement.

Lord James Douglas-Hamilton: Yes. The proposed natural heritage agency will take over responsibility for all national nature reserves in Scotland whether managed by or under an agreement with the Nature Conservancy Council.

Mr. Macdonald: To ask the Secretary of State for Scotland whether the Nature Conservancy Council has estimated the proportion of land in the flow country of Sutherland and Caithness which is likely to meet the criterion for notification as a site of special scientific interest; what consideration has been given to limiting the area of land to be notified as a site of special scientific interest; and if he will make a statement.

Lord James Douglas-Hamilton: There is no precise definition of the flow country but the Nature Conservancy Council has estimated that up to 40 per cent. of Sutherland and Caithness might meet one or more of the criteria for notification as a site of special scientific interest. This estimate includes land already notified. The council is now carrying out detailed ground surveys to identify precise boundaries for peatland sites. The framework for this programme of work is provided by the Highland regional council working party report on forestry in Caithness and Sutherland. The report was agreed by all members of the working party and endorsed by the Secretary of State on 21 March 1989.

Mr. Macdonald: To ask the Secretary of State for Scotland when he last designated an area under the Ramsar convention on the conservation of wetlands of international importance; if he will indicate the area which is next to be designated and when he expects to designate it; how many sites meet the criteria for designation and protection under the European Community directive on the conservation of wild birds and how many sites are so designated; and what is the name of the site next to be designated and the date he expects to designate it.

Lord James Douglas-Hamilton: I refer the hon. Member to the reply given in another place by my noble Friend the Minister of State on 25 April announcing the designation of four sites under the Ramsar convention. One other site has been proposed for designation by NCC: the Upper Solway flats and marshes site of special scientific interest. Further consultations are taking place about this site and no date for possible designation can be given at present.

The NCC has identified 129 sites which potentially meet the criteria for designation as special protection areas under the European Community wild birds directive (79/409/EEC). Eighteen SPAs have been designated. Further consultations are taking place about our proposed SPAs, including the Upper Solway site also proposed as a Ramsar site. It is not possible to say which will be dealt with first or to give a date for possible designation.

Prison Staff (Medical Qualifications)

Dr. Godman: To ask the Secretary of State for Scotland what different types of medical qualification exists for prison staff involved in the medical care of prisoners; and what is the minimum level of such personnel available at all times in each prison.

Lord James Douglas-Hamilton: The vast majority of nursing staff in the Scottish prison service hold one or more of the following nursing qualifications: state enrolled nurse (SEN), registered mental nurse (RMN), registered general nurse (RGN), or the Scottish Council of Midwives (SCM). Prison medical officers all hold recognised degrees.

The table sets out the staff complements as regards medical-nursing staff at each establishment.

Establishment	Complements (Medical Officers) Senior Medical Officers	Medical Officers	P/T Medical Officers	Governor	Complements (Nurses) Principal Officer	Senior Officer	Officer
Aberdeen	—	—	1	—	—	1	2
Barlinnie	1	3	4	1	3	6	28
Castle Huntly	—	—	1	—	—	—	1
Cornton Vale	—	—	2	—	1	2	4
Dumfries	—	—	1	—	—	1	2
Dungavel	—	—	1	—	—	—	1
Edinburgh	—	1	2	—	1	1	12
Friarton	—	—	1	—	—	—	1
Glenochil	—	—	2	—	1	1	8
Greenock	—	—	1	—	—	1	3
Inverness	—	—	1	—	—	1	2
Longriggend	—	—	1	—	—	1	3
Low Moss	[1]	[1]	[1]	—	1	—	2
Noranside	—	—	1	—	—	—	1
Penninghame	—	—	1	—	—	—	1
Perth	—	2	—	—	1	1	8
Peterhead	—	—	1	—	1	1	6
Polmont	—	—	1	—	1	2	4
Shotts	—	—	1	—	1	1	7
Total	1	6	23	1	11	20	96

[1] Covered by Barlinnie.

Sports Grounds

Mr. Canavan: To ask the Secretary of State for Scotland whether he will now give details of the rates concessions for Scottish sports grounds.

Lord James Douglas-Hamilton: My right hon. and learned Friend has been informed by the Scottish Assessors Association that as result of the simultaneous revaluations which took effect on 1 April the rateable values of sports grounds in Scotland and in England and Wales have been brought into line with each other. I understand that differences still exist in the methods employed in valuing these subjects north and south of the border and we are considering whether, in order to ensure a common method of valuation in future, subordinate legislation is required.

Benefit Claimants

Mr. Meacher: To ask the Secretary of State for Scotland how many claimants in Scotland who have not paid their poll tax (i) have had their benefit deducted or (ii) are currently subject to procedures designed to reclaim poll tax arrears; and if he will provide whatever information is available to him for a breakdown by their *(a)* income level, *(b)* category of claimant and *(c)* amount of deduction of benefit.

Lord James Douglas-Hamilton: The latest figure available of the number of claimants in Scotland who have had deductions made from their income support as a contribution towards their community charge arrears is 760. The maximum deduction which can be made is 5 per cent. of the personal allowance for either a single person or a couple. The other information requested is not held centrally.

Hospital Advisory Service Reports

Mr. Bill Walker: To ask the Secretary of State for Scotland if he has any plans to make the reports of the Scottish hospital advisory service more widely available.

Mr. Michael Forsyth: Scottish hospital advisory service (SHAS) reports, in order to be effective, have always received wide circulation within health boards. Following a recent review of the role and operation of SHAS, undertaken in consultation with the director of SHAS, health boards and the chief executive, NHS, I have decided that SHAS reports should henceforth be available from SHAS as for sale publications as well as continuing to be made widely available to all health board staff with a direct interest in them.

Criminal Justice (Scotland) Act 1980

Mr. Wilson: To ask the Secretary of State for Scotland (1) if he will make a statement on Scottish Office funding for designated places under the provisions of section 5 of the Criminal Justice (Scotland) Act 1980;

(2) how many designated places have been created in Scotland since the passing of the Criminal Justice (Scotland) Act 1980; and where these are located;

(3) if he will make a statement on future plans for the number of designated places under section 5 of the Criminal Justice (Scotland) Act 1980 in *(a)* Strathclyde and *(b)* Scotland;

(4) what funding will be available from the Scottish Office for the establishment of designated places under section 5 of the Criminal Justice (Scotland) Act 1980 in Strathclyde in 1990-91 and 1991-92.

Mr. Lang *[holding answer 1 May 1990]:* One designated place, at Aberdeen, is currently in operation. This received a grant from the Scottish Office under section 10 of the Social Work (Scotland) Act 1968. Grant has also been approved for a designated place at Inverness on which construction is expected to start shortly, and was offered for another, at Dundee, which did not proceed because of local opposition.

The provision of designated places is a matter for local statutory bodies and voluntary organisations. I understand that initiatives are in preparation in Strathclyde

and elsewhere in Scotland. Scottish Office financial assistance depends on the nature of the applications received and on other demands on available resources.

Victim Support

Mrs. Ray Michie: To ask the Secretary of State for Scotland what Government funding is currently available to Victim Support in Strathclyde; and whether he has any plans to increase funding.

Mr. Lang *[holding answer Tuesday 1 May 1990]:* The Scottish Office has assisted the Scottish Association of Victim Support Schemes for the past five years through a grant under section 10 of the Social Work (Scotland) Act 1968. Scottish Office funding for the victim support movement is in line with the Government's policy to improve services to victims of crime generally. Funding has risen from £600 in 1984-85 to £339,000 in 1990-91. In Strathclyde 10 co-ordinator posts in local schemes have been funded by this means.

Apart from a special grant of £13,000 in March 1989 to meet a specific financial difficulty, no central Government grant has been paid to the Strathclyde Association, a regional body representing local schemes in Strathclyde. Strathclyde regional council provides significant funding to the Strathclyde Association and actively supports the objectives of the Scottish association.

EMPLOYMENT

Youth Training

Ms. Short: To ask the Secretary of State for Employment if he will publish details for Great Britain and for the west midlands region, for each year from April 1986 to the most recent date, of the number of YTS trainees with employed status *(a)* in total and *(b)* with disabilities.

Mr. Nicholls: Details for Great Britain and for the west midlands region, for each year from April 1986 to the most recent date, of the number of YTS trainees with employed status *(a)* in total and *(b)* with disabilities are as follows:

	Great Britain		*West Midlands*	
	Trainees with employed status	*Disabled trainees with employed status*	*Trainees with employed status*	*Disabled trainees with employed status*
At 31 March 1987	[1]49,200	[2]310	[1]4,400	30
At 31 March 1988	[1]95,300	[2]720	[1]9,500	70
At 31 March 1989	[1]118,500	[2]930	[1]13,400	90
At 31 March 1990	[1]117,300	[2]720	[1]13,700	80

[1] Rounded to nearest 100.
[2] Rounded to nearest 10.

Figures for 31 March 1990 are provisional and subject to adjustment.

Mr. Cummings: To ask the Secretary of State for Employment how many young people over the age of 18 years on YTS with special training needs endorsements there are in the Easington constituency attending Peterlee development and training association training centre.

Mr. Nicholls: On 31 March 1990 there were two young people over the age of 18 with special needs endorsements undertaking YTS at Peterlee development and training association training centre from the Easington constituency.

Textile and Footwear Industries

Mr. Vaz: To ask the Secretary of State for Employment how many people are employed in the textile and footwear industries, giving the figure by month, since 31 January 1990; and if he will make a statement.

Mr. Nicholls: The number of employees in employment in Great Britain were as follows:

Thousands (unadjusted for seasonal variations)

	Textile SIC class 43	*Footwear SIC group 451*
January 1990	213·2	44·9
February 1990	209·9	45·1

Employment Service Special Bonus Scheme

Mr. McLeish: To ask the Secretary of State for Employment (1) if he will give the estimated total maximum expenditure for the employment service's special bonus scheme in 1990-91;

(2) if he will make a statement on the categories *(a)* exceptional achievements, *(b)* the maintenance of operational effectiveness in exceptionally difficult circumstances and *(c)* particularly meritorious enterprise or intiative, as used in the employment service special bonus scheme;

(3) if he will give *(a)* the total number of employees who received an employment service special bonus scheme award, *(b)* the numbers by category and *(c)* the total expenditure involved for Great Britain and each standard region in the period 1989-90.

Mr. Eggar: The employment service became an executive agency on 2 April 1990. Mr. Mike Fogden, the Employment Service Agency's chief executive, will be replying in writing to the hon. Gentleman.

Employment Training

Mr. McLeish: To ask the Secretary of State for Employment if he will list the names of those employment training agents and managers that have been given approved status since the inception of employment training.

Mr. Nicholls: The names of those training managers awarded approved training organisation status by the Employment Department Training Agency at 30 April 1990 are:

Birmingham Churches Managing Agency
Borough of High Peak
HPW Training Ltd. (Barnsley)

Mr. McLeish: To ask the Secretary of State for Employment when he expects to grant approved training status to all employment training agents and managers.

Mr. Nicholls: Decisions on approved training organisation status for employment training, training agents and training managers are the responsibility of the Employment Department Training Agency, and where these are established, training and enterprise councils.

Those training agents and training managers who started employment training in September 1988 are due to achieve approved training organisation status by September 1990.

Mr. McLeish: To ask the Secretary of State for Employment if the existing employment training expenditure levels are running within the 1990-91 budget and volume requirements.

Mr. Nicholls: I refer the hon. Member to the reply I gave to the hon. Member for Clydebank and Milngavie (Mr. Worthington) on 26 April, *Official Report*, column *318*.

Mr. McLeish: To ask the Secretary of State for Employment if he will give the national budget for employment training in 1990-91 for *(a)* each of (i) mainstream and (ii) non-mainstream clients and *(b)* each region.

Mr. Nicholls: In 1990-91 the budget, excluding trainee allowances, for new mainstream clients and existing trainees is £468 million and for new non-mainstream clients the budget is £52 million. Regional budgets are for internal management information purposes only.

Mr. McLeish: To ask the Secretary of State for Employment if he will give for employment training based on output-related funding from training and enterprise councils the target percentage of positive outcomes for Great Britain and each standard region for *(a)* mainstream clients and *(b)* non-mainstream clients.

Mr. Eggar: There are no separate targets for achievement of positive outcomes by mainstream and non-mainstream clients on employment training.

Agricultural Inspectorate

Mr. Simon Hughes: To ask the Secretary of State for Employment what is the maximum recommended period between visits to *(a)* large and *(b)* small farm premises by the agricultural inspectorate of the Health and Safety Executive; and if he will make a statement.

Mr. Nicholls: There is no maximum recommended period between visits to farm premises whatever their size. The Health and Safety Executive's agricultural inspectorate's programme of preventive visits to work premises, including farm premises, is planned on the basis of an inspection rating system which ensures that inspector resources are directed to those premises where the need is greatest.

Loan Guarantee Scheme

Mr. Grylls: To ask the Secretary of State for Employment how many small firms have received loans under the loan guarantee scheme since its inception; what is the total value so far of these loans; and if he will state the average value of the loans and the estimated cost per job created.

Mr. Eggar: Between 1981 and 31 March 1990 the loan guarantee scheme has guaranteed 24,797 loans to more than 21,000 small firms. The total value of this lending has been £812 million, and the average amount of each loan was £32,700. The net exchequer cost of the scheme per person leaving the unemployment count is estimated to be of the order of £450.

Skill Needs

Mr. McLeish: To ask the Secretary of State for Employment if he will give the total expenditure in 1990-91 on *(a)* identifying the scale of national skill needs and *(b)* identifying at national level measures to provide such skills in the tourism and leisure sectors.

Mr. Eggar *[holding answer 1 May 1990]:* Information about the total cost of identifying the scale of national skill needs in 1990-91 is not available. The work done by the Training Agency's skills unit will cost £680,000, including £240,000 for research. Work is also done by other bodies including industry training organisations. The identification of skill needs in the tourism and leisure sectors and the identification of appropriate measures to provide such skills is the responsibility of the industrial training organisations in that sector.

AGRICULTURE, FISHERIES AND FOOD

Badgers

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food what statistics he has on the distribution of badgers in the United Kingdom.

Mr. Maclean: The most recent study of badger numbers was published in 1988 in the Mammal Review, Volume 18, No. 1, pages 1-9, a copy of which I am arranging to place in the Library of the House.

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food if it is his intention to replace his present badger control strategy with a policy of vaccination and live testing.

Mr. Maclean: The availability of these measures in a form that could be used effectively in field conditions would enable the present control strategy to be comprehensively reconsidered.

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food what is his policy with regard to the destruction of badgers in those areas without a badger panel.

Mr. Maclean: Badger removal operations may be authorised by my Department's veterinary staff in those parishes where there is a recent history of confirmed tuberculosis breakdowns attributable to badgers.

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food what economic assessment his Department has made of the badger eradication programme.

Mr. Maclean: An assessment of the costs and benefits of the badger control policy in operation from 1975-6 to 1983-4 was published in 1987 as Government Economic Service Working Paper No. 96. A copy is in the Library of the House.

Myxomatosis

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food what information he records on the incidence of myxomatosis in wild and domesticated rabbits.

Mr. Maclean: No data are available on myxomatosis in wild rabbits although we are aware that the disease is still prevalent.

Among domestic rabbits, the veterinary investigation service recorded six outbreaks of the disease in 1989.

Salmonella

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food how many warnings he has issued to poultry keepers on each of the salmonella control regulations; and how many prosecutions he has initiatied.

Mr. Maclean: Correspondence with poultry-keepers is dealt with largely from local Ministry offices throughout the country and it is not possible to say how many warnings have been issued. We can say however that replies to a number of letters have warned poultry-keepers of the consequences of non- compliance with the statutory salmonella controls. We will pass details of apparent contraventions to local authorities who are responsible for enforcement. We are not aware of any prosecutions having been undertaken to date.

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food what advice he has issued to local authority trading standards officers concerning the implementation of salmonella testing for poultry; and whether he has issued guidelines on the need for poultry keepers to maintain proper records.

Mr. Maclean: Our officials have discussed the implementation and enforcement of the testing and registration arrangements with representatives of the local authority associations, and have issued guidance on the orders to each authority. Information leaflets, which include guidance on record keeping, were circulated to 61 organisations including those representing poultry farmers when the present controls were introduced last October.

Markets and Abattoirs

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food whether he has any proposals to improve the level of inspection at markets and at non-European Economic Community approved abattoirs.

Mr. Maclean: The Farm Animal Welfare Council has made a number of recommendations relating to the enforcement of welfare legislation at markets and slaughterhouses. The Government are seeking views on these recommendations and will publish their response in due course. As regards meat inspection, rigorous post-mortem inspection requirements must be observed in both non-exporting and EC approved abattoirs. Ante-mortem inspection is to be introduced in non-exporting plants from 1 January 1991. Further measures to align arrangements in all plants will be developed having regard to decisions in Brussels on arrangements to be adopted for the completion of the single market.

Cynox 425

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food (1) whether he has set any safety levels for the presence of Cynox 425 in pigmeat;

(2) what tests he has carried out on pigmeat to assess the levels of Cynox 425; and if he will publish the results of those tests;

(3) what action he has taken to ensure that pigmeat contaminated with Cynox 425 did not reach the consumer; and if he will make a statement;

(4) what assessment he has made of the risks of the consumption of pigmeat contaminated with Cynox 425;

(5) when he first learned of the contamination of pig feed by Cynox 425 in Yorkshire and Hampshire; and if he will make a statement.

Mr. Gummer: Cyanox 425 was first detected in suspect imported grain screenings by the central veterinary laboratory on 20 April as part of an in-depth investigation covering many possible categories of contaminants to determine whether any of them could be the cause of symptoms detected in adult sows and a few adult boars earlier in the year. No fattening stock was affected. In cases where sows had to be culled for welfare reasons the meat did not go into the human food chain. Pigmeat and fat from affected sows was analysed using gas liquid chromatography and mass spectrometry plus thin layer chromatography. These investigations indicated that Cyanox 425, although present in the feedingstuff, was not detectable in pig meat or fat. The European Commission's scientific committee for food has set a tolerable daily intake for this chemical at 0·025 mg/kg body weight; there is therefore no need for a separate United Kingdom level.

Investigations are continuing and we will consider publishing them when completed. I compliment my specialist staff on the remarkably successful detective work so far achieved.

Environmentally Sensitive Areas

Mr. Simon Hughes: To ask the Minister of Agriculture, Fisheries and Food what is the total area in hectares designated under the ESA scheme in the south downs; what estimate was made upon the introduction of the scheme in the south downs of take-up; and what is the present take-up in *(a)* tier 1 and *(b)* tier 2; and if he has any plans to increase the levels of payment under the scheme in the south downs.

Mr. Maclean: The total area of the south downs ESA is 59,900 hectares. The initial estimates of potentially eligible land have been modified as more precise data have been obtained in monitoring the scheme. The targets for uptake are 75 per cent. of the 7,500 hectares of unimproved or semi-improved grassland (tier 1) and 10 per cent. of the 30,000 hectares of arable land (tier 2). The number of applications and agreements to date is 5,068 hectares under tier 1 and 3,034 hectares under tier 2. I have no plans at present to increase the payment levels under scheme.

Mr. Simon Hughes: To ask the Minister of Agriculture, Fisheries and Food what would be the cost of increasing the payment under tier 2 of the ESA scheme in the south downs from £160 to £225 per hectare *(a)* assuming no increase in uptake, *(b)* assuming an increase in uptake of 10 per cent. *(c)* assuming an increase in uptake of 20 per cent. and *(d)* assuming an increase in uptake of 30 per cent.

Mr. Maclean: The table shows the cost of tier 2 agreements and applications to date in the south downs ESA together with the effects of an increase in payments from £160 per hectare to £225 with the assumed variations in the level of uptake.

Uptake to date Tier 2 (Hectares)	Annual payment £/Hectare	Annual cost £	Increase £
3,034	160	485,440	—
3,034	225	682,650	+197·210
3,337 (+10 per cent.)	225	750,825	+265·385
3,641 (+20 per cent.)	225	819,225	+333·785
3,944 (+30 per cent.)	225	887,400	+401,960

Mr. Simon Hughes: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the operation of the ESA scheme in the south downs; and if he will make a statement.

Mr. Maclean: The environmental and economic impact of the south downs ESA scheme is being closely monitored. I will be evaluating the detailed reports early next year.

Arabidopsis

Mr. Ieuan Wyn Jones: To ask the Minister of Agriculture, Fisheries and Food what studies have been undertaken by or on behalf of his Department into the use of arabidopsis in biotechnological research and development.

Mr. Maclean: None. A major research programme on plant molecular biology, including a focused programme on arabidopsis in biotechnological research and development is being undertaken by the Agricultural and Food Research Council with funds from the Department of Education and Science.

North Yorkshire National Park

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food how much financial support he has given to the North Yorkshire national park for its recently announced conservation farm management scheme.

Mr. Gummer: This scheme is financed through the usual funding arrangements for national parks in which my Department has no involvement. However, farmers participating in the scheme will also be able to benefit from the farm and conservation grant scheme funded by my Department.

Animal Imports Monitoring

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food what are the number of *(a)* staff and *(b)* man years his Department's staff spent on monitoring the import of animals and animal products since 1979; and if he will make a statement.

Mr. Gummer *[holding answer 27 April 1990]:* The data set out in my Department's management information system (MINIM), indicate that the resources devoted to import controls of animals and animal products were as follows:

Financial year	Man years
1983-84	69
1984-85	72
1985-86	67
1986-87	70
1987-88	71
1988-89	84
1989-90	[1]84

[1] Provisional.

Data are not available before 1983-84. It is not possible to distinguish between number of staff and man hours.

In addition, and according to circumstances, other Ministry staff may be engaged in monitoring duties. Relevant information is not held centrally and could not be obtained without disproportionate cost.

North York Moors Farms

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the operation and funding of the North York moors farm scheme.

Mr. Heathcoat-Amory: I have been asked to reply. The North York moors farm scheme is managed by the North York moors national park authority and funded by £50,000 from its budget. Shell UK has made a contribution of £10,000. My Department provides 75 per cent. of this approved expenditure through NPSG which is paid to the national parks, the balance being met from local authority resources.

Storm Damage (Financial Assistance)

Sir Patrick McNair-Wilson: To ask the Minister of Agriculture, Fisheries and Food whether owners of woodlands damaged in this year's storms will receive financial assistance towards their restoration.

Mr. Gummer: Immediately after the initial storm on 25 January 1990, the Forestry Commission set up a forest windblow action committee based on the model of the successful committee it established following the storm in October 1987. The action committee was given the task of assessing the full scale of the damage to woodlands in those areas badly affected by the 25 January storm and those which followed, in southern England, Wales and the midlands, and making recommendations to the commission. Although storms occurred at this time in other parts of Britain, the damage to woodlands in these areas was not of the same exceptional nature.

In its recently published report, copies of which have been placed in the Library of the House, the action committee has estimated that the volume of timber blown down in woodlands in the areas concerned was of the order of 1·3 million cubic metres. This compares with nearly 4 million cubic metres blown down in the October 1987 storm. Most of the damage (some 82 per cent. by volume) was sustained in conifer woodlands, 55 per cent. of which were in private ownership. The damage to broadleaved woodlands, over 90 per cent. of which were privately owned, mainly affected mature and over-mature trees, particularly beech. The action committee recommended that special assistance towards replanting should be made available to the owners of the storm-damaged woodlands in the form of supplements to the Forestry Commission's normal planting grants.

In considering the action committee's recommendations, I have had regard to the effect that the additional volumes of timber arising from the recent storms are likely

to have on the market price of wood in the areas concerned. Following the storm in 1987, timber prices were severely depressed as a result of the glut of wood on the market. It is clear that the salvaging and sale of the broadleaved timber arising from this year's storms will, in the majority of cases, again fail to provide a sufficient return to cover the necessary replanting, bearing in mind the extraordinary expenses that owners will face both in the difficult task of preparing the sites for planting and in the planting itself. Against this background, my right hon. Friend the Secretary of State for Wales and I have decided to provide a special supplement of £400 per hectare for broadleaved replanting in those woodland areas damaged by the storms, to be paid on top of the Forestry Commission's normal planting grants, on the same basis as the effective arrangement we introduced after the 1987 storm. By contrast, the softwood market is not much affected on this occasion and the conifer woods can be expected to pay their own way with the help of the standard planting grants.

The supplement for broadleaved planting, which is at the same level as that paid after the 1987 storm, will be available over the next four years for all eligible replanting carried out by applicants under the woodland grant scheme and by those who still qualify under the Forestry Commission's dedication schemes. Applications will be considered for those woodlands in the commission's East England, West England and Wales conservancies which were damaged in the succession of severe storms which occurred over the period from 25 January 1990 to the end of February 1990. The European Commission is being informed under the provisions of article 93 of the treaty of Rome.

Full details of the administrative arrangements for the new supplement will be set out in a Forestry Commission leaflet to be published shortly, copies of which will be placed in the Library. Any owners who have already taken steps to secure the replanting of their storm-damaged woods with broadleaves under the commission's grant schemes will not be placed at a disadvantage as we have agreed that the supplement may be applied to them retrospectively.

It is estimated that the total cost of the supplement will be £320,000 spread over the four-year period. This will be in addition to the estimated cost of the normal grants for replanting the damaged woodlands (including the conifer woodlands) of £1·68 million, also spread over four years. There will be no addition to the overall provision for public expenditure programmes set out in Cm. 1003.

The storms have left a trail of devastation, and we hope that the supplement now on offer, taken with the Forestry Commission's normal planting grants, will serve to encourage the restoration of well-loved woodland landscapes.

DEFENCE

Electromagnetic Interference

Mr. Nicholas Bennett: To ask the Secretary of State for Defence what information he has as to accidents caused to aircraft and other military equipment as a result of electromagnetic interference.

Mr. Neubert: All accidents involving United Kingdom military aircraft and other United Kingdom military equipments are fully investigated. None of the investigations so far has shown that electromagnetic interference was a contributory cause. I understand that other nations have lost aircraft in circumstances where the effect of electromagnetic interference was suspected. However, in the United Kingdom, there are strict rules which govern the minimum distances which must be observed when aircraft and other equipments approach emitters of high frequency radio transmissions.

Foreign Tank Manufacturers

Mr. Rogers: To ask the Secretary of State for Defence what talks his Department has had regarding *(a)* offset arrangements or investments or *(b)* other topics with foreign tank manufacturers in the past year; and if he will make a statement.

Mr. Alan Clark: The Defence Export Services Organisation has negotiated an industrial participation (offset banking) memorandum of understanding with General Dynamics, the purpose of which is to encourage the US company to offer the British defence industry opportunities to bid for a share of the work on all General Dynamics' major defence programmes.

We have also had discussions on industrial participation with foreign tank manufacturers bidding for the Army Chieftain replacement programme. A formal agreement with Krauss Maffei is already in place.

Atomic Weapons Establishment (Unions)

Mr. Teddy Taylor: To ask the Secretary of State for Defence if he plans to impose restrictions on trade union membership to the atomic weapons establishment.

Mr. Neubert: No.

Equipment (Environmental Impact)

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Defence what literature has been published by his Department on the environmental impact of equipment produced to his Department's specifications.

Mr. Neubert: The environmental impact of Ministry of Defence equipment is considered in a variety of departmental publications.

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Defence what steps he takes to *(a)* evaluate the environmental friendliness of the production processes required to make equipment ordered by his Department and *(b)* set environmental pollution control conditions on the suppliers of equipment to his Department.

Mr. Neubert: The responsibility for ensuring that the production processes employed in making equipment for the Ministry of Defence meet the appropriate legislative and regulatory standards on environmental pollution control lies with the companies from which the equipment is procured.

Cappagh (Incident)

Ms. Short: To ask the Secretary of State for Defence if he will provide full details of any injuries sustained by civilians or members of the security forces as a result of the exchange of fire on the evening of 24 March in Cappagh, County Tyrone; and whether he will make a statement.

Mr. Archie Hamilton: On 24 March at Cappagh, County Tyrone, terrorists, without warning, opened fire on a member of the security forces in civilian clothes travelling in a civilian car. The Royal Ulster Constabulary is investigating the incident, including the possibility of any terrorist injuries. However, I can confirm that no member of the security forces or members of the public sustained injuries as a result of this attack.

Turkey

Mr. Amos: To ask the Secretary of State for Defence if he will meet the Turkish Defence Minister to discuss Turkey's defence capability in the light of the reduction in Bulgaria's defence forces; and if he will make a statement.

Mr. Archie Hamilton: My right hon. Friend will meet his Turkish colleague at NATO meetings later this month. A range of current defence issues will be discussed, including progress on conventional arms negotiations which would lead to reductions in NATO and Warsaw pact force levels in certain categories.

Longmoor Training Area (Hunts)

Mr. Meale: To ask the Secretary of State for Defence if he will revoke the licences that allow the Goschen foxhounds, Chiddingfold, Leconfield and Cowdray foxhounds, and the Hampshire hunt to hunt on the site of special scientific interest Ministry of Defence training area at Longmoor.

Mr. Neubert: It is the Department's policy to permit access to Ministry of Defence land for recreational purposes, including hunting, wherever operational and safety considerations permit, where it is consistent with the interests of tenants and licensees and where it does not unreasonably affect local amenities and the environment. In the case of Longmoor, those criteria, including taking into consideration the site of special scientific interest, have been met.

The site of special scientific interest was designated by the Nature Conservancy Council, whose staff closely monitor the area to ensure that users of the land do not damage the site. As this recreational pursuit is not causing any damage to the site of special scientific interest, we do not propose to revoke the licences that allow the Goschen foxhounds, Chiddingfold, Leconfield and Cowdray foxhounds, and the Hampshire hunt to hunt over this area.

Shackleton Fleet

Mr. Macdonald: To ask the Secretary of State for Defence when he last reviewed the age and airworthiness of the RAF Shackleton fleet; whether he has any plans for a further review; and if he will make a statement.

Mr. Archie Hamilton: The airworthiness of the Shackleton is kept under regular review. Age is not in itself a material factor.

Military Aircraft (Statistics)

Mr. Simon Hughes: To ask the Secretary of State for Defence (1) how many *(a)* crashes and *(b)* near misses have occurred for each year since 1960 in which military aircraft carrying radioactive material have been involved; and if he will make a statement;

(2) how many aeroplane flights occurred in 1989 in United Kingdom air space in which radioactive material for military purposes was carried; and if he will make a statement.

Mr. Archie Hamilton: It is not our practice to give information of the kind requested on the transport of defence nuclear materials. I can confirm, however, that there has never been an accident involving transportation of defence materials in the United Kingdom which has led to the release or a serious risk of release of radiation or radioactive contamination.

Narvik (Commemoration)

Mr. Kaufman: To ask the Secretary of State for Defence why his Department refuses to provide support for veterans of the Narvik operation wishing to travel to Narvik for the 50th anniversary commemoration on 26 to 28 May.

Mr. Neubert: There is no provision in the defence budget to provide financial assistance to enable ex-service personnel to attend commemoration ceremonies and we are unable to offer any other assistance to veterans wishing to attend the Narvik 50th anniversary commemorations.

Radiation

Mr. Gordon Brown: To ask the Secretary of State for Defence if he will authorise a case control study in Fife to examine the possible link between nuclear radiation and the incidence of leukaemia or cancer.

Mr. Neubert *[holding answer 26 April 1990]:* The Government base their policy on these matters on the independent advice of the Committee on Medical Aspects of Radiation in the Environment (COMARE). In its advice to Government on the Gardner report on 2 April 1990, COMARE said it did not wish to see multiple independent studies, which would cause undue inconvenience to the small number of individuals and families concerned. COMARE also recommended some form of co-ordination of research to ensure the best possible use of resources. Responsibility for that co-ordination, and for instituting any study of the sort proposed, is a matter for my right hon. and learned Friend the Secretary of State for Health, whose Department has set up a co-ordinating group on which the Ministry of Defence is represented.

Mr. Gordon Brown: To ask the Secretary of State for Defence what is the average individual radiation dose, whole body equivalent, for all Rosyth dockyard workers involved or who have been involved in the nuclear programme.

Mr. Neubert *[holding answer 26 April 1990]:* The average individual lifetime radiation dose for those workers currently registered as employed at Rosyth dockyard in the defence radiological protection service's record keeping system is 79·61 mSv. Data for employees who have previously ceased radiation work are not readily available and could be provided only at disproportionate cost.

Mr. Gordon Brown: To ask the Secretary of State for Defence if he is reviewing the maximum permitted radiation dosages in milliSieverts for any one year.

Mr. Neubert *[holding answer 26 April 1990]:* My Department takes radiation exposure matters very

seriously indeed and continues to operate a limit of 30 mSv, which is substantially below the statutory limit of 50 mSv. Radiation exposures are authorised only on the basis that they are justified, comply with Ministry of Defence and statutory limits, and are as low as reasonably practicable. The Ministry's policy over many years has been based on the recommendations of the International Commission on Radiological Protection.

Mr. Gordon Brown: To ask the Secretary of State for Defence what is the total occupational whole body equivalent radiation exposure of Rosyth dockyard workers in milliSieverts, for each year since the onset of the nuclear programme.

Mr. Neubert *[holding answer 26 April 1990]:* The cumulative radiation doses of all workers in Rosyth dockyard, for each of the years 1979 to 1989 inclusive, are shown in the following table. These figures include the cumulative radiation doses of employees monitored for exposure to ionising radiations by the local issue of direct reading dosimeters while employed under a written system of work. Figures for earlier years are not readily available and could be provided only at disproportionate cost.

Cumulative radiation dose—Rosyth dockyard

Year	*Cumulative dose (mSv)*
1989	4,202
1988	2,738
1987	2,294
1986	2,670
1985	4,197
1984	6,478
1983	7,811
1982	5,288
1981	5,818
1980	6,793
1979	8,144

SOCIAL SECURITY

Asbestosis

Mr. Spearing: To ask the Secretary of State for Social Security if he will state the number of claims for asbestosis-related diseases made to each of the eight special medical boards during 1988 together with the respective numbers in which disease was diagnosed.

Mr. Scott: The available information is in the table.

Initial references and diagnoses of asbestosis-related diseases 1988

Medical boarding centre	*Initial references*	*Positive diagnoses*
Cardiff	174	77
Glasgow	270	131
London	400	238
Manchester	261	110
Newcastle	278	126
Sheffield	169	110
Stoke	69	44
Swansea	33	16
All centres	1,654	852

Notes: Prescribed diseases included are PD D1, D3, D8 and D9. Figures included for PD D1 relate only to references when the claimant had worked in the asbestos industry.

War Pensions

Mr. Tony Lloyd: To ask the Secretary of State for Social Security if he will make a statement in respect of the application by Mr. HS, reference M8/221641, for war disablement pension, on the length of time it took the report from the war pensions committee of 28 October 1987 to be received by the social security central office, war pensions branch, in May 1989, and on the length of time it took to compile a report from the general surgeon concerning this case.

Mrs. Gillian Shephard: The war pensions committee which met on 28 October 1987 recommended that an independent medical examination should be carried out on Mr. HS and that his case should then be reviewed by the Department. The examination was arranged by the solicitors acting for Mr. HS and took place on 29 June 1988. A report of the examination was received by the Department in May 1989. As the report was inconclusive the Department's doctors decided in July 1989 that Mr. HS should be examined by a general surgeon. An examination was carried out in August 1989 but the surgeon's report was not received by the Department until February 1990. Unfortunately this, too, was inconclusive. The Department's doctors therefore requested a further consultant examination which took place on 4 April. As soon as this report is received it will be referred to the Department's doctors, and Mr. HS will be notified of the outcome as soon as possible afterwards. Of course, if Mr. HS's claim is successful payment will be backdated.

Cohabitation Rule

Mr. Tony Lloyd: To ask the Secretary of State for Social Security what advice he gives to local offices about determining whether a couple are living together for the purpose of assessing benefit entitlement.

Mrs. Gillian Shephard: The Secretary of State does not give advice on this matter. It is for the chief adjudication officer to issue such guidance, a copy of which is available in the Library.

Income Support

Ms. Short: To ask the Secretary of State for Social Security if he will publish a table showing the rise in real values of income support using the statutory uprating dates of September to September between 1988-89 and 1990-91 for (i) a single person aged 18 to 24 years, (ii) a single person aged 25 years, (iii) a couple, (iv) a couple with two children under 11 years, (v) a single parent with one child under 11 years and (vi) a pensioner.

Mrs. Gillian Shephard: The information requested is in the table.

	April 1988 rates (£)	*April 1988 rates at September 1989 prices*[1] (£)	*Actual rates April 1990* (£)
Single aged 18 to 24	26·05	28·69	28·80
Single aged 25	33·40	36·79	36·70
Couple (one aged 18 or over)	51·45	56·67	57·60
Couple with two children under 11	79·10	87·12	89·65

	April 1988 rates (£)	April 1988 rates at September 1989 prices[1] (£)	Actual rates April 1990 (£)
Single parent (aged 18 or over) with one child under 11	54·00	59·48	60·50
Pensioner aged 60 to 74	44·05	48·52	48·50
Pensioner aged 75 to 79	44·05	48·52	51·10
Pensioner aged 80 or over/60 or over and disabled	46·45	51·16	53·75

[1] Based on the movement in the index of retail prices less housing costs between September 1987 and September 1989.

Mr. Flynn: To ask the Secretary of State for Social Security if he will publish a table showing the value of income support as a proportion of average net male earnings in 1990-91, using an estimate of average earnings for (i) a couple with two children aged under 11 years, (ii) a single person aged under 25 years, (iii) a single person over 25 years, (iv) a couple, (v) a single pensioner and (vi) a single mother with one child aged under 11 years.

Mrs. Gillian Shephard: I refer the hon. Member to my reply to the hon. Member for Peckham (Ms. Harman) on 1 February 1990 at column *347*. Figures on which to provide estimates will not be available until July.

Erythropoletic Porphyria

Mr. Ashley: To ask the Secretary of State for Social Security how many people in the United Kingdom are estimated to be suffering from the disease congenital erythropoletic porphyria.

Mr. Scott: This information is not available.

Residential Care Homes

Mr. Hinchliffe: To ask the Secretary of State for Social Security if he will consider the introduction of a graduated system of income support payments to persons in residential care, with higher levels of payment being made available to those in smaller homes, as a means of reducing the financial incentives which encourage the establishment of larger homes.

Mrs. Gillian Shephard: Under the new funding arrangements for community care, taking effect from April 1991, local social services authorities will have discretion to determine the fees they are prepared to meet. Accordingly we see no need to consider changing the income support rules in the way proposed.

Mr. Meacher: To ask the Secretary of State for Social Security if, pursuant to his answer of 23 April, *Official Report*, column *36*, he will provide such information as is available to him on a sample basis about the shortfall in residential and nursing home fees above the income support limits.

Mrs. Gillian Shephard: I refer the hon. Member to my replies to him on 4 April at column *682* and to the hon. Member for Sheffield, Brightside (Mr. Blunkett) on 15 February at columns *376-78*. Centrally held data on actual charges are not statistically reliable, but in the year ended August 1989 it is estimated that just over half all claimants in residential and nursing homes had fees at or below the appropriate limit.

Social Security Spending

Mr. Flynn: To ask the Secretary of State for Social Security if he will publish a table showing the real rise in social security spending between 1978-79 and 1989-90 broken down into the different factors that have contributed to the rise.

Mr. Scott: Total social security spending increased in real terms between 1978-79 and 1989-90 by nearly £14,000 million, or around 35 per cent. There have been many reasons for this growth. While it is not possible to evaluate the exact effect of every factor, the Government's increased provisions for the elderly and for disabled people, and improved benefit schemes such as family credit, have been significant. So, too, have economic changes such as the increase in unemployment in the first half of the decade, and the rise in rents, and demographic changes such as the growth in numbers of lone parents and the steady reduction in the number of widows. The table shows, in real terms, spending on benefits for the various client groups, in 1978-79 and 1989-90.

Real terms benefit spending in 1978-79 and 1989-90 by client group
£ million at 1989-90 prices

Client group	1978-79	1989-90
Elderly people	20,460	25,550
Sick and disabled people	5,850	9,520
Family (including lone parents)	5,875	9,200
Unemployed people	3,210	4,740
Widows and orphans	1,615	1,240
Total	37,010	50,250

Unemployment Benefit

Mr. Flynn: To ask the Secretary of State for Social Security how much is unemployment benefit for a single person and a couple as a proportion of average net male earnings in 1989-90; and if he will estimate similar figures for 1990-91.

Mrs. Gillian Shephard: The information for April 1989 is available from table 6.1b of the Department's "*Abstract of Statistics for Index of Retail Prices, Average Earnings, Social Security Benefits and Contributions.*" A copy of this publication is in the Library. The information for April 1990 cannot be estimated until the earnings figures for April 1990 are known.

Family Credit

Ms. Short: To ask the Secretary of State for Social Security how much family credit rose in real terms using the statutory uprating dates of September to September between 1988-89 and 1990-91 for (i) a single parent with one child under 11 years and (ii) a couple with two children under 11 years old.

Mrs. Gillian Shephard: The family credit rates for 1990-91 represent increases over those for 1988-89 which exceed the rise in the RPI (excluding housing costs) over the two-year period to September 1989 by the following overall amounts:

(1) for a couple or lone parent with one child under 11: £2·70 or 6·4 per cent.

(2) for a couple or lone parent with two children under 11: £4·30 or 8·9 per cent.

Employment (21-hour Rule)

Mr. Fatchett: To ask the Secretary of State for Social Security, further to the reply of 30 April, what steps he will take to make available to the public instructions to be given to his officials about the application of the 21-hour rule.

Mrs. Gillian Shephard: Existing information given to officials concerning the application of the 21-hour rule is published by Her Majesty's Stationery Office in the "Adjudication Officer's Guide", volume 3, and in the "Income Support Manual", section 3, which are available in the Library. The clarification referred to in my reply of 30 April will be published by Her Majesty's Stationery Office in an income support circular.

Housing Benefit

Mr. Paice: To ask the Secretary of State for Social Security if he will give the housing benefit entitlement of a widow aged 75 years, living alone, whose sole income is £46 per week with savings of less than £3,000 paying rent of *(a)* £20 per week, *(b)* £25 per week, *(c)* £30 per week, *(d)* £35 per week and *(e)* £40 per week.

Mrs. Gillian Shephard: A 75-year-old widow, with this level of income and capital, would be entitled to maximum housing benefit because her personal allowance (applicable amount) of £51·10 is greater than her income. On the assumption that all the rent was eligible for housing benefit, and that the accommodation was not unreasonably expensive, this means that each of the rent levels quoted would be met in full. Such a claimant would also be well advised to apply for income support to bring her income up to the full amount of £51·10 provided for in the income support personal allowances.

Family Incomes

Mr. Frank Field: To ask the Secretary of State for Social Security if he will publish an analysis of the composition of the lowest quintile of income in 1979 on the same basis as in "Households Below Average Incomes" identifying the proportion of families that are *(a)* married pensioners, *(b)* single pensioners, *(c)* married with children, *(d)* married without children, *(e)* single with children and *(f)* single without children; and whether he will publish separate data before and after housing costs.

Mrs. Gillian Shephard *[holding answer 12 March 1990]:* The information requested is in the table.

Lowest quintile of equivalised household income in 1979

Persons by family type (percentages)	*Before housing costs*	*After housing costs*
Married pensioner	18	18
Single pensioner	17	16
Married couple with children	41	42
Married couple without children	6	6
Single person with children	10	10
Single person without children	8	8
All family types	100	100

HOME DEPARTMENT

Juvenile Offenders

6. **Mr. Alexander:** To ask the Secretary of State for the Home Department what assessment his Department has made of the success of community-based penalties in preventing juveniles from re-offending.

49. **Mr. Gill:** To ask the Secretary of State for the Home Department what assessment he has made of the effectiveness of community-based penalties in preventing juveniles from re-offending.

Mr. Stevens: To ask the Secretary of State for the Home Department what assessment he has made of the effectiveness of community-based penalties in preventing juveniles from re-offending.

Mr. Waddington: The available information suggests that young offenders who receive community penalties are less likely to be reconvicted than those who receive custodial sentences.

21. **Mr. Burns:** To ask the Secretary of State for the Home Department what steps are being taken to make parents more responsible for crimes committed by their children.

37. **Mr. Hague:** To ask the Secretary of State for the Home Department what steps are being taken to make parents more responsible for crimes committed by their children.

44. **Dr. Goodson-Wickes:** To ask the Secretary of State for the Home Department what steps are being taken to make parents more responsible for crimes committed by their children.

Mr. John Patten: The White Paper "Crime, Justice and Protecting the Public" sets out proposals for strengthening the statutory provisions relating to parents' attendance at court with their children; parents' payment of their children's fines; and the binding over of parents of convicted juvenile offenders.

Mr. Speller: To ask the Secretary of State for the Home Department what steps he is taking to enable young offenders to complete day centre requirements of probation orders while undertaking youth employment training.

Mr. Waddington: We are concerned that young offenders' training needs and benefit entitlements should not be adversely affected by their attendance at day centre programmes as a condition of a probation order. To this end, we have agreed with the Training Agency that day centre attendance should be integrated with the youth training scheme. Arrangements for this were promulgated in January. This should ensure that 16 and 17-year-old offenders do not lose their eligibility for income support as a result of attending a day centre.

Unemployed adult offenders attending day centres on weekdays remain eligible for benefit provided that they are seeking work at the same time as part of the day centre programme or on the days when they do not attend the day centre.

Prison Statistics

8. **Mr. Fishburn:** To ask the Secretary of State for the Home Department what is the current prison population; what it was one year ago; and what projections he has made for the prison population over the next five years.

Mr. Wood: To ask the Secretary of State for the Home Department what is the current prison population; what it was one year ago; and what projections he has made for the prison population over the next five years.

Mr. Waddington: I refer my hon. Friends to the answer given earlier today to a question from my hon. Friend the Member for Staffordshire, Moorlands (Mr. Knox).

20. **Mr. Yeo:** To ask the Secretary of State for the Home Department what recent representations he has received regarding the size of the prison population.

Mr. Mellor: The Home Office has answered a number of inquiries about the current, and expected future levels of the prison population.

Her Majesty's Prison, Leicester

14. **Mr. Janner:** To ask the Secretary of State for the Home Department what representations he has received concerning conditions in Her Majesty's prison, Leicester.

Mr. Mellor: Within the last 12 months we have responded to five parliamenary questions on conditions in Her Majesty's prison, Leicester. The governor of Her Majesty's prison, Leicester has also responded to a number of representations made by interested parties.

Cocaine

15. **Mr. John Greenway:** To ask the Secretary of State for the Home Department what percentage of seizures of cocaine, in the most recent years for which figures are available, was of cocaine entering the United Kingdom from member states of the European Community.

26. **Mr. Irvine:** To ask the Secretary of State for the Home Department what percentage of seizures of cocaine, in the most recent years for which figures are available, was of cocaine entering the United Kingdom from member states of the European Community.

Mr. Mellor: Of the total amount of cocaine seized by Customs in 1989, some 64 per cent. by weight—equivalent to 267 kgs—was known to have been consigned from or routed through other member states of the European Community. These are provisional figures.

The corresponding final figures for 1988 and 1987 are 36 and 24 per cent. respectively.

Birmingham Pub Bombings

16. **Mr. Allen:** To ask the Secretary of State for the Home Department if he has now consulted the Lord Chief Justice on the Birmingham pub bombings case.

Mr. Waddington: I have not consulted the Lord Chief Justice on this case.

64. **Mr. Cohen:** To ask the Secretary of State for the Home Department what steps he has taken to prevent material in police archives relating to the Birmingham pub bombings case from being destroyed or tampered with.

Mr. Waddington: I understand that the West Midlands police and the Devon and Cornwall constabulary have made arrangements to ensure that all material in their possession relating to the Birmingham pub bombings case is stored in secure conditions pending the outcome of further inquiries into the safety of the convictions of the Birmingham Six.

Rape

17. **Mr. Janman:** To ask the Secretary of State for the Home Department what was the average sentence imposed for the crime of rape for the latest period for which figures are available and for 1979.

32. **Mr. David Davis:** To ask the Secretary of State for the Home Department what was the average sentence imposed for the crime of rape for the latest period for which figures are available and for 1979.

Mr. John Patten: In England and Wales, the average sentence length for rape was 6·2 years in 1988, compared with four years in 1979.

Car Security

18. **Mr. Andrew Mitchell:** To ask the Secretary of State for the Home Department what information he has on efforts made by motor manufacturers in the last year to improve the quality of car security.

Mr. John Patten: I refer my hon. Friend to the reply given earlier to a question from my hon. Friend the Member for Fulham (Mr. Carrington).

Violent Crime

19. **Mr. Bell:** To ask the Secretary of State for the Home Department how many crimes of violence against the person were reported to police forces in England and Wales in 1989; and by what percentage they changed over 1988.

Mr. John Patten: A total of 177,000 offences of violence against the person were recorded in England and Wales in 1989, an increase of 12 per cent. compared with 1988. In Cleveland, the increase was 2 per cent.—40 more offences. Some of the increase in recorded figures is the result of more crimes being reported to the police.

33. **Mr. Hind:** To ask the Secretary of State for the Home Department what proportion of total crime is made up of violent and sexual crimes.

Mr. John Patten: Six per cent. Further information is given in Home Office statistical bulletin 10/90, a copy of which is available in the Library.

Neighbourhood Watch

22. **Mr. Norris:** To ask the Secretary of State for the Home Department how many neighbourhood watch schemes are now established in England and Wales.

47. **Miss Emma Nicholson:** To ask the Secretary of State for the Home Department how many neighbourhood watch schemes are now established in England and Wales.

Mr. John Patten: At the end of December 1989 there were estimated to be over 81,000 neighbourhood watch schemes in England and Wales, compared to 64,000 at the end of December 1988, an increase of 26·5 per cent.

46. **Mr. Colin Shepherd:** To ask the Secretary of State for the Home Department how many neighbourhood watch schemes are now in operation; and what assessment he has recently made as to their effectiveness in crime prevention.

Mr. John Patten: At the end of December 1989 there were estimated to be over 81,000 neighbourhood watch schemes in England and Wales.

Studies have shown that neighbourhood watch schemes, where carefully designed and implemented, have contributed to a reduction in crime and fear of crime in some areas. It has also been shown that members of neighbourhood watch schemes are more likely than others to take crime prevention measures and to report suspicious incidents to the police; and they appreciate a greater sense of security.

Religious Cults

23. **Mr. Meale:** To ask the Secretary of State for the Home Department if he will issue a direction to the BBC to refrain from the broadcasting of matters likely to promote religious cults or their associated training organisations.

Mr. Mellor: No. My power to impose broadcasting restrictions on the BBC under clause 13(4) of their licence and agreement is exercised only in extreme circumstances and when it is in the national interest to do so. In other circumstances, programme content is a matter for the broadcasting authorities which operate independently of Government. The BBC is aware of its impartiality obligations, which mean that programmes should not promote any particular viewpoint on religious or other subjects.

Sunday Trading

24. **Mr. Andrew MacKay:** To ask the Secretary of State for the Home Department if he has received recent representations on Sunday trading legislation.

Mr. Mellor: Yes. Since last I answered a similar question from my hon. Friend the Member for Hendon, South (Mr. Marshall) on 16 March, 11 written representations broadly in favour of Sunday trading and nine against have been received.

Dog Breeding

25. **Mr. Colvin:** To ask the Secretary of State for the Home Department if he will review the Breeding of Dogs Act 1973.

Mr. Peter Lloyd: As I indicated during the Adjournment debate on puppy farms on 21 December, the Government are considering amendments to the 1973 Act which would improve the way in which the Act is enforced and so bring illegal and unlicensed dog breeding establishments under the control of the law.

Prison Education

27. **Mr. Harry Greenway:** To ask the Secretary of State for the Home Department how much money was spent on *(a)* prison education generally and *(b)* prison education at Strangeways prison in the past two years; and if he will make a statement.

Mr. Mellor: Total expenditure on education in *(a)* prison establishments generally and *(b)* HM prison Manchester for the two most recent years available was:

Year	*Total £'000*	*HM prison Manchester £'000*
1988-89	25,200	246
1987-88	21,400	237

Remand Prisoners

28. **Mr. Sheerman:** To ask the Secretary of State for the Home Department what is the average length of time now spent by prisoners awaiting trial on remand in custody in the United Kingdom.

Mr. Mellor: Provisional figures for 1989 indicate that the average time spent on remand in prison service establishments, prior to the finding of the court, is about 53 days for males and 45 days for females.

51. **Ms Quin:** To ask the Secretary of State for the Home Department if his Department has any new proposals for the treatment of remand prisoners.

Mr. Mellor: Governors are to be given discretion to vary visits to unconvicted prisoners by relatives and friends. This will enable longer, less frequent visits to be allowed instead of brief daily visits, which often have to be limited to 15 minutes because of pressure on the facilities available.

A pilot scheme to reduce routine censorship of the correspondence of unconvicted prisoners to a 5 per cent. sample started on 1 February in three local prisons. We shall soon be assessing the results of the trial and considering whether the change should be extended.

Another pilot scheme is being established at Winchester prison to enable unconvicted prisoners to use cardphones subject to certain safeguards. If the scheme is successful, cardphones will be installed for such prisoners at other prisons and remand centres.

Prison Conditions

29. **Mr. Gow:** To ask the Secretary of State for the Home Department whether he is satisfied with conditions in Her Majesty's prisons.

Mr. Mellor: While modern prisons are built and operated to high standards, the conditions in some establishments—particularly local prisons and remand centres where the problems are exacerbated by overcrowding—leave a lot to be desired. Unfortunately, one effect of the recent disturbances is to increase the pressures, and thereby worsen conditions, elsewhere in the prison system. We are determined to see improvements as soon as possible.

We shall continue to tackle the problem of overcrowding by the dual strategy of encouraging the use of non-custodial sentences and prison building, which has proved successful to date. My right hon. and learned Friend has already announced his intention to place more emphasis on refurbishing existing prisons and, in particular, to speed up the provision of integral sanitation. At the same time, levels of regime activity are being improved, or where they are already good, sustained.

56. **Mr. Maclennan:** To ask the Secretary of State for the Home Department by what date he will end the practice of slopping out in Her Majesty's prisons.

Mr. Mellor: The Government are committed to providing access to sanitation in prisons. Already the majority of prison places have such access. We are looking at ways of providing access for three quarters of all places within the next few years, and of ensuring that the remaining places are provided with access as quickly as possible thereafter.

Police Pay and Conditions

30. **Mr. Beith:** To ask the Secretary of State for the Home Department whether he will list the issues on which he has, during the last year, declined to implement the results of arbitration on police pay and conditions.

Mr. Peter Lloyd: On 4 January this year my right hon. and learned Friend declined to implement in full recommendations made to him on police rent allowance by the Police Negotiating Board after both sides of the board had gone to arbitration.

36. **Mr. Patrick Thompson:** To ask the Secretary of State for the Home Department what has been the real increase in a police constable's pay over the last 10 years.

Mr. Peter Lloyd: I refer my hon. Friend to the reply given to a question from my hon. Friend the Member for Medway (Dame Peggy Fenner) earlier today.

Prisoners (Europe)

31. **Mr. Wallace:** To ask the Secretary of State for the Home Department whether he has made any assessment of the treatment of prisoners in other European countries.

Mr. Mellor: The Home Office is regularly in touch with officials in other European countries, and views and information on the treatment of prisoners are exchanged.

Reporting of Offences

34. **Mr. Win Griffiths:** To ask the Secretary of State for the Home Department what was the change in offences reported to police forces in England and Wales in 1989 *(a)* by total and *(b)* by percentage over 1988.

Mr. John Patten: The total number of crimes recorded by the police in 1989 was 154,000 more than in 1988, an increase of 4 per cent.

Prison Staffing

35. **Mr. Hinchliffe:** To ask the Secretary of State for the Home Department if he will make a statement on prison staffing levels.

Mr. Mellor: On 1 April 1990 there were more than 20,500 principal, senior and basic grade officers in post in establishments, an unprecedently high level. A total of 3,300 additional officers have joined the staff of the service in the past three years to enable new places to open and to meet in full management's commitment under the fresh start framework agreement. Plans are in hand to recruit up to 1,295 more in 1990-91.

On 11 April my right hon. and learned Friend announced plans for the speeding up of the recruitment of 200 of the officers who were due to join later this year, in recognition of the stress which the prison service is suffering as a result of the disturbances at Strangeways and elsewhere. Lord Justice Woolf has the task of looking into all the background to these disturbances and staffing levels will no doubt be an element of his inquiry.

Bill of Rights

38. **Mr. Atkinson:** To ask the Secretary of State for the Home Department if he has any plans to enter into discussions with the political parties to discuss a Bill of Rights.

Mr. Peter Lloyd: No.

West Midlands Police

39. **Mr. Mullin:** To ask the Secretary of State for the Home Department when he received the special branch document reference No. 10368/74; and what action he has taken.

58. **Mr. Jim Marshall:** To ask the Secretary of State for the Home Department when he received the special branch document reference No. 10368/74; and what action he has taken.

Mr. John Patten: I refer the hon. Members to the reply given earlier to the hon. Member for Brent, East (Mr. Livingstone).

Drugs Intelligence Unit

40. **Mr. Evennett:** To ask the Secretary of State for the Home Department what is the establishment figure for the police national drugs intelligence unit; and what was the figure five years ago.

Mr. Peter Lloyd: I refer the hon. Member to the reply I gave to my hon. Friend the Member for Edmonton (Dr. Twinn) on 25 January 1990 at column *870*.

Firearms

41. **Mr. McAllion:** To ask the Secretary of State for the Home Department what steps he is taking to reduce the incidence of crimes in which firearms are used with intent to injure.

Mr. Peter Lloyd: We have taken a number of steps to deter the use of firearms in crime and to prevent their availability to criminals which have continuing effect. These include the firearms amnesty in 1988 in which almost 43,000 firearms were removed from circulation; the stricter controls on the possession of firearms and shotguns, including the prohibition of the more lethal types of weapons, introduced under the Firearms (Amendment) Act 1988; and, under the Criminal Justice Act 1988, increased penalties for the illegal possession of a shotgun and for possessing or carrying a firearm in the furtherance of crime.

Criminal Damage

42. **Dr. Kim Howells:** To ask the Secretary of State for the Home Department how many crimes of criminal damage were reported to the police forces in England and Wales in 1989; and by what percentage these changed over 1988.

Mr. John Patten: A total of 630,000 offences of criminal damage were recorded by the police in 1989—6 per cent. more than in 1988.

Special Constabulary

43. **Mr. Pawsey:** To ask the Secretary of State for the Home Department if he has any plans to increase the number of applicants coming forward from the ethnic communities to join the special constabulary.

Mr. Peter Lloyd: A number of forces are taking measures to encourage members of the ethnic minority communities to join the special constabulary. The Government will be undertaking a national advertising campaign later this year to supplement local recruitment efforts.

Crack

45. **Mr. Duffy:** To ask the Secretary of State for the Home Department how many cases of the possession of the drug crack are known to the South Yorkshire police; and what further action he plans for South Yorkshire to deal with this potential threat.

Mr. Peter Lloyd: Figures supplied to the national drugs intelligence unit, which may not be complete, show that the South Yorkshire police have made two seizures of crack. In addition, in the course of police investigations, a number of other people in South Yorkshire had admitted to the use of crack. The illicit supply and misuse of drugs will continue to be investigated by the police and, under the new drug prevention initiative announced last year, we are willing to consider the provision of assistance for the implementation of any local drug prevention measures.

Prison Governors

48. **Mr. Harris:** To ask the Secretary of State for the Home Department in restructuring prison department management what importance he intends to give to the need for an enhanced managerial role for prison governors.

Mr. Mellor: A number of changes in the prison service over the past few years have been specifically designed to enhance the managerial role of prison governors in their establishments, most notably the introduction of devolved budgeting and the fresh start package of reforms.

Royal Commission on the Police

50. **Mr. Morgan:** To ask the Secretary of State for the Home Department whether he will now establish a Royal Commission on the police to set guidelines for the force.

Mr. Peter Lloyd: We have no plans to do so.

Rule 43 Prisoners

52. **Mr. Alex Carlile:** To ask the Secretary of State for the Home Department how many prisoners by establishment are currently held on rule 43; and if he will make a statement.

Mr. Mellor: The information is given in the table.

Prisoners in Prison Service establishments in England and Wales on 28 February 1990 removed from association under Prison Rule 43 and Young Offender Institution Rule 46: by establishment

Establishment and type	*Number*
Remand centres	
Brockhill	8
Cardiff	6
Dorchester	1
Exeter	3
Feltham	6
Hindley	2
Hull	13
Low Newton	6
Norwich	1
Pucklechurch	2
Swansea	3
Winchester	10
Local prisons	
Bedford	41
Birmingham	25
Bristol	44
Brixton	33
Canterbury	39
Cardiff	23
Chelmsford	42
Dorchester	5
Durham	185
Exeter	36
Gloucester	44
Holloway	4
Hull	81
Leeds	187
Leicester	25
Lewes	23
Lincoln	76
Liverpool	226
Manchester	97
New Hall	9
Norwich	21
Oxford	11
Pentonville	60
Preston	2
Reading	11
Risley	16
Shrewsbury	13
Swansea	42
Wandsworth	430
Winchester	50
Wormwood Scrubs	51
Training prisons	
Acklington	2
Albany	7
Blundeston	9
Bullwood Hall	3
Camp Hill	20
Channings Wood	3
Cookham Wood	1
Coldingley	4
Dartmoor	32
Frankland	50
Full Sutton	108
Garth	4
Gartree	6
Haverigg	1
Lindholme	28
Littlehey	4
Long Lartin	7
Maidstone	4
Nottingham	5
Northeye	7
Parkhurst	14
Preston	3
Ranby	1
Shepton Mallet	4
Stafford	7
Standforth Hill	1
Stocken	3

Establishment and type	Number
Styal	9
Swaleside	9
Wakefield	29
Wayland	9
Wymott	7
Young offender institutions	
Aylesbury	2
Bullwood Hall	3
Feltham	5
Hollesley Bay	16
The Mount	30
Northallerton	29
Onley	2
Portland	7
Stoke Heath	10
Styal	1
Swinfen Hall	3
Wellingborough	1
Wetherby	1
Whatton	1
All establishments	2,525

Sir Charles Irving: To ask the Secretary of State for the Home Department what information he has on sexual and physical abuse of rule 43 offenders and of deliberate contamination of their food.

Mr. Mellor: Allegations of assault on rule 43 prisoners during the recent disturbances at Manchester prison are being investigated. No information is available centrally or at regional level about complaints from other rule 43 prisoners of sexual or physical abuse. In the past year, six rule 43 prisoners at different establishments have submitted petitions alleging contamination of their food by other prisoners. Prison staff are alert to this possibility and take precautions to obviate opportunities for such action.

Crime Statistics

53. **Mr. Murphy:** To ask the Secretary of State for the Home Department in how many police force areas in England and Wales reported crime fell in 1989.

Mr. John Patten: Six. The information is published in table 8 of Home Office statistical bulletin 10/90, a copy of which is available in the Library.

61. **Mr. Clelland:** To ask the Secretary of State for the Home Department when he next plans to meet the Chief Constable of Northumbria to discuss crime figures.

69. **Mr. John P. Smith:** To ask the Secretary of State for the Home Department when he next plans to meet the Chief Constable of Dorset to discuss crime figures.

Mr. Peter Lloyd: My right hon. and learned Friend has no plans to do so at the present time.

Drug Demand Reduction

54. **Mr. Rathbone:** To ask the Secretary of State for the Home Department what drug demand reduction activities the Government plan to follow up the world ministerial drugs summit in London on 9 to 11 April.

Mr. Mellor: My right hon. Friend the Prime Minister announced in her opening address to the world ministerial drugs summit our plans to establish a United Kingdom task force to advise other countries on ways of reducing the demand for drugs. This task force will draw on the fund of experience and expertise which is available in the United Kingdom on such measures as community drug prevention initiatives, drugs education and publicity and programmes for the treatment and rehabilitation of drug misusers.

A detailed, 35-point political declaration, a copy of which is in the Library, was adopted unanimously at the conclusion of the summit. As well as committing all countries represented to give higher priority to demand reduction, the London declaration contains a host of useful practical guidance on specific measures which can or should be taken to reduce demand. We intend to honour fully the commitments undertaken on behalf of the United Kingdom, and we shall be looking to other countries and interested organisations represented at the summit to do the same. We are considering more specific ways in which the summit can be followed up.

Police (Amendment) Regulations

55. **Mr. Latham:** To ask the Secretary of State for the Home Department what representations he has received from police officers regarding the Police (Amendment) Regulations; and what reply he has sent.

Mr. Peter Lloyd: My right hon. Friend has received a large number of representations on this subject from police officers, from hon. Members on behalf of police officers and from police representative organisations. In response he has explained his reasons for setting aside certain aspects of the Police Negotiating Board agreement on rent allowance. He has also made a number of important changes to his original proposals to meet points which were raised.

Child Pornography

57. **Mrs. Maureen Hicks:** To ask the Secretary of State for the Home Department what consideration is being given to tougher penalties for child pornography.

Mr. John Patten: We have no plans to increase the maximum penalties for child pornography offences. The maximum penalty for some offences is already three years' imprisonment. In addition, a new offence was introduced by the Criminal Justice Act 1988 of possession of an indecent photograph of a child with a penalty of a fine of up to £2,000.

Sound Broadcasting, London

59. **Mr. McCrindle:** To ask the Secretary of State for the Home Department if he will make a statement on the prospective arrangements for competitive sound broadcasting in the London area.

Mr. Mellor: During the past few months six of the IBA's incremental radio contractors have come on air in London to provide alternatives to the existing BBC and IBA local radio stations. Four more are due to start later this year, one covering Heathrow and Gatwick. Under the Broadcasting Bill currently before Parliament the new Radio Authority will be able to advertise further licences in the future. The areas covered will depend on audience demand and frequency availability.

Immigration

60. **Mr. Teddy Taylor:** To ask the Secretary of State for the Home Department what is his estimate of the total number of citizens of Macao who will be entitled to settle in the United Kingdom; and what is the scope of dependants and relatives who will be permitted to join such persons.

Mr. Peter Lloyd: I understand that, under Portuguese law, about 90,000 residents of Macao are entitled to Portuguese nationality. Under European Community law a national of a member state is entitled to enter and reside in any other member state for the purpose of exercising rights conferred by the treaty of Rome. In the case of Portuguese nationals, however, these rights do not include the right to take employment in this country until 1 January 1993. A person exercising treaty rights is entitled to be accompanied by his or her spouse, descendants under 21 years of age and dependants in the ascending and descending lines.

Court Houses

62. **Mr. Amess:** To ask the Secretary of State for the Home Department how many new court houses have been open since 1979.

Mr. John Patten: Thirty-one, including the major improvement of existing buildings as well as new construction.

Voluntary Sector Funding

63. **Mr. Barry Field:** To ask the Secretary of State for the Home Department what plans he has to implement the recommendations contained in the efficiency scrutiny report on Government funding for the voluntary sector.

Mr. John Patten: Home Office officials—and those in other Departments concerned—will be preparing action plans to review their grant programmes in the light of the principles set out in the statement of policy towards the voluntary sector given in my right hon. and learned Friend's answer to a question from my hon. Friend the Member for Daventry (Mr. Boswell) on 4 April 1990 at column *639* and of the recommendations of the scrutiny report.

Daylight Saving

65. **Mr. Flynn:** To ask the Secretary of State for the Home Department when he will introduce proposals to introduce daylight saving.

Mr. Peter Lloyd: We are still considering the results of the consultation exercise.

Terrorism

66. **Mr. Hunter:** To ask the Secretary of State for the Home Department if he will make a further statement on the measures which are being taken to combat international terrorism.

Mr. Waddington: The Government remain fully committed to the fight against terrorism, and will continue to play a leading role in the various international bodies of which the United Kingdom is a member in order to strengthen and improve counter-terrorist co-operation. The Trevi group provides a forum in which information about terrorist threats and incidents can be passed rapidly between EC member states and agreement reached on effective, practical measures. The United Kingdom also conducts bilateral exchanges with a wide range of countries to strengthen further international co-operation. I recently had such meetings with the Ministers of the Interior for France and Czechoslovakia. I am meeting the Minister of the Interior for Portugal tomorrow, 4 May, and I shall be meeting European Community colleagues collectively at the next meeting of Trevi Ministers in Dublin in June.

Sexual Violence

67. **Mrs. Golding:** To ask the Secretary of State for the Home Department how many crimes of sexual violence were reported to the police forces in England and Wales in 1988.

Mr. John Patten: The information requested is published in table 6 of Home Office statistical bulletin 10/90, a copy of which is available in the Library.

Drug Traffickers (Confiscation of Assets)

68. **Mr. Ian Taylor:** To ask the Secretary of State for the Home Department what was the value of drug traffickers' assets ordered to be confiscated by the courts in 1988; and what estimate he has as to the likely figure for 1989.

Mr. John Patten: The latest figures, which are in respect of confiscation orders made in 1987 and 1988, are given in table 7.25 of "Criminal Statistics, England and Wales 1988", a copy of which is in the Library. These show that £8·1 million was ordered to be confiscated in 1988. Data for 1989 will not be available until autumn 1990. The current estimate by the national drugs intelligence unit of the cumulative total of confiscation orders made since the Drug Trafficking Offences Act came into force in January 1987, is in excess of £16 million.

Security Industry

Mr. Cousins: To ask the Secretary of State for the Home Department whether he will place the July 1989 report of the working group on self-regulation of the security industry in the Library; and when his Department expects to complete its consideration of this report.

Mr. John Patten: I hope that consideration of the report will be completed in the near future.

Commission for Racial Equality

Mr. Tim Smith: To ask the Secretary of State for the Home Department how many people are members of the Commission for Racial Equality; and how many of them are of *(a)* black Caribbean, black African or other black, *(b)* Indian, *(c)* Pakistani and *(d)* Bangladeshi origin.

Mr. John Patten: There are 14 members of the Commission for Racial Equality, including the chairman and deputy chairmen, of whom three are of black Caribbean, black African or other black origin; two of Indian origin; one of Pakistani origin and one of Bangladeshi origin.

Correspondence

Mr. Steen: To ask the Secretary of State for the Home Department when he hopes to reply to the letter dated 10 April from the hon. Member for South Hams concerning Laurent Derioz and his application for British nationality.

Mr. Peter Lloyd: I wrote to the hon. Member on 1 May 1990.

Security Services Commissioner

Mr. Winnick: To ask the Secretary of State for the Home Department when it is expected that the security services commissioner will be submitting his first report to the Prime Minister; and if he will indicate the information which the report is likely to contain.

Mr. Waddington: Section 4(5) of the Security Service Act 1989 requires the commissioner to make an annual report on the discharge of his functions under the Act to the Prime Minister: the format and content of the report are matters for the commissioner himself to determine. I understand that Lord Justice Stuart-Smith intends to make his first report as soon as is practicable after the end of this year.

Winchester Three

Mr. Harry Barnes: To ask the Secretary of State for the Home Department what are the total costs of the imprisonment of the Winchester Three.

Mr. Mellor: Based upon average weekly operating costs at each establishment in which they were held, the total cost of the imprisonment of the Winchester Three was £161,000.

Mr. Harry Barnes: To ask the Secretary of State for the Home Department how many *(a)* police officers and *(b)* law officers were involved in the initial detention, arrest and the preparations for trial of the Winchester Three; and what were the costs in each case.

Mr. Waddington: The information at *(a)* could be obtained only at disproportionate cost. Prosecution costs are a matter for my right hon. and learned Friend the Attorney-General.

Prison Management

Mr. Butler: To ask the Secretary of State for the Home Department if he will postpone the implementation of the management structure review of the prison service pending Lord Justice Woolf's report on the riots in Strangeways.

Mr. Mellor: My right hon. and learned Friend announced on 11 January that changes to the organisation of the prison service would be made at the end of September along the lines recommended last August in the report of a study by a joint PA Consulting Group and prison service team. The work needed to give effect to those changes is on course. My right hon. and learned Friend received a request from the Prison Governors Association on 3 April that the reorganisation should be reconsidered in the light of the Manchester riot and he will respond to the association shortly.

Fresh Start

Mr. Fatchett: To ask the Secretary of State for the Home Department if he will name the public relations consultants employed by his Department in relation to the introduction of fresh start for prison officers.

Mr. Mellor: No public relations consultants were employed. Fresh start was developed and introduced by the prison service in consultation with PA Management Consultants.

Prisoners (Police Cells)

Mr. Cox: To ask the Secretary of State for the Home Department what was the number of *(a)* men and *(b)* women being held in police stations cells in England and Wales on 30 April.

Mr. Mellor: On 30 April 1990 there were 496 prisoners in police cells in England and Wales. All were male.

Public Relations

Mr. Grocott: To ask the Secretary of State for the Home Department whether he has any plans to appoint a public relations adviser.

Mr. Waddington: My principal advisor on public relations is Mr. Adrian Moorey, director of information, who joined the Home Office on 17 April 1990 following the transfer of his predecessor to the Foreign and Commonwealth Office. I shall continue to seek advice from other sources as and when the need arises.

Parliament Square (Coach Parking)

Mr. Adley: To ask the Secretary of State for the Home Department what representations have been received by the Metropolitan Commissioner from parliamentary authorities concerning coach parking in the vicinity of Parliament square; and if he will make a statement.

Mr. Peter Lloyd: The police devote considerable resources to enforcing the law on illegal parking. I understand that the Serjeant at Arms wrote to the Commissioner on 5 April about coach parking in the vicinity of Parliament square following a point of order raised by my hon. Friend. The assistant commissioner replied on 17 April.

Prisoners (AIDS and HIV)

Mr. Key: To ask the Secretary of State for the Home Department how many *(a)* prisoners and *(b)* remand prisoners in England and Wales are known to *(i)* have AIDS and (ii) be HIV positive.

Mr. Mellor: On 25 April 1990 the prison population of England and Wales included 41 sentenced and six unsentenced prisoners reported as having been identified as HIV antibody positive.

Hilda Murrell

Mr. Dalyell: To ask the Secretary of State for the Home Department if he will call for a report on the progress of investigations into the murder of Hilda Murrell, of Shrewsbury, on 21 March 1984.

Mr. Peter Lloyd: The investigation into the death of Miss Hilda Murrell is an operational matter for the police. However, I understand from the Chief Constable of West Mercia that a suspect has been identified and papers have been forwarded to the Crown prosecution service which is considering the matter.

Police Recruitment Examinations

Mr. Shersby: To ask the Secretary of State for the Home Department what steps he is taking to replace the police initial recruitment examinations; and if he will make a statement.

Mr. Peter Lloyd: In February this year the Police Advisory Board standing committee on conditions of service agreed that a new initial recruitment test should be prepared. We hope shortly to be inviting tenders for a contract to devise the new test.

Mentally Ill Prisoners

Sir Charles Irving: To ask the Secretary of State for the Home Department how many mentally ill offenders were given custodial sentences by magistrates courts in each year from 1985 to 1989; and what steps he is taking to reduce these figures.

Mr. John Patten: Such information is not available centrally.

Guidance to courts on avoiding sending mentally disordered offenders to prison is provided in "The Sentence of the Court" (HMSO), a new edition of which will be published shortly. This guidance has been revised to encourage courts to use their powers to remand to hospital under the Mental Health Act 1983 or making attendance at or admission to hospital a condition of bail. Statistical information on the use of such powers was published in Home Office statistical bulletin 28/88 "Statistics of Mentally Disordered Offenders, England and Wales, 1985 and 1986", a copy of which is in the Library.

Prisons (Deaths)

Mr. Sheerman: To ask the Secretary of State for the Home Department if he will list all deaths during 1989 and the first quarter of 1990 of persons detained in prison department establishments, stating in each case the age and sex of the inmate, the cause of death, the inquest verdict, whether the inmate was sentenced or on remand, the establishment where the inmate was detained, and whether the death occurred there or in an outside hospital.

Mr. Mellor: The information is given in the table. Deaths occurred within the establishment unless otherwise indicated.

Deaths of persons detained at Prison Service establishments
1 January 1989 to 31 March 1990

Date	*Establishment*	*Age*	*Sex*	*Status*[3]	*Cause of death*	*Inquest verdict*
1989						
1 January	Manchester	51	M	S	Heart attack	Natural causes
3 January	Reading	27	M	R	Diabetes	Natural causes
4 January	Brixton	30	M	R	Hanging	Open
11 January	Castington	19	M	S	Hanging	Accidental
12 January	Durham	22	M	S	Hanging	Suicide
12 January	Wellingborough	19	M	S	Hanging	Accidental
18 January	Manchester	60	M	R	Hanging	Suicide
21 January	Canterbury[1]	24	M	S	Hanging	Open
27 January	Winchester	27	M	S	Hanging	Suicide
3 February	Canterbury	32	M	R	Hanging	Suicide
14 February	Liverpool[1]	55	M	S	Heart attack	Natural causes
16 February	Leeds	18	M	R	Hanging	Suicide
25 February	Brixton	45	M	R	Heart attack	Natural causes
25 February	Stafford	27	M	S	Hanging	Open
25 February	The Verne[1]	48	M	S	Heart attack	Natural causes
25 February	Liverpool[1]	31	M	S	Heart attack	Natural causes
5 March	Frankland	34	M	S	Hanging	Suicide
9 March	Durham	31	M	R	Hanging	Suicide
15 March	Wandsworth	43	M	S	Cut artery	Suicide
17 March	Pentonville	30	M	I	Brain tumour	Natural causes
18 March	Liverpool	48	M	S	Hanging	Suicide
19 March	Liverpool	32	M	S	Hanging	Suicide
22 March	Pentonville	35	M	S	Drug poisoning	Misadventure
23 March	Gloucester[1]	22	M	R	Burns	Misadventure
25 March	Risley	19	F	R	Hanging	Open
31 March	Maidstone	48	M	S	Heart attack	Natural causes
12 April	Littlehey	29	M	S	Cut artery	Suicide
19 April	Leeds[1]	48	M	S	Cancer	Natural causes
21 April	Preston	40	M	S	Heart attack	Natural causes
25 April	Brixton	52	M	R	Hanging	Open
26 April	Sudbury	38	M	S	Heart attack	Natural causes
27 April	Stafford[1]	24	M	S	Pneumonia	Natural causes
28 April	Lewes	19	M	S	Hanging	Suicide
30 April	Brixton[1]	23	M	R	Hanging	Suicide
8 May	Dartmoor	23	M	S	Hanging	Suicide
13 May	Winchester	23	M	R	Hanging	Suicide
15 May	Manchester	18	M	R	Hanging	Suicide
17 May	Risley	28	F	R	Hanging	Not yet held
25 May	Stafford	22	M	S	Hanging	Suicide
26 May	Manchester[1]	27	M	R	Hanging	Suicide

Date	Establishment	Age	Sex	Status[3]	Cause of death	Inquest verdict
3 June	Brixton	39	M	R	Hanging	Accidental
13 June	Manchester	47	M	R	Not known	Not yet held
19 June	Liverpool	42	M	S	Heart attack	Natural causes
10 July	Exeter	25	M	R	Hanging	Suicide
10 July	Brixton	25	M	R	Hanging	Open
19 July	Lancaster	22	M	S	Hanging	Suicide
19 July	Ackington	49	M	S	Heart attack	Not yet held
31 July	Norwich[1]	42	M	S	Heart attack	Natural causes
2 August	Stafford	46	M	S	Cancer	Not yet held
4 August	Leicester[1]	28	M	R	Kidney failure	Natural causes
5 August	Rochester	22	M	R	Hanging	Suicide
6 August	The Verne	35	M	S	Heart attack	Not yet held
14 August	Birmingham	25	M	S	Asthmatic attack	Natural causes
18 August	Brixton[2]	41	M	S	Hanging	Open
24 August	Full Sutton	33	M	S	Heart attack	Natural causes
26 August	Brixton	25	M	R	Hanging	Not yet held
31 August	Wormwood Scrubs	29	M	R	Hanging	Suicide
13 September	Garth	28	M	S	Hanging	Suicide
26 September	Cardiff	25	M	R	Hanging	Accidental
30 September	Shepton Mallet	21	M	S	Hanging	Suicide
1 October	Rochester	18	M	R	Hanging	Not yet held
15 October	Canterbury	24	M	R	Hanging	Suicide
18 October	Brixton	35	M	R	Hanging	Accidental
19 October	Stafford	50	M	S	Lung disease	Natural causes
20 October	Bristol	26	M	R	Hanging	Suicide
22 October	Norwich	52	M	S	Heart attack	Natural causes
23 October	Channings Wood	26	M	S	Heart attack	Natural causes
24 October	Rochester	49	M	S	Heart attack	Not yet held
31 October	Hindley	19	M	R	Hanging	Suicide
2 November	Brixton	33	M	R	Pneumonia	Not yet held
3 November	Wandsworth	69	M	S	Not known	Not yet held
4 November	Swansea	18	M	R	Hanging	Not yet held
13 November	Leeds	52	M	R	Hanging	Suicide
19 November	Stafford	53	M	S	Cancer	Not yet held
6 December	Brixton	58	M	R	Heart attack	Natural causes aggravated by lack of care
10 December	Long Lartin	29	M	S	Cut artery	Suicide
10 December	Shepton Mallet	31	M	S	Influenza	Natural causes
23 December	Manchester	19	M	S	Hanging	Not yet held
24 December	Glen Parva	19	M	S	Hanging	Not yet held
28 December	Liverpool	39	M	R	Brain haemorrhage/ pheumonia	Not yet held
1990						
6 January	Durham	20	M	S	Hanging	Not yet held
6 January	Bristol	22	M	S	Hanging	Suicide
10 January	Lincoln	46	M	R	Suffocation	Open
14 January	Winchester	69	M	R	Unknown	Not yet held
25 January	Manchester	37	M	R	Hanging	Not yet held
10 February	Reading[1]	35	M	S	Brain haemorrhage	Not yet held
14 February	Winchester	19	M	R	Hanging	Not yet held
21 February	Camp Hill	24	M	S	Hanging	Not yet held
22 February	Bedford	29	M	R	Hanging	Not yet held
28 February	Hindley[1]	18	M	R	Hanging	Not yet held
2 March	Brixton	29	M	R	Hanging	Not yet held
2 March	Manchester	37	M	R	Hanging	Not yet held
3 March	Pentonville	34	M	R	Asphyxiation	Misadventure
14 March	Wakefield	56	M	S	Heart attack	Not yet held
16 March	Durham	27	M	S	Hanging	Not yet held
23 March	Bristol	31	M	R	Hanging	Not yet held

[1] Inmate died in an outside hospital.
[2] Inmate died in a Crown court cell.
[3] Status: S—Sentenced; R—Remand; I—Immigration Act detention.

Charity Mailing Lists

Mr. Speller: To ask the Secretary of State for the Home Department if he will introduce legislation to prevent registered charities' mailing lists from being used to tout for business from the members of such charities by banking service firms.

Mr. Mellor: The Government have no present plans to do so. If there is any evidence of a breach of the Data Protection Act, it should be brought to the attention of the Data Protection Registrar.

Prison Officers (Suicides)

Mr. Sheerman: To ask the Secretary of State for the Home Department how many prison officers are known to have committed suicide in each of the last 10 years.

Mr. Mellor: Before 1 January 1990 no central records were kept of the causes of death among prison officers and this information could be provided only at disproportionate cost. Since 1 January 1990 one prison officer is known to have committed suicide.

Wakefield Prison

Mr. Hinchliffe: To ask the Secretary of State for the Home Department (1) what is the total additional days' leave granted to staff at Her Majesty's prison, Wakefield, arising from the temporary transfer of staff to Her Majesty's prison, Manchester;

(2) if he will allocate additional staff at Her Majesty's prison, Wakefield to enable prison officers who have undertaken duties at Her Majesty's prison, Manchester, to take the special trauma leave that they have been granted;

(3) what advice has been given by his Department to the governor of Her Majesty's prison, Wakefield, as to how staffing levels in the prison can be maintained at safe levels while *(a)* prison officers who have been temporarily deployed at Her Majesty's prison, Manchester, take leave that they have subsequently been granted and *(b)* other officers who covered duties for those absent from Her Majesty's prison, Wakefield, take time off that is due to them.

Mr. Mellor *[holding answer 27 April 1990]:* The governor of Her Majesty's prison, Wakefield will assess locally the impact of both additional leave granted to staff attending the disturbance at Her Majesty's prison, Manchester (the amount of which is still being calculated) and additional hours accumulated at Wakefield by covering for colleagues on duty at Manchester. He will then, using this assessment and information from the staff planning and reporting system (SPAR), plan officers' leave and time off in lieu (TOIL). If he identifies any problems he will seek assistance from regional management. This process needs to be completed before regional management can assess whether additional staff might need to be sent to Wakefield on a temporary basis.

On 11 April my right hon. and learned Friend announced that, in recognition of the stress which the prison service has suffered, he would be bringing forward the recruitment of 200 officers originally planned for later this year. When these officers are available they will be posted following an assessment by management of which establishments are under particular pressure.

Written Answers to Questions

Friday 4 May 1990

ENVIRONMENT

Wild Birds

Ms. Walley: To ask the Secretary of State for the Environment if he will publish the reply the Minister for the Environment and Countryside promised to the hon. Member for Liverpool, Mossley Hill (Mr. Alton) on 15 February, *Official Report*, column *409*.

Mr. Trippier: Copies of my letter were placed in the Library today.

Returnable Containers

Mr. Pawsey: To ask the Secretary of State for the Environment what action is being considered by his Department to encourage the use of returnable containers especially with regard to those made from glass and plastic.

Mr. Heathcoat-Amory: The Environmental Protection Bill will require every local authority involved in waste collection or disposal to make plans that will give priority to the recovery of containers for reuse and recycling wherever practicable. Different systems of recovery will be appropriate in different areas, but it is our intention to review all systems in preparing the White Paper on the environment and we hope to publish guidance for local authorities to assist them in their choice of method. In doing so we shall take account of all the environmental implications, including storage, energy and transport costs, when comparing the use of returnable containers with those that can more easily be recycled.

River Pollution

Mr. David Nicholson: To ask the Secretary of State for the Environment what representations he has had from the National Rivers Authority over the funding of its monitoring of pollution discharges; what response he has made; and if he will make a statement.

Mr. Heathcoat-Amory: I refer my hon. Friend to the answer I gave on 24 April to my hon. Friend the Member for Pembroke (Mr. Bennett), at column *121*.

Nitrates

Mr. Ron Davies: To ask the Secretary of State for the Environment what assessment he has made of the cost of the implementation of the European Community rules for nitrates in surface waters on British farms.

Mr. Heathcoat-Amory: The European Commission has not published a compliance cost assessment for the proposed directive on nitrates. Without this it is difficult at present to assess the implementation costs for British farms.

Water Metering

Mr. O'Brien: To ask the Secretary of State for the Environment when he expects the additional progress report on the national water meter trials to be available in the Library.

Mr. Barry Field: To ask the Secretary of State for the Environment when he expects to receive the report on the national water metering trials; and when he expects to publish it.

Mr. Heathcoat-Amory: I understand that the national water metering trials co-ordinating committee intends to publish a second interim report towards the end of June. A copy of the report will be placed in the Library.

Pollution Report No. 28

Mr. Quentin Davies: To ask the Secretary of State for the Environment when he intends to publish the Department of the Environment pollution report No. 28.

Mr. Heathcoat-Amory: Pollution report No. 28, "UK Blood Lead Monitoring Programme 1984-1987: Results for 1987", was published today and a copy of the report has been placed in the House of Commons Library.

The report shows the detailed results of a programme of monitoring carried out by the Department of the Environment, in conjunction with local authorities, health authorities and police forces. Summary results were published in the Department's "Digest of Environmental Protection and Water Statistics" No. 11 in February 1989.

Local Government Finance

Dr. Cunningham: To ask the Secretary of State for the Environment if he will list all those Acts of Parliament since 1979 which have a direct application to local government, indicating those which are concerned with local government finance.

Mr. David Hunt *[holding answer 1 May 1990]:* Public general Acts of Parliament between June 1979 and the end of the last Session of Parliament which affect local authorities in England include:

Education Act 1979
Justices of the Peace Act 1979[2]
Representation of the People Act 1980
Child Care Act 1980
Foster Children Act 1980[2]
Residential Homes Act 1980[2]
Police Negotiating Board Act 1980
Education Act 1980
Transport Act 1980
Coroners Act 1980
Magistrates Courts Act 1980[2]
Housing Act 1980
Local Government, Planning and Land Act 1980[1]
Highways Act 1980[2]
European Assembly Elections Act 1981
Water Act 1981
Public Passenger Vehicles Act 1981
Disused Burial Grounds (Amendment) Act 1981
Statute Law (Repeals) Act 1981
Animal Health Act 1981
Food and Drugs (Amendment) Act 1981
Fisheries Act 1981
Representation of the People Act 1981
Town and Country Planning (Minerals) Act 1981
Zoo Licensing Act 1981
Local Government and Planning (Amendment) Act 1981
Education Act 1981

New Towns Act 1981[2]
Compulsory Purchase (Vesting Declarations) Act 1981[2]
Acquisition of Land Act 1981[2]
Wildlife and Countryside Act 1981
Travel Concessions (London) Act 1982
Fire Service College Board (Abolition) Act 1982
Children's Homes Act 1982
Planning Inquiries (Attendance of the Public) Act 1982
Social Security and Housing Benefits Act 1982
Food and Drugs (Amendment) Act 1982
Local Govenment (Miscellaneous Provisions) Act 1982
Local Government Finance Act 1982[1]
Derelict Land Act 1982
Representation of the People Act 1983[2]
Water Act 1983
Level Crossings Act 1983
Miscellaneous Financial Provisions Act 1983
Mobile Homes Act 1983
Litter Act 1983
Social Security and Housing Benefits Act 1983
Education (Fees and Awards) Act 1983
Health and Social Services and Social Security Adjudications Act 1983
Local Authorities (Expenditure Powers) Act 1983
Town and Country Planning Act 1984
Education (Grants and Awards) Act 1984
Public Health (Control of Disease) Act 1984[2]
Registered Homes Act 1984
Road Traffic Regulation Act 1984[2]
Housing and Building Control Act 1984
Food Act 1984[2]
London Regional Transport Act 1984
Rates Act 1984[1]
Cycle Tracks Act 1984
Animal Health and Welfare Act 1984
Housing Defects Act 1984
Local Government (Interim Provisions) Act 1984
Building Act 1984[2]
New Towns and Urban Development Corporations Act 1985
London Regional Transport (Amendment) Act 1985
Mineral Workings Act 1985
Cinemas Act 1985[2]
Town and Country Planning (Compensation) Act 1985
Wildlife and Countryside (Amendment) Act 1985
Local Government (Access to Information) Act 1985
Charter Trustees Act 1985
Further Education Act 1985
Food and Environment Protection Act 1985
Representation of the People Act 1985
Local Government Act 1985[1]
Town and Country Planning (Amendment) Act 1985
Wildlife and Countryside (Service of Notices) Act 1985
Child Abduction and Custody Act 1985
Transport Act 1985
Housing Act 1985[2]
Housing (Consequential Provisions) Act 1985[2]
Housing Associations Act 1985[2]
Weights and Measures Act 1985[2]
Education (Amendment) Act 1986
Museum of London Act 1986
Local Government Act 1986[1]
Statute Law (Repeals) Act 1986[1]
Highways (Amendment) Act 1986
Drainage Rates (Disabled Persons) Act 1986[1]
Civil Protection in Peacetime Act 1986
Health Service Joint Consultative Committees (Access to Information) Act 1986
Road Traffic Regulation (Parking) Act 1986
Children and Young Persons (Amendment) Act 1986
Airports Act 1986
Disabled Persons (Services, Consultation and Representation) Act 1986
Education Act 1986
Rate Support Grants Act 1986[1]
Education (No. 2) Act 1986
Housing and Planning Act 1986
Public Order Act 1986
Teachers' Pay and Conditions Act 1987
Rate Support Grants Act 1987[1]
Local Government Finance Act 1987[1]
Reverter of Sites Act 1987
Fire Safety and Safety of Places of Sport Act 1987
Local Government Act 1987[1]
Norfolk and Suffolk Broads Act 1988
Local Government Act 1988[1]
Coroners Act 1988[2]
Environment and Safety Information Act 1988
Education Reform Act 1988
Local Government Finance Act 1988[1]
Housing Act 1988
Rate Support Grants Act 1988
Police Officers (Central Service) Act 1989
Water Act 1989
Parking Act 1989
Control of Pollution (Amendment) Act 1989
Control of Smoke Pollution Act 1989
Common Land (Rectification of Registers) Act 1989
Representation of the People Act 1989
Children Act 1989
Local Government and Housing Act 1989[1]

[1] Concerns (at least in part) local government finance.
[2] Consolidation Act.

Not all the foregoing Acts were based on Bills introduced by the Government.

NATIONAL FINANCE

Civil Service (Language Skills)

Mr. Batiste: To ask the Chancellor of the Exchequer how many positions in the civil service are open only to those with a workable knowledge of one or more European Community languages other than English.

Mr. Ryder: The knowledge and experience required for particular posts in the civil service is a matter for the Minister responsible for each Department and the information requested is not held centrally.

Higher Rate Taxpayers

Mr. Barry Field: To ask the Chancellor of the Exchequer in the last period for which figures are available how many wives whose husbands paid higher rate tax had no declarable income.

Mr. Lilley: Provisionally estimates are that in 1990-91 about 700,000 wives whose husbands are liable to the higher rate of income tax have insufficient income to be liable to tax. A small proportion of these have no earned or investment income. Estimates are based on a projection of the distribution of income between husbands and wives reported in the 1987-88 survey of personal incomes.

Taxation

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer (1) what would be the estimated income from a 1p in the pound extra levy on income tax on graduates earning in excess of £16,000;

(2) what would be the estimated income from a 1p in the pound extra levy on income tax on graduates.

Mr. Lilley: I regret that the information could be provided only at disproportionate cost.

ENERGY

Euratom Safeguards

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Energy when he received a copy of the report on the operation of Euratom safeguards, SEC(90) 452 final, dated 26 March; and what evaluation he has made of its accuracy in regard to its reference to nuclear activities and plants in the United Kingdom.

Mr. Baldry: My officials received the report on the operations of Euratom safeguards on 10 April and copies have since been placed in the Library of the House. The report does not refer specifically to Euratom's inspection activities in any one member state; however, paragraph 58 of the report notes that in pursuing its inspection activities during 1988 Euratom did not obtain evidence of diversion of nuclear material.

DEFENCE

Service Museums

Mr. Viggers: To ask the Secretary of State for Defence what funding has been made available to museums operated by *(a)* the Royal Navy; *(b)* the Army and *(c)* the Royal Air Force during each of the last three years; and what funding is to be made available during the next year.

Mr. Archie Hamilton: Spending from Ministry of Defence votes for the years in question is as follows:

	1987-88 £ million	*1988-89 £ million*	*1989-90[2] £ million*	*1990-91[3] £ million*
Royal Navy Museums[1]	0·954	1·226	1·312	1·244
National Army Museum	1·582	1·722	2·607	2·974
Royal Air Force Museum	4·600	2·075	1·753	2·011

Notes:
[1]Includes: Royal Naval Museum.
Royal Naval Submarine Museum.
Royal Marines Museum.
Fleet Air Arm Museum.
[2]Estimated.
[3]Funding allocation.

All these museums are non-departmental public bodies (NDPBs) sponsored by the Ministry of Defence and funded by means of grants in aid. The figures do not include any moneys which might have been made available to the museums from other sources.

In addition, there are around 100 Army regimental and corps museums which are funded either directly from MOD votes or by local authorities or private institutions. The costs to MOD are not recorded centrally and could be obtained only at disproportionate cost.

Women at Sea

Mr. Sayeed: To ask the Secretary of State for Defence how many members of the WRNS have volunteered for sea service; what is his estimate of the number of Royal Navy personnel who are taking premature voluntary retirement or refusing to re-enlist because of the decision to employ women at sea in warships; and whether he has reviewed his policy on the posting of members of the WRNS to aircraft carriers and assault ships.

Mr. Archie Hamilton: To date 278 WRNS ratings and 90 officers have volunteered to go to sea this year. Of these, 147 ratings and 16 officers will be trained to serve on the first group of five ships currently being prepared to provide suitable accommodation. Further volunteers will be called for in due course and, from the autumn, all new entrants will have liability for sea service.

There is no evidence that RN personnel are refusing to re-enlist or taking premature voluntary retirement because of the decision to employ women at sea, and we do not intend to review that decision.

Turkey

Mr. Amos: To ask the Secretary of State for Defence if he will meet the Secretary-General of NATO to discuss the level of Turkish defence forces in the light of defence reductions by Bulgaria; and if he will make a statement.

Mr. Archie Hamilton: My right hon. Friend will be meeting Dr. Woerner at NATO meetings later this month. A range of current defence issues will be discussed, including progress on conventional arms negotiations which would lead to reductions in NATO and Warsaw pact levels in certain categories.

SGL Defence Ltd. and Link Miles Ltd.

Mr. Dalyell: To ask the Secretary of State for Defence if he will make a statement on the contractual relationship between his Department, SGL Defence Ltd. and Singer-Link-Miles.

Mr. Alan Clark: The Ministry of Defence has contracts with Link Miles Ltd. for a range of equipments, primarily aircraft simulators. It has no contracts with SGL Defence Ltd. Bilateral relations between Link Miles Ltd. and SGL Defence Ltd. are a matter for the companies themselves.

HOME DEPARTMENT

Breath Tests

Sir Ian Lloyd: To ask the Secretary of State for the Home Department in how many annual reports of county constabularies the classification under the heading breath tests includes a category no requirement or impairment; what is the total number of such tests administered; and how this is classified in the annual tables published by his Department.

Mr. Peter Lloyd: I understand that four county constabularies specify a category of "no requirement" or a category of "impairment" in the details of evidential breath tests recorded in their annual reports under breath tests. These categories cover circumstances where a person who is required to provide a specimen for analysis at a police station has been arrested either because of obvious signs of impairment or for other reasons and has not been required before arrest to take a roadside screening breath test. In the Home Office statistics of breath tests, England and Wales 1988, a copy of which was placed in the Library on 7 August 1989, it is shown in figure 1 (page 12) that, out of 126,500 drivers required to provide an evidential sample for analysis, 9,500 were arrested for impairment or for other reasons. Statistics for 1989 are not yet available.

Remand Prisoners

Mr. Flynn: To ask the Secretary of State for the Home Department how many prisoners were in *(a)* long-term *(b)* short-term and *(c)* remand prisons, respectively, in May 1979; how many prisoners are held in each prison at present; and what changes in capacity for each category of prison have taken place since May 1979.

Mr. Mellor: The information is not available in the form requested. Prison service establishments are generally categorised according to whether they hold young offenders or adults, sentenced or unsentenced, or a mixture of these. Long and short-sentenced prisoners are, in many cases, held in the same establishment.

Comparative information of population and certified normal accommodation (CNA) broken down by types of establishment is as follows:

	31 May 1979		*March 1990*	
	Pop	*CNA*	*Pop*[1]	*CNA*[2]
Local prisons[3] and remand centres (male)	19,290	13,578	19,898	14,421
Training prisons[4] (male)	14,462	15,360	19,874	20,933
Young offender institutions[5] (male)	7,160	7,696	5,889	6,976
Female establishments[6]	1,457	1,256	1,643	1,823
Total	42,369	37,890	47,304	44,153

[1] Population figures for Friday 30 March 1990.
[2] CNA figures for Sunday 11 March 1990.
[3] Holds sentenced and unsentenced adults and young offenders.
[4] Holds sentenced adults.
[5] Holds sentenced young offenders.
[6] All types of establishment.

Magistrates Courts

Mr. Lawrence: To ask the Secretary of State for the Home Department whether consultants have now been appointed to provide detailed and accurate estimates of cost for the different options for changing the management structure and organisation of the magistrates courts service.

Mr. John Patten: Following the consideration of tenders from a number of consultancy firms, Coopers and Lybrand Deloitte have been appointed to undertake the task. The consultants are expected to report by the end of August 1990.

Wakefield Prison

Mr. Hinchliffe: To ask the Secretary of State for the Home Department when he expects the number of uniformed prison officers at Her Majesty's prison, Wakefield, to reach the agreed staffing levels.

Mr. Mellor *[holding answer 27 April 1990]:* On 14 April there were 440 officers (including principal and senior officers and specialists) in post at HMP Wakefield. This was four officers below Wakefield's staffing requirement for 1990-91, although two of the posts are temporary and may no longer be needed. Regional management keep the staffing of HMP Wakefield under close review.

Court Houses

Mr. Frank Field: To ask the Secretary of State for the Home Department when he expects to publish new guidelines on the construction of court houses.

Mr. John Patten: We hope to publish new guidelines in the summer.

WALES

Nursery Education

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Wales what percentage of children in the three to four-year-old group are currently receiving pre-compulsory education in maintained schools in Wales.

Mr. Roberts: At January 1989, 82 per cent. of pupils aged three or four at 31 August 1988 were receiving education in maintained nursery and primary schools in Wales.

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Wales how many publicly maintained nursery schools there are currently in Wales.

Mr. Roberts: At January 1989, there were 56 maintained nursery schools in Wales.

Loft Insulation

Mr. Ron Davies: To ask the Secretary of State for Wales what was the total expenditure by his Department on grants towards the cost of loft insulation under the homes insulation scheme for *(a)* 1988-89 and *(b)* 1989-90.

Mr. Grist: Expenditure by the Department towards the cost of loft insulation under the homes insulation scheme amounted to £1·545 million in 1988-89 and £1·451 million in 1989-90. These amounts include administration fees to local authorities.

Badger Sett, Balgan

Mr. Alex Carlile: To ask the Secretary of State for Wales if he will make it his policy to make the badger sett at Balgan a wildlife reserve; and if he will make a statement.

Mr. Roberts: The powers under the National Parks and Access to the Countryside Act 1949 and the Wildlife and Countryside Act 1981 to designate sites as national or local nature reserves lie with the Nature Conservancy Council and the local authorities respectively.

Chernobyl

Mr. Alex Carlile: To ask the Secretary of State for Wales if he will make further provision to assist Welsh farmers still subject to restrictions on the sale and movement of their sheep as a result of radioactive contamination following the nuclear disaster at Chernobyl; and if he will make a statement.

Mr. David Hunt: Adequate provision already exists.

Visual Arts

Mr. Alex Carlile: To ask the Secretary of State for Wales if he will make it his policy to establish a resource centre for visual arts in Wales; and if he will make a statement.

Mr. Roberts: We have no plans for doing so.

SOCIAL SECURITY

Social Security Upratings

Mr. Cousins: To ask the Secretary of State for Social Security if he will publish a table showing the annualised notional provision made for poll tax in the April 1989 social security upratings.

Mrs. Gillian Shephard: The amounts included in income support levels in April 1989 provided help during 1989-90 towards the community charge in Scotland and domestic rates in England and Wales. They were equivalent to 20 per cent. of an annual payment of £229 for single people aged 18 to 24 and for each member of a couple, and £338 for single people aged 25 or over. Following the general uprating of benefits in April 1990, the equivalent figures for 1990-91 are £315 and £356 respectively. This gives a weighted average for all income support beneficiaries of £340, which may be compared with an average community charge liability for claimants in Great Britain of £340, after transitional relief.

Income Support

Mr. Meacher: To ask the Secretary of State for Social Security how many recipients of income support declare earnings *(a)* within the earnings disregard limit and *(b)* resulting in some reduction of benefit.

Mrs. Gillian Shephard *[holding answer 20 April 1990]:* The information is in the table:

	Claimant	*Partner*
Number of people with earnings up to the level of the disregard	32,000	5,000
Number of people with earnings above the level of the disregard	85,000	28,000

Note: These figures apply to individuals, not to claims.
Source: Annual Statistical Enquiry, May 1988.

PRIME MINISTER

Accountancy Firms

Mr. Austin Mitchell: To ask the Prime Minister whether she has sought to curb the award of Government contracts to accountancy firms criticised by the Department of Trade and Industry inspectors.

The Prime Minister: Not as a general act of policy and it would be wrong to do so. However, Government Departments are aware of the need before awarding such contracts to take into account all relevant considerations and to make such inquiries as are necessary to establish the professional competence of the firm concerned.

EC Economic and Political Union

Mr. Teddy Taylor: To ask the Prime Minister what steps her Ministers are taking to advise the general public on the implications of economic union and political union within the European Economic Community; and if she will make a statement.

The Prime Minister: I and my ministerial colleagues speak regularly both in public and in the House of Commons on the implications of both political union and economic and monetary union.

Interception of Communications

Sir John Wheeler: To ask the Prime Minister when the commissioner appointed under the Interception of Communications Act 1985 will present his annual report; and if she will make a statement.

The Prime Minister: A copy of Lord Justice Lloyd's fourth annual report, for 1989 has been laid before the House today in accordance with section 8(7) of the Interception of Communications Act 1985. The confidential appendix to the report has been excluded from that copy in accordance with section 8(8) of the 1985 Act. I am grateful to the commissioner for his work in keeping under review the issue of warrants and note that he remains satisfied that the Secretaries of State involved continue to exercise the greatest care in issuing warrants. Careful consideration is being given to the whole of the commissioner's report.

HEALTH

Eye Checks

Mr. O'Brien: To ask the Secretary of State for Health how many people had eye checks in March 1988, 1989 and 1990.

Mrs. Virginia Bottomley: Data on NHS sight tests are collected on a six-monthly, not a monthly, basis. During the six-month period ending 31 March 1988, 6·1 million sight tests were paid for in England; the comparable figure for the six months ending 31 March 1989 was 6·7 million. Figures on the number of NHS sight tests only for the six-month period ending 31 March 1990 are not yet available. These figures will not include details on the number of private sight tests carried out during that period and will not therefore be directly comparable.

Transplant Operation (Killingbeck Hospital)

Mr. Hinchliffe: To ask the Secretary of State for Health what representations have been made by his Department to either the Yorkshire regional health authority or the Leeds eastern authority regarding the recent heart and lung transplant operation performed on a three-year-old boy at Killingbeck hospital, Leeds; and if he will make a statement.

Mrs. Virginia Bottomley: We have drawn the attention of the regional health authority to the Department's policy on the provision of heart transplant services. Our policy, which is based on the advice of the supra-regional services advisory group and the Royal College of Surgeons, is that heart and heart-lung transplantation should be provided within the designated supra-regional units.

Residential Homes (Television Cameras)

Mr. Hinchliffe: To ask the Secretary of State for Health if, in the light of the recent decision by a registered homes tribunal in the case of Haughton *v.* Kirklees metropolitan council, he will make it his Department's policy actively to discourage the installation of closed-circuit televison cameras in residential or nursing homes.

Mrs. Virginia Bottomley: The installation of closed-circuit television is a matter for social services authorities to decide with respect to homes under their own management and for registration authorities where it affects private and voluntary homes. Authorities need to be sure that their use is fully justified in any particular home.

The installation of closed-circuit television cameras in residential or nursing homes may have a role to play in resident security and safety but it may constitute an invasion of privacy and lead to a reduction in personal contact between staff and residents.

Hospitals (Food Safety)

Mr. Hinchliffe: To ask the Secretary of State for Health what guidance is given by his Department to health authorities regarding monitoring the safety of food bought privately by patients, relatives or friends from outside premises for consumption within hospitals by patients.

Mrs. Virginia Bottomley: It is for health authorities to make any necessary arrangements for monitoring the safety of food in hospitals including any food brought in privately. In doing so they will draw on the hygiene guidance issued by the Department.

Regional Health Authorities

Mr. Ashley: To ask the Secretary of State for Health, pursuant to the answer to the right hon. Member for Stoke-on-Trent, South, 19 February, *Official Report*, column *544*, if he will rank the regional health authorities according to the growth money *(a)* they received per head of population in 1989-90 and *(b)* will receive on current assumptions in 1990-91.

Mrs. Virginia Bottomley: The table gives the ranking for each regional health authority according to the amount of cash increase over the previous baseline for the region, allocated per head of population for 1989-90 and 1990-91.

Region	*Ranking 1989-90*	*Ranking 1990-91*
Northern	9	8
Yorkshire	7	9
Trent	3	7
E Anglian	8	12
NW Thames	5	4
NE Thames	14	6
SE Thames	11	14
SW Thames	12	10
Wessex	1	11
Oxford	2	1
S. Western	4	13
W Midlands	6	3
Mersey	10	2
N Western	13	5

Notes:

1. 1989-90 is based on allocations for services provided within the region using the resource allocation working party formula. (RAWP).
2. 1990-91 is based on allocations for resident population calculated using the new allocation formula, adjusted for the effect of cross boundary flows, so that they are on comparable basis to 1989-90.
3. Both 1989-90 and 1990-91 are before the additions for SIFT, supra-regional services and other special items specific to individual regions.
4. Calculated using actual populations within regional administrative boundaries.

Creutzfeldt-Jakob Dementia

Mr. Ron Davies: To ask the Secretary of State for Health, pursuant to his reply to the hon. Member for Birmingham, Hodge Hill (Mr. Davis) of 2 February, *Official Report*, column *421*, if he will estimate the numbers of deaths from Creutzfeldt-Jakob dementia in each of the last five years by *(a)* county and *(b)* health authority; and what information is kept on the identity and medical history of CJD sufferers.

Mrs. Virginia Bottomley: Accurate information on numbers of cases of Creutzfeldt-Jakob disease and collated records of individuals' medical history are not at present available for the last five years. The study to be conducted by Dr. R. G. Will, with support from the Department of Health, will attempt to gather together this information from the recent past, as well as to collect it prospectively.

Whooping Cough Vaccine

Mr. Ashley: To ask the Secretary of State for Health what changes there have been in the nature of the whooping cough vaccine since it was first recommended for general use by his Department.

Mrs. Virginia Bottomley *[holding answer 30 March 1990]:* For reasons of commercial confidentiality it is not the practice of the Department to disclose information about commercial products. Requests for such information about licensed products should be made directly to the company holding the licence.

Mr. Ashley: To ask the Secretary of State for Health what is the estimated percentage efficacy of the whooping cough vaccine currently used in the United Kingdom; and from which research studies the figure was obtained.

Mrs. Virginia Bottomley *[holding answer 30 March 1990]:* The estimated efficacy of the current British whooping cough vaccine in preventing clinically typical disease is 80 per cent. The figure derives from a national study carried out in England and Wales during 1978-80.

Mr. Ashley: To ask the Secretary of State for Health (1) what comparative studies there have been of the efficacy and toxicity of the whole-cell whooping cough vaccine used in Britain as against the acellular one used in other countries;

(2) when, and for what reasons, his Department decided to investigate the value of whooping cough vaccines other than the whole-cell one.

Mrs. Virginia Bottomley *[holding answer 30 March 1990]:* It was decided that acellular vaccines should be studied when it became known that such vaccines were becoming available. In a phase two trial, three acellular vaccines (one made in Britain, one in France and one in Japan) have been compared with British whole-cell vaccine for toxicity and immune response. A phase three (main trial) study to compare the protective efficacy of one or more of these acellular vaccines with whole-cell vaccine is now being planned in the United Kingdom. These investigations into whole-cell and acellular vaccines are being undertaken by the Medical Research Council (MRC), which is the body funded by the Government to support clinical research. The MRC receives its grant in aid from the Department of Education and Science.

NHS Costs

Mr. Robin Cook: To ask the Secretary of State for Health, pursuant to his answer to the hon. Member for Livingston of 5 April, *Official Report*, columns *753-54*, if he will publish the average cost figures shown there adjusted by the HCHS pay and prices index.

Mrs. Virginia Bottomley *[holding answer 25 April 1990]:* Pursuant to the reply of 5 April 1990 at columns *753-54*, following is a table which shows the figures at 1989-90 prices revalued by the use of the hospital and community health services (HCHS) pay and prices index.

The source and general notes to the earlier reply continue to apply.

England—Average hospital costs

	In-patient case		*Out-patient case*		*Day case attendance*	
	£ *(cash)*	£ *(at 1989-90 prices)*	£ *(cash)*	£ *(at 1989-90 prices)*	£ *(cash)*	£ *(at 1989-90 prices)*
1979-80	466·72	1,108·28	61·58	146·23	35·80	85·01
1980-81	593·08	1,100·68	78·22	145·17	45·16	83·81
1981-82	640·40	1,098·40	87·55	150·16	51·74	88·74
1982-83	689·83	1,110·58	94·23	151·70	59·53	95·84
1983-84	687·74	1,053·29	98·21	150·41	58·71	89·92
1984-85	708·29	1,025·43	102·25	148·03	60·69	87·86
1985-86	718·94	989·89	108·88	149·91	65·80	90·60
1986-87	759·52	978·05	116·14	149·56	70·60	90·91

	Patients using a bed-consultant episode		*Out-patient referral*	
	£ *(cash)*	£ *(at 1989-90 prices)*	£ *(cash)*	£ *(at 1989-90 prices)*
1987-88	445·60	528·81	96·71	114·76

EMPLOYMENT

Employment Training

Mr. Leighton: To ask the Secretary of State for Employment what is the average time in London that training agents take to assess employment training clients' training needs and draw up an action plan.

Mr. Nicholls: The length of time a client spends in assessment will always vary according to individual needs. Some clients may need to spend several days with a training agent before a realistic action plan can be agreed. Others with a clear and realistic idea of their own employment aims can be referred directly to training with minimal need for counselling, assessment etc.

The average length of time that training agents in London take to assess employment training clients' needs and draw up an action plan is about five hours spread over one to two days.

Energy Grant

Mr. Ron Davies: To ask the Secretary of State for Employment what was the total expenditure by his Department on the administration of the energy grant through employment training in *(a)* 1988-89 and *(b)* 1989-90.

Mr. Nicholls: This information is not available.

Training and Enterprise Councils

Mr. McLeish: To ask the Secretary of State for Employment if trainees from ethnic minorities and trainees with special needs and projects covering both categories are excluded from the positive outcome criteria being used to deliver output-related funding for training and enterprise councils.

Mr. Eggar *[holding answer 3 May 1990]:* No.

SCOTLAND

Local Government Finance

Mr. Allan Stewart: To ask the Secretary of State for Scotland if he will make a statement about the profile of 1990-91 revenue support grant payments to Scottish local authorities.

Mr. Rifkind: Having considered the case submitted by the Convention of Scottish Local Authorities on 9 April and in particular the points they put to me about the effect of the introduction of the community charge transitional relief scheme on their billing arrangements, I have decided that the profile of revenue support grant payments for

1990-91 should be advanced so that authorities receive 25·2 per cent. of their total entitlement to grant by the end of May.

TRADE AND INDUSTRY

Osteopaths

Sir Gerard Vaughan: To ask the Secretary of State for Trade and Industry if he has plans to introduce legislation to permit osteopaths to advertise by direct mail; what representations he has had against such advertising from professional bodies; and if he will make a statement.

Mr. Forth: Representations against direct mail advertising have been received from the General Council and Register of Osteopaths (GCRO). The Secretary of State is considering these in the light of the Monopolies and Mergers Commission's recommendations on advertising by professionally regulated osteopaths.

Export Licences

Mr. Matthew Taylor: To ask the Secretary of State for Trade and Industry whether he will set up an inquiry into export licence applications and the way in which these are vetted within his Department.

Mr. Ridley: The administration of export licensing by my Department was thoroughly reviewed in 1988 and the need for changes to ensure that the controls remain effective, and are efficiently administered, is kept under continuous study.

Internal Market Council

Ms. Quin: To ask the Secretary of State for Trade and Industry which Minister from his Department is to attend the EC Internal Market Council on 8 May.

Mr. Ridley: The next meeting of the EC Internal Market Council is on 14 May; the United Kingdom will be represented by the Parliamentary Under-Secretary of State for Corporate Affairs.

Recycled Paper

Mr. Campbell-Savours: To ask the Secretary of State for Trade and Industry what measures are being considered for publishing nationally the advantages of recycling paper in order to stimulate demand for recycled paper products.

Mr. Forth *[holding answer 3 May 1990]:* We are considering a large number of options aimed at stimulating all parts of the recycling chain not just for paper but for a wide range of materials. The outcome of this examination will be put forward in the White Paper on the environment, due to be published in the autumn.

Obscene Telephone Calls

Ms. Gordon: To ask the Secretary of State for Trade and Industry when he expects to receive a report from British Telecom on the findings of its task force on obscene telephone calls; and if he will place it in the Library.

Mr. Forth *[holding answer 3 May 1990]:* This is a matter for the director general of Telecommunications, who has maintained a close interest in British Telecom's initiative on nuisance calls.

The report has been sent by British Telecom to the director general in view of his responsibilities under the Telecommunications Act 1984. He is currently considering the findings of the report.

"The Three Graces"

Mr. Bowis: To ask the Secretary of State for Trade and Industry whether he will further defer a decision on the application for a licence to export Antonio Canova's "The Three Graces"; and if he will make a statement.

Mr. Ridley *[pursuant to his reply, 2 March 1990, c. 344]:* On 2 March I announced that in considering whether or not to grant an export licence for heritage items I proposed from now on to take account of an offer to buy the object from any source, whether public or private. I then invited representations from people who might be affected by this change of policy. I received a number of comments on the proposal and, with my right hon. Friend the Minister for the Arts, have considered them very carefully. I can now confirm that offers to an owner from any source, whether public or private, will be taken into account in making the decision on the export licence. I believe that it would be useful now to set out in some detail the context of this change of policy and the reasons for it.

The purpose of the policy for controlling the export of heritage items is to provide a balanced system for retaining the most important items of our cultural heritage in this country. Retention has been the main consideration underlying the policy and will continue to be so in the future.

The policy which I am confirming today will ensure that our export control system provides reasonable protection for our heritage in an increasingly competitive world art market.

The Export of Goods (Control) Order 1989 prohibits, with very limited exceptions, the export without a licence of goods manufactured or produced more than 50 years before the date of export. The responsibility for granting or refusing a licence is mine, as the Secretary of State for Trade and Industry; however, in exercising these functions I am advised by my right hon. Friend the Minister for the Arts who in turn receives valuable advice from the reviewing committee on the export of works of art.

Our system is based on the procedures recommended in the report of the Waverley committee in 1952. This report proposed criteria for determining whether an object is of national importance. Where an individual licence is required and the reviewing committee considers that the item meets any of the Waverley criteria the policy up till now has been to defer consideration of the application for the licence for a short period, usually up to six months. The purpose of this deferral was to give a public institution in the United Kingdom the chance to make an offer to the owner at a specified price which the reviewing committee had recommended as the fair market price. The aim has been that an export licence should not normally be refused unless the owner has received an offer at the fair market price, or has made it clear that he would not accept such an offer were it to be made.

That such offers would be financed from public resources was assumed in the Waverley report. But it has always been possible for an offer to come from a private source. At all stages in the consideration of an application for a licence the applicant is free to accept, or indeed reject,

an offer from any source at any price. There has never been any question of the Government having power to accept or reject offers or to make anyone else do so.

The new policy is much the same as the old, with one important difference. Under the new policy there will be, as there is now, a deferral to enable an offer to be made to the owner at the fair market price recommended by the reviewing committee. It may be an offer from a public institution or from a private source. As now, the owner will be free to accept or refuse any offer. He may also, if he chooses, make it clear that he would not accept an offer from any source. If he does this or if there is an offer in existence following deferral, whether from a public or private source, this will be taken into account and normally a licence will be refused. Of course, if he accepts an offer the application for a licence will lapse. The new elements are that the existence of an offer from a private source will be taken into account when the decision on the export licence is made, as will a general refusal to consider offers from either source in advance of their being made.

So the existence of any offer from any source will influence my decision on whether an export licence should be granted. I should emphasise that the only decision I am empowered to take is whether to grant an export licence or not. I have no power to decide who is to be the owner of the item.

I must emphasise, too, that where a private offer for a heritage item is successful and the new owner then, at any time, wishes to sell or take the object abroad, he will be subject to the normal export licensing requirements.

The consequence of public ownership, which was assumed and encouraged by the Waverley report, has been to ensure public access to the objects purchased. Obviously I am keen that the public should have access to important heritage items, and the extent to which private offers involve some kind of arrangement enabling the public to have access could be an important factor in my consideration. Indeed, my right hon. Friend will be glad to use his good offices to assist in establishing such arrangements. But even where a private offer does not involve any kind of public access we should not presume that ultimately such access would never occur or that the item in question would never be publicly owned. Where an owner of a heritage item wishes to export it and refuses an offer from a private source which involves significant and continuing public access arrangements, I believe that normally he should not be granted a licence to export the item and even when minimal or no public access is provided for in an offer, I will wish to take the existence of that offer into account in deciding whether to grant an export licence. But I must reiterate that the main purpose of the controls is to retain these few important items in this country.

I believe that this extension of our policy to take account of private offers can only enrich our heritage. We have a long and continuing tradition in this country of private collections of antiques and works of art. Private ownership in this as in all other spheres is to be encouraged. It is neither possible nor desirable for the retention of major items of our heritage to be dependent on one source of funding—the taxpayer.

By encouraging the continuing injection of private money into the acquisition of heritage items, we will be creating a greater funding base for them. I am confident that this will enable a larger number of these outstanding heritage items to remain in this country.

It is my intention in due course to issue a revised "notice to exporters" containing guidance on the detail of procedures which will be put into effect as a result of the change of policy outlined above. When issued, a copy of this notice will be placed in the Libraries of both Houses.

I have carefully considered all the circumstances of the application for a licence to export "The Three Graces" by Canova, including the representations made by interested parties. I have noted the existence of the offer by Messrs. Barclay to purchase the statue at the price recommended by the reviewing committee. The choice before me, as I have said, is to refuse or to grant an export licence.

I have taken into account also the recommendation of my right hon. Friend the Minister for the Arts that a licence be refused. In all the circumstances, I have decided that the new policy should apply to this export licence application and decided to refuse the licence. If I had taken a decision to grant an export licence "The Three Graces" would have gone abroad.

FOREIGN AND COMMONWEALTH AFFAIRS

Lithuania

Mr. Colvin: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with Sajudis, the pro-independence movement in Lithuania.

Mr. Waldegrave: Our officials have met members of Sajudis in London and the Soviet Union on a number of occasions.

Mr. John Evans: To ask the Secretary of State for Foreign and Commonwealth Affairs if he has made any representations to the Soviet Union about the situation in Lithuania.

Mr. Waldegrave: We have constantly stressed the need for progress to be made through dialogue between the Soviet authorities and the Lithuanians, so that a settlement acceptable to both sides can be reached, enabling the Lithuanian people to decide their own future. We do not believe that coercive measures will contribute to such an outcome. We have emphasised that restraint is necessary on both sides.

Multiple Warheads

Mr. Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with his counterparts in other Governments and NATO about the possibility of agreement restricting multiple warheads on *(a)* land-based missiles and *(b)* sea-based missiles; and if he will make a statement.

Mr. Waldegrave: None.

Poland

Mr. Pawsey: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his reply to the hon. Member for Rugby and Kenilworth of 27 April, *Official Report*, column *372*, about Community support for Poland, if he will detail the specific measures which have been put in place by the Community to help Poland.

Mr. Maude: In order to support the political and economic reforms in Poland, the European Community

has: removed/suspended all quantitative restrictions on Polish imports to the Community; donated £117 million of free food to Poland; granted generalised scheme of preferences status and reduced some associated tariffs/ levies on Polish imports; approved £210 million for structural project aid expenditure on agriculture, environment and training in Poland and Hungary in 1990; granted a £750 million lending facility with the European investment bank.

The establishment of the European Training Foundation, the TEMPUS student exchange programme and the European bank for reconstruction and development will also benefit Poland.

Mr. Pawsey: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his reply to the hon. Member for Rugby and Kenilworth of 27 April, *Official Report*, column *372*, over what period the £117 million of free food has been provided to Poland; and what plans exist for further shipments of such food over the course of the next 12 months.

Mr. Maude: In the period August 1989 to March 1990, £117 million of food was delivered by the European Community to Poland. The Polish Government have not requested any further food aid.

Antarctica

Mr. Barry Field: To ask the Secretary of State for Foreign and Commonwealth Affairs what further protection will be given to Antarctica when the Antarctic minerals convention is ratified.

Mr. Sainsbury: The Antarctic treaty system currently provides no formal means of protecting the Antarctic environment against mineral activities.

The Antarctic minerals convention (CRAMRA) would provide for a rigorous regulatory mechanism to control, or prevent, mineral exploration and development. Consent to proceed with any mineral activity would, under CRAMRA, be permitted only after consensus agreement by all Antarctic treaty consultative parties (numbering 22) and then only if the activity in question was judged not to have a significant impact on the environment. CRAMRA incorporates some of the strictest environmental protection provisions known in international law and its ratification would greatly enhance existing provisions for the protection of the Antarctic environment.

Greenland

Sir Dudley Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the United Kingdom's current relationship with Greenland; when a Minister of the Crown or senior official last visited there; and if any such visit is planned in the near future.

Mr. Maude: Greenland is an autonomous region of Denmark, with which the United Kingdom enjoys good relations. The last visit to Greenland by a senior United Kingdom representative was by Her Majesty's ambassador at Copenhagen in February 1990. During that visit, the ambassador installed the first honorary British consul. There are no plans for other visits in the immediate future.

CSCE Conference

Mr. Atkinson: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the outcome of the recent conference on security and co-operation in Europe in Bonn.

Mr. Waldegrave: I refer my hon. Friend to the written answers given to the hon. Member for Meirionnydd Nant Conwy (Dr. Thomas) on 27 April and 1 May at columns *369* and *480*.

Iceland

Sir Dudley Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the United Kingdom's current relationship with Iceland; when a Minister of the Crown or senior official last visited there; and if any such visit is planned in the near future.

Mr. Maude: The United Kingdom and Iceland have close and friendly bilateral relations reflecting historical ties and common interests. My hon. Friend the Minister of State for the Armed Forces visited Iceland in April 1989, and Her Majesty the Queen and the Duke of Edinburgh are to pay a state visit to Iceland in June this year. My right hon. Friend the Minister of State, Foreign and Commonwealth Office will be in attendance.

Diplomatic Immunity (Drink-driving Offences)

Mr. Livsey: To ask the Secretary of State for Foreign and Commonwealth Affairs what proposals his Department has for amending the diplomatic immunity conventions to withdraw immunity from drink-driving offences.

Mr. Sainsbury: None.

Israel

Mr. Matthew Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs whether there are any negotiations to encourage Israel to support the amendment of the partial test ban treaty to a comprehensive test ban treaty at the test ban treaty conference, January 1991.

Mr. Waldegrave: No.

Mr. Matthew Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs whether there are any negotiations to seek to persuade Israel to sign the nuclear non-proliferation treaty.

Mr. Waldegrave: The United Kingdom is not currently involved in any such negotiations, but we have frequently made clear our view that the best way to achieve a nuclear weapons-free zone in the middle east is for all states in the region to accede to the non-proliferation treaty.

Know-how Fund (Seminars)

Mr. Morley: To ask the Secretary of State for Foreign and Commonwealth Affairs whether seminars for Polish Members of Parliament funded through the know-how fund on introduction to British parliamentary concepts, took place in the United Kingdom or Poland; and how many British hon. Members were involved.

Mr. Waldegrave: A seminar for Polish Members of Parliament on British parliamentary and political organisation, financed by the know-how fund and organised by the Great Britain/East Europe Centre, took place in the United Kingdom last October. Approximately 17 British hon. Members were involved in either discussions in the House or constituency visits.

A further seminar for Polish parliamentary officials, requested by the Polish Senate, will take place in the United Kingdom later this month. It will also be organised by the Great Britain/East Europe Centre with the close involvement of the Inter-Parliamentary Union and the overseas office of the House of Commons.

Iraq

Mr. Matthew Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs when Iraq's nuclear installations at Osiraq and Tuwaitha were last inspected by IAEA; and when they are expected to be inspected again.

Mr. Waldegrave: The most recent inspection of nuclear facilities in Iraq by the International Atomic Energy Agency was in the early part of April 1990. Dates of future inspections are treated as confidential between the state concerned and the IAEA inspectorate.

AGRICULTURE, FISHERIES AND FOOD

Drift Nets

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food if he will list areas designated by the International Council for the Exploration of the Sea in which drift nets are used by United Kingdom fishing boats.

Mr. Gummer: United Kingdom vessels may use drift nets in any ICES zone save where there are specific provisions applicable to United Kingdom waters out to six miles.

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement about the management measures applied specifically to the United Kingdom herring drift net fishery.

Mr. Gummer: All British fishing boats over 10 m overall length are prohibited from fishing for herring unless authorised by a licence. No new licences are available; to obtain one a fisherman would have to take over a licence given up by another fisherman, or buy an already licensed boat. In addition, boats 10 m and under need a licence to fish for herring in the Irish sea—including the area known as the Mourne—and the Thames and Clyde estuaries. Exceptionally in the Mourne and Thames estuary, fisheries drift netting is the only permitted method of fishing. Fisheries departments closely monitor uptake from all United Kingdom herring fisheries and regulate catches where necessary with the aim of maximising fishing opportunities to the extent compatible with national quotas and a responsible conservation policy.

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food what is the average length of drift nets in use on United Kingdom fishing boats.

Mr. Gummer: The length of drift nets varies widely by locality. An average figure cannot be readily calculated, but it is estimated that a substantial proportion are between 200 and 400 m. These figures refer to the overall length of netting used which normally comprises several individual nets joined together.

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food whether there is a restriction on the total length of net which may be used or carried by United Kingdom drift net fishing boats.

Mr. Gummer: As the drift net fisheries around the United Kingdom are relatively small scale, they do not give rise to the same environmental concerns as the very large-scale drift netting operations for tuna in the Pacific, in respect of which restrictive action has been taken. There is therefore no general restriction, but some specific restrictions are provided for under legislation concerned with salmon, trout, freshwater fish and eels.

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food what information he has on the incidence of drift nets in use on United Kingdom fishing boats being joined together in use to form a single length of a longer net; and if he will make a statement.

Mr. Gummer: It is the common practice to join together a number of individual drift nets, each typically about 50 m in length, to form a longer net, most frequently between 200 and 400 m. This facilitates net handling and repairs.

Dr. David Clark: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement about the type of net filament in use on United Kingdom drift netting boats and the mesh size of these nets for each species fished.

Mr. Gummer: United Kingdom drift netters generally use either monofilament or multifilament nets. Monofilament nets predominate except in Scottish inshore waters where they are banned. The filaments are usually of nylon, but non-synthetic yarn is still used in certain areas.

The mesh sizes used normally range from 40 to 60 mm for herring and mackeral, 90 to 130 mm for bass and mullet, and 100 to 130 mm for salmon and trout.

Badgers

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 19 April, *Official Report*, column *980*, what conclusion he has drawn from the Stormont study's findings that the presence of a substantial population of infected badgers was not associated with tuberculosis breakdown in the study area.

Mr. Maclean: An internal study by the Department of Agriculture for Northern Ireland concluded that the main origin of breakdowns in the limited study area appeared to be cattle-to-cattle contact. There is no reason to doubt the validity of this conclusion for the area studied. Nor is there any contradiction between this conclusion and the firm evidence that exists of badgers being implicated in outbreaks of tuberculosis in other areas of the United Kingdom.

Mr. Alex Carlile: To ask the Minister of Agriculture, Fisheries and Food what estimate he has made of the connection between local badger populations and the level of local cattle infected with tuberculosis.

Mr. Maclean: In 1989, badgers were implicated in 69 of the 96 new confirmed cattle breakdowns in south-west England and in one of the 28 occurring elsewhere in Great Britain.

Cattle Exports

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food what restrictions are currently enforced by West Germany on the import from the United Kingdom of live cattle or cattle products.

Mr. Maclean: Under a European Community decision, exports of cattle from the United Kingdom to West Germany and other member states are restricted to animals under six months which are slaughtered before they reach that age. West Germany did seek additional certification requirements for exports of beef and offal, which for a time restricted trade, but for the principal trade in boneless beef this is no longer required.

Salmon Netting

Mr. Morley: To ask the Minister of Agriculture, Fisheries and Food when he intends to announce the results of his review into commercial salmon netting.

Mr. Maclean: I refer the hon. Member to the reply which I gave to my right hon. Friend the Member for Woking (Mr. Onslow) on 26 April, at column *317*.

Restricted Commodities (EC)

Mr. Ron Davies: To ask the Minister of Agriculture, Fisheries and Food if he will list all those commodities currently restricted in their intra-Community trade by the application of article 36 indicating in each case the state applying the ban.

Mr. Maclean: I refer the hon. Member to my reply of 24 January 1990, at column *770*.

Milk and Dairy Inspections

Mr. Alex Carlile: To ask the Minister of Agriculture, Fisheries and Food if he will publish the amount charged for milk and dairy hygienic inspections for each year from 1979 to the present; how many inspections were carried out during the same time period; and if he will make a statement.

Mr. Maclean: Charges for inspection and sampling visits to farms to enforce milk and dairies regulations were introduced on 30 March 1987. Levels of charge since then have been as follows:

	30 March 1987 to 31 March 1989	*From 1 April 1989*
1. Routine dairy husbandry inspection visit		
(a) higher rate	£90	£78
(b) lower rate	£80	£60
First follow-up visit	—	—
Second and subsequent follow-up visits		
(a) higher rate	—	£78
(b) lower rate	—	£60
2. Routine sampling visit	£22	£26
Follow-up visit	—	—

Numbers of routine and follow-up inspection and sampling visits to farms in England and Wales over the same period were as follows:

	1987-88	*1988-89*	*1989-90*
1. Dairy husbandry inspection visits	24,131	18,335	19,641
2. Sampling visits	8,379	7,442	6,899

My officials are currently consulting interested parties about proposals to increase charges.

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OFFICIAL REPORT

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This index is derived from the House of Commons Library's Parliamentary On-Line Information System (POLIS), and the subject terms used are based on those used in POLIS. There are often changes in column numbering, etc, between the daily part or weekly Hansard (which simply collects together the daily parts without revision) and the bound volume. The index for the bound volume is revised to take account of these changes, and cannot, therefore, be used in conjunction with the daily part or weekly Hansard. For these versions use the Fortnightly Index.

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Oral and Written Parliamentary Questions are indexed under subject headings and the names of Members asking and Ministers replying to them. Questions are not listed under the names of Departments replying. Departmental listings can be arrived at indirectly by looking under the names of the Minister(s) of that Department. There are, however, the headings 'Northern Ireland', 'Scotland', and 'Wales' under which one can find not only most Questions answered by the Northern Ireland Office, Scottish Office, Welsh Office but also Questions about these areas of the United Kingdom which are answered by other Departments. Ministerial statements are indexed under subject headings, under 'Ministerial statements' and the names of Ministers making them and Members speaking on them. General debates are indexed under broad subject headings and under the names of all Members and Ministers taking part. Debates on legislation (Bills, Orders, Regulations etc.) are indexed under the name of the Bill, Statutory Instrument etc, under subject headings and under the names of those taking part.

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The date of each item except Parliamentary Questions is inserted immediately before the reference.

Members' names are given in the form by which they prefer to be known and are printed in bold italics. Under their names, entries are arranged under one of the two headings *Debates etc* (to include interventions on statements, points of order and so on) or *Questions*.

Abbreviations

Bills 1R=first reading, 2R=second reading, Money res=money resolution, Com=Committee stage, Rep=Report stage, 3R=third reading, amendt/amendts=amendment/amendments, *=matter taken formally, without debate.

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